**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 APPROVING TRIAL LOAN MODIFICATION**

On [DATE OF TRIAL MODIFICATION AGREEMENT], the Debtor(s) and [NAME OF LENDER/SERVICER] (“Creditor”) entered into a trial modification (the “Trial Modification”) through the court’s Loan Modification Management Program with respect to the [FIRST/SECOND/THIRD] mortgage on the Debtor’s property at [PROPERTY ADDRESS]. The terms of the Trial Modification require monthly payments in the amount of [$ AMOUNT] (“Trial Payments”) to begin on [DUE DATE OF FIRST TRIAL PAYMENT]and to continue in that amount until[DUE DATE OF LAST TRIAL PAYMENT](the “Trial Modification Period”). Therefore, the Debtor(s) requests that the court enter this Order Approving Trial Loan Modification until a final modification can be presented to the court for approval. Now therefore,

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

1. The Motion to Approve Trial Loan Modification is granted;
2. Each Trial Payment shall be made in the amount of [$ AMOUNT] for the following months: [Month 1], [Month 2], and [Month 3];
3. Beginning with the first month of the Trial Modification Period and continuing thereafter, the Chapter 13 trustee shall begin making the trial payments set forth above, cease making Adequate Protection Payments to the Creditor, and shall continue to reserve cure payments on all existing prepetition and administrative arrearage claims pending further order of the court;
4. Following the Trial Modification Period, the trustee shall continue to make distributions in the same amount as the Trial Payments until further order of this court;
5. In the event that a final modification is reached between the parties, the Debtor shall ***immediately*** file a Motion to Authorize Final Loan Modification;
6. The LMM Period is extended until fourteen days after the expiration of the Trial Modification Period. If the Debtor has not filed a Motion to Authorize Final Loan Modification within fourteen days after the expiration of the Trial Modification Period, then the Debtor shall ***immediately*** file and serve either a Motion to Extend the LMM Period or a Motion to Terminate the LMM Program that sets forth the specific reasons why an agreement was not reached;
7. Any party may seek a further hearing regarding the amendment or termination of this order at any time during the Trial Modification Period by filing an appropriate motion; and
8. The request of counsel for Debtor(s) for a non-base fee in the amount of $500 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.