

## Notice of Abandonment by Trustee

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### **Docketing Event**

Bankruptcy> Notices OR Bankruptcy Trustee/U.S. Trustee> Notice of Abandonment

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**Negative Notice: Yes.**

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**Accompanying Orders: N/A**

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### **Code and Rule References:**

[11 U.S.C. § 554\(a\), \(b\)](#)

[Fed. R. Bankr. P. 6007\(a\), \(b\)](#)

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**Fee: N/A**

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**Applicable Chapters: 7, 11**

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**Implemented: 10/25/17**

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**Last Revision: 1/23/2018 9:33:51 AM**

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### **Description**

Under 11 U.S.C. § 554(a), the trustee may abandon any property of the estate that is burdensome or of inconsequential value and benefit (the equity in the property does not exceed the debt owed on the property) to the estate.

The trustee must give notice of the proposed abandonment to the United States Trustee and all creditors and parties in interest. The notice shall include negative notice providing a 14 day response period.

A party in interest may file an objection to the abandonment. Upon filing a timely objection, the trustee will schedule and notice a hearing. If no objection is filed, there will be no hearing or court order, and the trustee may proceed with the abandonment.

A party in interest may file and serve a motion requesting the trustee abandon property of the estate. Those are typically filed as motions to compel abandonment. There are separate procedures on motions to compel.

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### **Filing Checklist**

Review the notice to determine if it:

- Is signed;
- Has the trustee's or attorney's name and address complete and consistent with the filing trustee's or attorney's name and address in CM/ECF;
- Is properly served and includes a proper certificate of service;
- Contains the correct negative notice language located on the first page;
  - ❖ **Note:** Response period is 14 days (plus an additional three days if any party was served by U.S. Mail).