**LMM Form 1 September 2021**

**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). )

)

**MOTION FOR LOAN MODIFICATION MANAGEMENT**

NOW COMES [Debtor(s) name] (“Debtor(s)”) and hereby submits the following motion and shows unto the Court as follows:

1. The Debtor(s) in this case hereby request the commencement of the Court’s Loan Modification Management Program (“LMM”) with respect to property located at: [FULL ADDRESS OF THE ELIGIBLE PROPERTY].
2. The Creditor is [FULL NAME OF CREDITOR] and [is / is not] registered on the Portal.
3. The Creditor is the holder of a [first / second / third] mortgage.
4. A completed and executed Certification of LMM Eligibility and Readiness(LMM Form 2), a fully executed Contract for Representation in LMM (LMM Form 3), and a proposed Order for Loan Modification Management (LMM Form 4) are attached to this motion*.*
5. Any objection to the relief requested herein must be filed within 21 days of service of this motion.
6. The Adequate Protection Payments during the LMM are proposed in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
7. Counsel for Debtor(s) hereby requests that the Order for Loan Modification Management approve a non-base fee in the amount of $1000 pursuant to section 11(a)(i) of the Court’s LMM Procedures.

WHEREFORE, Debtor(s) respectfully request that the Court enter an order approving participation in the LMM Program; approving fees for counsel for Debtor(s); and for any other relief the Court deems just and proper.

Date:

[Attorney Name]

[State Bar #]

[Address]

[Telephone #]

[Email address]

Attorney for Debtor(s)

**UNITED STATES BANKRUPTCY COURT**

**WESTERN DISTRICT OF NORTH CAROLINA**

***[insert correct division name]* DIVISION**

IN RE: ) Case No.:

) Chapter:

)

) **NOTICE OF**

) **OPPORTUNITY FOR HEARING**

) (No Protest Notice: No

) Hearing Will Be Held Unless

) Request For Hearing Is Filed)

)

Debtor(s). )

)

**TAKE NOTICE** that [name of moving party] has filed papers with the court to [relief sought in motion]. A copy of these paper(s) is included with this notice or copied on the reverse side of this notice.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

If you do not want the court to order [relief sought in motion], or if you want the court to consider your views on the motion, then on or before **[DATE RESPONSE DUE]** from the date of this notice, you or your attorney must do three things:

1. **File a written response with the court requesting that the court hold a hearing and explaining your position. File the response at:**

U.S. Bankruptcy Court

[Courtroom #]

[Address]

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

1. **On or before the date stated above for written responses, you must also mail or fax a copy of your written request to:**

[Name/address/fax # of movant’s attorney]

[Name/address/fax # of other parties to be served]

1. **Attend the hearing scheduled for [date], [year], at [time] a.m./p.m.** in Courtroom [#], United States Bankruptcy Court, [court address].

If you or your attorney do not take these steps, **A HEARING WILL NOT BE HELD,** and the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: [Attorney Name]

[State Bar #]

[Address]

[Telephone #]

[Email address]

Attorney for Debtor(s)