

1 NVB 105-4(1/15)

2 Debtor Attorney _____

3 Nevada Bar # _____

4 Firm Name _____

5 Address _____

6 City, State, Zip _____

7 Phone Number _____

8 Pro-se Debtor _____

9 **UNITED STATES BANKRUPTCY COURT**
10 **DISTRICT OF NEVADA**

11 * * * * *

12 In re:

13 Debtor(s).

14) BK
15) CHAPTER 13
16) DEBTOR’S VERIFIED OUT OF TIME
17) MOTION FOR REFERRAL TO
18) MORTGAGE MODIFICATION
19) MEDIATION

20 **ANY INTERESTED PARTY WHO FAILS TO FILE AND**
21 **SERVE A WRITTEN RESPONSE TO THIS MOTION WITHIN**
22 **14 DAYS AFTER SERVICE OF THIS MOTION SHALL,**
23 **PURSUANT TO ADMINISTRATIVE ORDER 2014-08, BE**
24 **DEEMED TO HAVE CONSENTED TO THE ENTRY OF AN**
25 **ORDER IN THE FORM ATTACHED TO THIS MOTION.**

26 The Debtor files this Verified Out of Time Motion for Referral to Mortgage Modification
27 Mediation (“Out of Time Motion”) and requests the Court enter an Order Granting the Out of
28 Time Motion referring Debtor and _____ (“Lender”) to Mortgage
Modification Mediation (“MMM”) and states as follows:

1. Debtor is an individual who has filed for bankruptcy relief under, or converted to, chapter 13 on _____. In support of Debtor’s request to participate in

1 MMM "Out of Time," Debtor states the following:

2 _____
3 _____
4 _____.

5
6 2. Debtor requests MMM for real property ("Property") located at the following
7 street address: _____;
8 account number for this property is _____ (last four digits).

9
10 a. The Property is (check one box):

- 11 The Debtor's primary residence.
12
13 Not the Debtor's primary residence.

14
15 b. Borrowers obligated on the promissory note and mortgage on the Property are
16 (check one box):

- 17 Debtor only.
18 Debtor and non-filing co-obligor/co-borrower/third party.

19 Contact information for co-obligor/co-borrower/third party:

20 Name: _____

21 Address: _____

22 Telephone: _____

23 Email: _____

24
25 Other:

26 Name: _____

27 Address: _____

1 Telephone: _____

2 Email: _____

3 c. If applicable, Debtor has filed with this motion the MMM Local Form “Third
4 Party’s Consent to Attend and Participate in Mortgage Modification
5 Mediation” signed by each co-obligor/co-borrower/third party listed above.
6

7
8 3. Debtor intends to (check all boxes that apply):

9 Modify the mortgage on the Debtor’s primary residence.

10 Modify the mortgage on Property that is not the Debtor’s primary
11 residence.

12 Surrender the Property to the Lender.
13

14 4. Prior to filing this motion, Debtor has completed Debtor’s information using the
15 court-approved on-line program that facilitates the preparation of the Debtor’s
16 loan modification package (“Document Preparation Software”) and has paid the
17 Document Preparation Software fee to the approved vendor. Debtor’s initial loan
18 modification forms have been generated and are ready for signature and
19 submission. Debtor has also collected all of the required supporting
20 documentation as required by the Document Preparation Software (such
21 documentation and forms referred collectively to as “Debtor’s Prepared
22 Package”) and is prepared to submit the supporting documentation along with the
23 modification forms.
24
25

26
27 5. Prior to filing this motion, Debtor has determined that:
28

1 9. If the Debtor is not represented by an attorney, the Debtor obtained a money order
2 or a cashier's check to pay the required mediator's fee pursuant to the MMM
3 Procedures; a copy of that money order is attached. Debtor understands and
4 acknowledges that after the mediator is designated, the mediator's fee is not
5 refundable for any reason at any time.
6

7 10. Within seven days after filing the MMM Local Form "Debtor's Notice of
8 Selection of Mortgage Modification Mediator (or "Notice of Clerk's Designation
9 of Mortgage Modification Mediator") or the Lender's registration on the MMM
10 Portal, whichever occurs later, Debtor shall upload and submit through the MMM
11 Portal, Debtor's Prepared Package, together with any additional forms or
12 documents which Lender may post on the MMM Portal, and pay a non-refundable
13 MMM Portal submission fee. In addition, the Debtor's will upload the Order to
14 the MMM Portal as part of the submission of Debtor's documentation;
15
16

17 11. Debtor will forward the mediator's fee directly to the mediator within seven days
18 after designation of the mediator;
19

20 12. If Debtor is represented by counsel, Debtor consents to Lender communicating
21 directly with Debtor's attorney for any and all aspects of the mortgage
22 modification mediation program;
23

24 13. If Debtor is not represented by counsel, Debtor may be contacted at the following
25 phone number(s) and email address: _____
26
27 _____
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WHEREFORE, Debtor requests that the Out of Time Motion be granted and for such other and further relief as this Court deems proper.

DEBTOR'S VERIFICATION

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Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury the foregoing is true and correct on _____, 20_____.

Debtor

Debtor

Submitted by:

Attorney for Debtor(s) or Pro Se Debtor

Dated: _____