

1 NVB 105-2 (Rev. 3/21)

2 Attorney _____
Nevada Bar # _____
3 Firm Name _____
Address _____
4 City, State, Zip _____
Phone Number _____
5 Email Address _____
Pro-se Debtor _____

6 UNITED STATES BANKRUPTCY COURT
7 DISTRICT OF NEVADA

8 In re:

BK-
Chapter 13

10 **MOTION FOR REFERRAL TO THE**
11 **MORTGAGE MODIFICATION**
12 **PROGRAM**

12 _____ Debtor(s).

13 The Debtor files this Motion for Referral to the Mortgage Modification Program and
14 request the Court to enter an Order Granting Debtor’s Motion for Referral to the Mortgage
15 Modification Program (“MMP”) referring Debtor and _____ (“Lender”) to
16 the MMP. Debtor requests this Motion be granted on Negative Notice.

17 Has the mortgage debt referenced in this motion been previously referred to the MMP?

18 Yes No

19 If yes:

20 How many times? _____

21 When was each prior MMP referral order entered? Date(s) _____

22 What was the outcome of each prior MMP session? _____

23 _____.

1 **NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

2 Pursuant to LR 9014.1, the court will consider this motion, objection, or other matter without
3 further notice of hearing unless a party in interest files an objection within twenty-one (21)
4 days from the date of service of this paper. If you object to the relief requested in this paper,
5 you may file your objection at the bankruptcy clerk’s office located in Las Vegas at the United
6 States Bankruptcy Court, 300 Las Vegas Blvd. South, Las Vegas, Nevada 89101, or in Reno at
7 the United States Bankruptcy Court, 300 Booth Street, Reno, NV 89509, and serve a copy on
8 the movant's attorney and any other appropriate persons.

9 **It is the duty of the objecting party to timely set the objection for a hearing and properly
10 notice all parties in interest. If you do not file an objection within the time permitted, an
11 order granting the requested relief may be entered by the court without further notice or
12 hearing.**

13 I. ELIGIBILITY TO ENTER THE MORTGAGE MODIFICATION PROGRAM

14 Debtor hereby certifies that they are eligible to participate in the MMP:

- 15 1. Debtor is an individual who has filed for bankruptcy relief under, or converted to,
16 Chapter 13 on _____.
- 17 2. Debtor has filed a Chapter 13 Plan that provides a Chapter 13 plan payment of at
18 least thirty one percent (31%) of Debtor’s gross monthly income.
- 19 3. Debtor has paid the applicable Document Preparation Software fee (\$60.00).
20 Debtor has the ability to pay the applicable Portal submission fee (\$60.00) and
21 one half of the Program Manager’s fee (\$300.00).
- 22 4. Debtor has paid their bankruptcy filing fee in full.

23 II. PROPERTY AND LENDER INFORMATION

Debtor request to enter the MMP for the following real property (“Property”):

1. Street Address: _____

2. Lender: _____

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3. Lender Address: _____

4. Account Number _____(last four digits)

5. The Property is:
 the Debtor's primary residence.
 not the Debtor's primary residence.

6. The Debtor represents that the property has has not been listed for sale.

7. Borrowers obligated on the promissory note and mortgage on the Property are
(attach additional pages as necessary):
 Debtor only.

Debtor and non-filing co-obligor/co-borrower/third party

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

Name: _____

Address: _____

Telephone: _____

Email: _____

If applicable, Debtor has filed with this Motion the MMP Local Form "Third-Party Consent to Attend and Participate in Mortgage Modification Program" signed by each co-obligor/co-borrower/third party listed above.

8. Debtor has has not (check one) previously sought the MMP for the subject property. (If previously sought in this or any other Chapter 13 case, identify all bankruptcy case number(s) and the result of the MMP: _____

1 _____
2 9. Debtor requests Lender consider (check as many boxes as applicable):

3 a loan modification.

4 a deed in lieu of foreclosure.

5 surrender options.

6 other: _____

7 III. CERTIFICATIONS

8 Debtor hereby makes the following certifications:

- 9 1. Prior to filing this motion, Debtor has completed the initial loan modification
10 forms using the court-approved Document Preparation Software, and collected the
11 supporting documentation required for submission to Lender for review through
12 the Portal. Debtor has paid the Document Preparation Software fee to the
13 approved vendor.
- 14 2. Within seven days after the entry of an Order Granting this motion, Debtor will:
- 15 i. Pay the Portal submission fee (\$60.00) and Debtor's portion of the
16 Program Manger's fee (\$300); and
- 17 ii. Upload to the Portal a copy of the Order referring the case to the MMP.

18 IV. MISCELLANEOUS PROVISION

- 19 1. All parties to this MMP shall be required follow the MMP procedures.
- 20 2. If Debtor is represented by Counsel, Debtor consents to Lender communicating
21 directly with Debtor's attorney for any and all aspects of the MMP.
- 22 3. If Debtor is not represented by counsel, Debtor may be contacted at the following
23 phone number(s) and email address: _____

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4. If this Chapter 13 case is dismissed, or converted, or otherwise removed from the District of Nevada prior to Debtor’s completion of the MMP, the MMP proceedings in the case will immediately terminate and the parties will be relieved of their requirements of the MMP procedures.

WHEREFORE, Debtor requests that this Motion be granted and for such other and further relief as this Court deems proper.

Attorney for Debtor(s) or Pro Se Debtor

Dated: _____

DEBTOR’S VERIFICATION

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: _____