

OFFICE OF THE CHAPTER 13 TRUSTEE- Huon Le

Post Office Box 2127

Augusta, GA 30903

706-724-1039

**Re: General Order Number 2010-2 Permitting Chapter 13 Trustee to Approve
Real Estate Loan Modification and the Incurring of Debt**

The following procedure outlines the information required by my office for reviewing of the request to approve incurring of debt and mortgage modification.

The debtors, *by and through their attorney*, should submit the requested information and provide all of the requested documents. The completed request should be emailed in PDF format to legalassistant@chp13aug.org. The Trustee will review the request and file an approval or denial with the Court. Incomplete requests will be denied. Notice of the approval or denial will be sent to the debtor(s), debtors' attorney and creditor. If the request is denied, debtors may apply directly to the Bankruptcy Court for permission by filing a motion with the Trustee's denial attached.

Refinancing an Existing Mortgage

- Copy of estimated closing statement
- Application form for loan approval
- Amended Schedules I and J showing new mortgage payment amount (file with the Court)
- Current proof of income (weekly, bi-weekly or monthly pay advices)
- Fill out and sign the *Request to Refinance an Existing Mortgage* form (enclosed, also available at www.chp13aug.org)

Modification of Mortgage Loan

- Amended Schedules I and J showing new mortgage payment amount (file with the Court)
- Current proof of income (weekly, bi-weekly or monthly pay advices)
- Fill out and sign the *Request to Modify a Mortgage* form (enclosed, also available at www.chp13aug.org)

Mortgage for Purchase of a Home

- Any real estate presently owned and its current use
- Whether debtor's currently residence is rented and the current monthly rental payment
- Address of property to be purchased
- Purchase price of real estate
- Down payment amount and source of down payment
- Total loan amount
- Total monthly payment (including principal, interest, taxes and insurance)
- Interest rate and type of interest (fixed- or adjustable-rate)
- Loan type (VA, FHA, conventional or other type)
- Truth-in-Lending Statement, Good Faith Estimate, HUD-1 Form
- Source of Funds Affidavit (if Debtor is making a down payment)
- Completed Outside Loan Application
- Creditor's name and address
- Amended Schedules I and J showing new mortgage payment amount (file with the Court)

Purchasing a Car

- Name and address of lender
- Year, make and model of vehicle
- Sales price and NADA value
- Down payment and source of funds for down payment
- Amount to be financed
- Total monthly payment
- Annual interest rate
- Term of loan
- Reason for car loan
- Status of car presently or previously driven
- If plan includes payment of any vehicles, does Debtor intend to trade the vehicle in as part of the purchase? (Court approval required.)
- Copy of Bill of Sale / Buyer's Order
- Application form for loan approval
- Amended Schedules I and J showing proposed new payment (file with the Court)
- Proof of income (weekly, bi-weekly or monthly pay advices)

Student Loans

- Completed outside loan application
- Reason for the loan
- School that will be attended
- Dates attending
- Amount of loan and term covered by loan
- Date first payment will be due
- Amount of monthly payment and interest rate
- Total number of payments due
- Creditor's name and address
- Amended Schedules I and J if applicable

Other Loans

- Proposed contract
- Completed Outside Loan Application
- Reason for the loan
- Did applicant previously apply for a loan with the Trustee? If so, is there a remaining balance?
- Name of lender and address
- Amount of loan
- Monthly payment and interest rate
- Total number of payments due
- Is applicant borrowing against pension or retirement proceeds?
- Amended Schedules I and J showing proposed new payment (file with the Court)
- Proof of income (weekly, bi-weekly or monthly pay advices)

Please feel welcome to contact me should you have any questions or concerns regarding the request for approval process.

Warmest regards,

Huon Le
Chapter 13 Trustee