

Forms are generic suggestions. Parties and their attorneys should revise them to address their unique circumstances of each case.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
_____ DIVISION
www.flmb.uscourts.gov

In re _____)
)
,) Case No. 6: __-bk-____-____
) Chapter
Debtor.)
_____)

NOTICE OF OPPORTUNITY TO OBJECT AND REQUEST FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files a response within 21 days from the date set forth on the proof of service attached to this paper plus an additional three days for service. If you object to the relief requested in this paper, you must file your response with the Clerk of the Court at [address] and serve a copy on the movant's attorney, [name and address], and any other appropriate persons within the time allowed. If you file and serve a response within the time permitted, the Court may schedule and notify you of a hearing, or the Court may consider the response and may grant or deny the relief requested without a hearing. If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

MOTION FOR APPROVAL OF A PERMANENT MORTGAGE MODIFICATION AGREEMENT

(Re: [insert property address]; loan # ***[insert last 4 digits of loan number])

Debtors, by and through their undersigned counsel, and file this Motion for Approval of a Permanent Mortgage Modification Agreement, and in support state:

1. Debtors sought a mortgage modification with [insert name of mortgage company] (“[insert name]”).
2. [insert name of mortgage company] has offered the Debtors a loan modification, and the Debtors have accepted the terms, as set forth in the attached Loan Modification Agreement.

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3. The modified payment is \$[insert amount], of which \$[insert amount] is principal and interest and the balance includes escrow for taxes and insurance, and shall begin on [insert date].

4. The “New Principal Balance” on the note is \$_____, which shall be amortized as set forth below:

Years	Interest Rate	Interest Rate Change Date	Monthly Principal & Interest Payment	Estimated Monthly Escrow Payment*	Total Monthly Payment*	Payment Begins on	Number of Monthly Payments
[insert years]	[insert interest rate]	[insert date]	[insert amount]	[insert amount]*	[insert amount]*	[insert date]	[insert number]

*adjusts periodically

5. The “New Principal Balance” and any other amounts still owed according to the terms of the Loan Modification Agreement shall be due and payable in full by the earliest of 1) the sale or transfer of any of Debtors’ interest in the property subject to the mortgage, 2) the date Debtors pay the entire “New Principal Balance”, or 3) the “Maturity Date” of [insert date].

6. The modification agreement should be filed in the public records of [insert county] County, Florida.

7. Payments to the Chapter 13 Trustee constitute timely payments to [insert name of mortgage company].

WHEREFORE, Debtor requests an order granting this motion, ordering that payments to the Chapter 13 Trustee constitute timely payments to [insert mortgage company name], and granting such other relief deemed appropriate in the circumstances.

/s/ Signature
 Attorney Name
 Attorney Bar No.
 Attorney E-Mail
 Attorney Address
 Attorney Phone Number
 Attorney for Debtor(s)

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PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail on _____ to: Chapter 13 Trustee; Debtors; [insert mortgage company name, address and any attorney contact information].

/s/ Signature

Attorney Name

Attorney Bar No.

Attorney E-Mail

Attorney Address

Attorney Phone Number

Attorney for Debtor(s)