

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN RE:

Case No.
Chapter 13
Judge:

Debtor #1 and
Debtor #2

Debtor(s)
_____ /

**STIPULATION FOR ENTRY OF ORDER ALLOWING DEBTOR(S)
TO ENTER INTO PERMANENT MORTGAGE LOAN
MODIFICATION WITH CREDITOR, _____, AND
MODIFYING CHAPTER 13 PLAN**

Debtor(s), _____; Creditor, _____;
and the Standing Chapter 13 Trustee, David Wm. Ruskin, hereby stipulate to
entry of an Order Allowing Debtor(s) to Enter Into Permanent Mortgage Loan
Modification With Creditor, _____, and Modifying Chapter
13 Plan in the form attached as Exhibit "A".

OFFICE OF THE CHAPTER 13 STANDING
TRUSTEE, DAVID WM. RUSKIN

David Wm. Ruskin (P26803), Trustee
Christopher P. Reilly (P54168), Staff Attorney
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Attorney for Debtor(s)
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()

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re

Case No.

**Debtor #1 and
Debtor #2**

Chapter 13

Judge:

Debtor(s)
_____ /

**ORDER ALLOWING DEBTOR(S) TO ENTER INTO PERMANENT
MORTGAGE LOAN MODIFICATION WITH CREDITOR,
_____, AND MODIFYING CHAPTER 13
PLAN**

THIS matter came before the Court upon the Stipulation of Debtor(s), _____; Creditor, _____ (“Creditor”); and the Standing Chapter 13 Trustee, David Wm. Ruskin, for entry of an Order Allowing Debtor(s) to Enter Into Permanent Mortgage Loan Modification with Creditor, _____ and Modifying Chapter 13 Plan (ECF No. ____). The Court has reviewed the foregoing Stipulation and other pertinent pleadings. The Court is advised in the premises.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Debtor(s)’ Permanent Loan Modification with Creditor is approved as follows:
 - a. Effective _____, the outstanding principal balance under the Mortgage Loan is \$_____.
 - b. The maturity date of the Mortgage Loan is _____.
 - c. The interest rate on the outstanding balance is _____% per annum. This rate (is) (is not) fixed for the remainder of the loan term.
 - d. Effective _____, Debtor(s)’ ongoing Class 4.1 mortgage payment shall be principal and interest of \$_____ per month, plus escrow amounts for property insurance and property taxes of \$_____ per month, totaling \$_____ per month. The

payment amount shall be subject to future adjustments for changes in insurance and taxes as provided for in the mortgage and consistent with the requirements of applicable Federal and State Law.

- e. The property securing this mortgage is located at _____.
2. Effective _____, payments pursuant to the Loan Modification approved in this Order shall be made by the Chapter 13 Trustee, addressed to _____. Trustee shall make these payments as part of the Trustee's normal disbursement cycle and consistent with the terms of Debtor's (s') confirmed plan as modified herein.
3. Upon the conclusion of Debtor's (s') Chapter 13 case, whether by discharge, conversion, dismissal or otherwise, Debtor(s) shall be responsible for making all future payment pursuant to the terms of the Mortgage Loan documents.
4. The Mortgage Loan shall be deemed contractually current as of _____. The Chapter 13 Trustee shall not make further disbursements on any accrued but unpaid balance on Creditor's Class 4.1 post-petition mortgage payments or on Creditor's Class 4.2 pre-petition arrearage claim accruing prior to the date stated in this Paragraph 4.
5. Except as modified in this Order, the terms and conditions of the Loan and Mortgage documents between Debtor(s) and Creditor shall remain in full force and effect.
6. The treatment of the claim of Creditor in Debtor(s)' Chapter 13 Plan as confirmed (and as modified, if at all) is modified as necessary to comply with the provisions of this Order, including but not limited to, the change in Creditor's Class 4.1 mortgage payment and suspension of disbursements on Creditor's Class 4.2 pre-petition arrearage claim.
7. Entry of this Order is without prejudice to debtor filing any further plan modification that debtor deems appropriate.

IT IS FURTHER Ordered and adjudged that except as expressly modified herein, Debtor(s)' Plan as confirmed (and as later modified, if at all) shall remain in full force and effect.

EXHIBIT A