

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

IN RE:)
)
DEBTOR) CASE NO.
)
Debtor(s).)

MOTION TO APPROVE TRIAL HOME MORTGAGE MODIFICATION
AND SHORTEN NOTICE

COMES NOW debtor(s), by and through his/her/their attorney, _____, and for his/her/their Motion state(s) as follows:

1. Debtor(s) filed his/her/their Chapter 13 petition/converted their case to Chapter 13 on _____.
2. Debtor(s) has/have a mortgage with _____.
3. Debtor(s) and _____ have entered into a trial loan modification.
4. Per the terms of the trial loan modification, the mortgage payment will be \$_____ for the months of _____, _____, and _____ 201_. Thereafter, these payments will revert to the contract payment absent other agreement with the mortgagee and continue until further order of court.
5. Debtor(s) request(s) permission to enter into this trial loan modification.
6. The claim in favor of _____ shall be paid in the following manner (check one):
 - Debtor(s) further request(s) permission to make their on-going mortgage payments to _____ directly beginning with the first trial loan modification payment in _____ 201_.
 - Debtor(s) further request(s) the mortgage payment to be paid by the trustee from the plan payments be changed to \$_____ due to the trial loan modification. This mortgage payment is effective with the _____, 201_, mortgage payment.

7. Debtor(s) further request(s) this court order the trustee to stop all disbursement on the on-going mortgage claim if the debtor now is paying it directly. Further, the trustee shall stop all disbursement on any pre-petition mortgage arrearage claim, any post-petition mortgage arrearages, and the initial post-petition amount (IPA) claim.
8. (If applicable) Debtor(s) further request(s) the plan payment be changed to \$_____ due to the mortgage being paid directly. This new plan payment is effective as of _____, 201_. This new plan payment will continue until further order of court.
9. Debtor(s) will provide the trustee with a copy of the final loan modification. If no final loan modification is provided to the trustee within six (6) months of this motion, the debtor(s) understands the plan will be amended, upon motion of the trustee, to pay the mortgage through the plan pursuant to Local Rule 3094-1C.
10. Debtor(s) request(s) this Honorable Court schedule the matter on the next available docket, or in the alternative, grant Debtor('s') request without a hearing after expiration of the notice period.

WHEREFORE, debtor(s) request(s) this Honorable Court enter an Order allowing debtor(s) to enter into a trial loan modification with _____ and pay the mortgage directly with the _____, 201_ payment or through the plan at the new payment amount of \$_____ as specified in Paragraph 6 above. Further, debtor(s) requests(s) an Order directing the trustee to stop all disbursements on any pre-petition mortgage arrearage claim, any post-petition mortgage arrearages, the initial post-petition amount (IPA) claim, and the on-going mortgage claim if the debtor now is paying it directly during the trial period. If applicable, the plan payment shall be and changed to \$_____ effective _____, 201_.

Date

Attorney for Debtor(s)

NOTICE OF MOTION

Any party with an objection is directed to file a Response to the motion within seven (7) days of the date of this notice with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. Information about electronic filing can be found on the Court website at www.mow.uscourts.gov. Parties not represented by an attorney may mail a response to the Court at the address below. If a response is timely filed, a Notice of Hearing will be provided to all interested parties by the Court. If no response is filed within seven (7) days, the Court will enter an order granting the motion.

CERTIFICATE OF SERVICE

I _____ hereby certify that a true and correct copy of the Motion was served, in addition to the parties notified by the US Bankruptcy Court's electronic notification, upon the affected creditors and other parties in interest via US First Class Mail, postage prepaid, this day of , 20 .

[List name and address of creditors & other parties served]

Typed Name or Signature

Court Address: United States Bankruptcy Court, 400 E. 9th St., Room 1510, Kansas City, MO 64106

Instructions: Complete all required information and serve on all affected creditors.

ECF Event: Bankruptcy>Motions/Applications/Requests>Home Mortgage Modification>Trial