**UNITED STATES BANKRUPTCY COURT**

**WESTERN DISTRICT OF NORTH CAROLINA**

**[insert correct division name] DIVISION**

IN RE: )

)

)CASE NO.

)CHAPTER 13

TIN: XXX-XX- )

)

Debtor(s).)

)

**ORDER FOR LOAN MODIFICATION MANAGEMENT**

A Motion for Loan Modification Management was filed by *\_\_\_\_\_\_\_\_\_\_\_\_* on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. All interested parties have had notice and an opportunity to object, and the court has reviewed any objections. Now therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The following parties are directed to participate in the court’s Loan Modification Management Program (“LMM Program”) in good faith.

Debtor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Creditor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The Facilitator in this case shall be designated on the court docket.
2. During the LMM Period, the Debtor shall make Adequate Protection Payments in the amount of $ \_\_\_\_\_\_\_ per month to the Creditor or the Creditor’s designee. The Adequate Protection Payments will be disbursed or reserved by the Chapter 13 trustee following the entry of this order, depending on whether a Chapter 13 plan has been confirmed and whether the Creditor has filed a valid proof of claim. During the LMM Period, the Creditor shall still comply with the requirements of Federal Rule of Bankruptcy Procedure 3002.1(b) regarding Notices of Payment Changes, but the Chapter 13 trustee shall adjust the Adequate Protection Payments consistent with section 8(b)(vi) of the LMM Program Procedures.
3. Within ten days after entry of this order, the Creditor and the Creditor’s North Carolina counsel (if any) shall register on the Portal (if not already registered) and shall provide the Creditor’s most current Initial LMM Package to the Portal Manager.
4. Within seven days after entry of this order or the Creditor’s registration on the Portal, whichever occurs later, the Debtor shall: (i) upload the Debtor’s Initial LMM Package to the Portal; (ii) upload a copy of this LMM Order to the Portal; (iii) pay the $60 Portal Submission Fee to the Portal Manager; and (iv) pay $250 directly to the Facilitator (representing one-half of the Facilitator Fee).
5. Within seven days after the Debtor submits the completed Initial LMM Package to the Creditor on the Portal, the Creditor shall: (i) acknowledge receipt of the Debtor’s completed Initial LMM Package on the Portal; (ii) designate its single point of contact and outside legal counsel (if any) on the Portal; and (iii) pay $250 directly to the Facilitator (representing one-half of the Facilitator Fee).
6. During the LMM Period, the Creditor shall promptly review the Debtor’s Initial LMM Package to determine the Debtor’s eligibility for any loss mitigation options that may be available to the Debtor. In the event that the Creditor shall require additional (or corrected) documentation, the Creditor shall promptly notify the Debtor through the Portal of such requirements and promptly respond to the Debtor’s submissions thereof as well as any inquiries made by the Debtor.
7. During the LMM Period, upon request through the Portal, the Debtor shall promptly provide any additional documents requested by the Creditor, the Facilitator, and/or the Portal Manager and/or answer any questions.
8. The LMM Period shall terminate 180 days from the entry of this order unless extended by order of the court.
9. Within seven days of the conclusion of the LMM Period, the Debtor, on notice to the Creditor, shall file and serve a Final Report with an attached printout of the current and complete account history from the Portal. The Final Report shall be completed in accordance with the instructions provided in the Portal.
10. The Debtor shall immediately serve a copy of this order on the Creditor and file a certificate of service evidencing same.
11. During the LMM Period, unless otherwise permitted by the court, all material communications shall be conducted exclusively through the Portal.
12. During the LMM Period, on behalf of each participating party, a person with complete knowledge of the file so as to be reasonably capable of answering questions posed by the court related to the LMM shall attend all LMM-related hearings and conferences.
13. The automatic stay as provided for under 11 U.S.C. § 362(a) shall be modified to the extent necessary to facilitate the LMM Program as more particularly provided in the Loan Modification Management Program Procedures.
14. The request of counsel for the Debtor(s) for a non-base fee in the amount of $1000 is hereby approved.

This Order has been signed United States Bankruptcy Court

electronically. The judge’s

signature and court’s seal appear

at the top of the Order.