

Fill in this information to identify the case:

Debtor 1 _____

Debtor 2 _____
(Spouse, if filing)United States Bankruptcy Court for the: _____ District of _____
(State)

Case number _____

Official Form 410C13-N**Trustee's Notice of Disbursements Made**

12/25

The trustee must file this notice in a chapter 13 case within 45 days after the debtor completes all payments due to the trustee. Rule 3002.1(g)(1).

Part 1: Mortgage Information

Name of claim holder: _____

Court claim no. (if known): _____

Last 4 digits of any number you use to identify the debtor's account: _____

Property address:

Number _____ Street _____

City _____ State _____ ZIP Code _____

Part 2: Statement of Completion

The debtor has completed all payments due the trustee under the chapter 13 plan. A copy of the trustee's disbursement ledger for all payments to the claim holder is attached or may be accessed here: _____ (web address).

Part 3: Arrearages**Amount**

- | | |
|---|----------|
| a. Allowed amount of prepetition arrearage: | \$ _____ |
| b. Total amount of prepetition arrearage disbursed by the trustee: | \$ _____ |
| c. Total amount of postpetition arrearage disbursed by the trustee: | \$ _____ |
| d. Total amount of arrearages disbursed by the trustee: | \$ _____ |

Part 4: Postpetition Payments

Check one:

- ☐ Postpetition payments are made by the debtor.
- ☐ Postpetition payments are paid through the trustee.
- ☐ Other: _____

If the trustee has disbursed postpetition payments, complete a and b below; otherwise leave blank.

- a. Total amount of postpetition payments disbursed by the trustee as of date of notice: \$ _____
- b. The last ongoing mortgage payment disbursed by the trustee was the payment due on _____. All subsequent ongoing mortgage payments must be made directly by the debtor to the mortgage claimant.

Part 5: Postpetition Fees, Expenses, and Charges

Amount of postpetition fees, expenses, and charges disbursed by the trustee: \$ _____

Part 6: A Response Is Required by Bankruptcy Rule 3002.1(g)(3)

Within 28 days after service of this notice, the holder of the claim must file a response using Official Form 410C13-NR.

X

Signature

Date ____/____/____

Trustee

First Name Middle Name Last Name

Address

Number Street

City State ZIP Code

Contact phone (____) ____-____

Email _____

Committee Note

Official Forms 410C13-M1, 410C13-M1R, 410C13-N, 410C13-NR, 410C13-M2, and 410C13-M2R are new. They are adopted to implement new and revised provisions of Rule 3002.1 that prescribe procedures for determining the status of a home mortgage claim in a chapter 13 case.

Official Forms 410C13-M1 and 410C13-M1R implement Rule 3002.1(f). Form 410C13-M1 is used if either the trustee or the debtor moves to determine the status of a home mortgage at any time during a chapter 13 case prior to the trustee's Notice of Disbursements Made. If the trustee files the motion, she must disclose the payments she has made to the holder of the mortgage claim so far in the case. If the debtor, rather than the trustee, has been making the postpetition payments, the trustee should state in part 4 that she has paid \$0. If the debtor files the motion, he should provide information about any payments he has made and any payments made by the trustee of which the debtor has knowledge.

Within 28 days after service of the trustee's or debtor's motion, the holder of the mortgage claim must file a response, using Official Form 410C13-M1R, if it disputes any facts set forth in the motion. *See* Rule 3002.1(f)(2). The claim holder must indicate whether the debtor has paid the full amount required to cure any arrearage and whether the debtor is current on all postpetition payments. The claim holder must provide a payoff statement, and, if the claim holder says that the debtor is not current on all payments, it must attach an itemized payment history for the postpetition period.

Official Form 410C13-N is to be used by a trustee to provide the notice required by Rule 3002.1(g)(1) to be filed at the end of the case. This notice must be filed within 45

days after the debtor completes all payments due to the trustee, and it requires the trustee to report on the amounts the trustee paid to cure any arrearage, for postpetition mortgage obligations, and for postpetition fees, expenses, and charges. The trustee must also provide her disbursement ledger for all payments she made to the claim holder or provide the web address where it can be accessed.

Within 28 days after service of the trustee's notice, the holder of the mortgage claim must file a response using Official Form 410C13-NR. *See* Rule 3002.1(g)(3). The claim holder must indicate whether the debtor has paid the full amount required to cure any arrearage and whether the debtor is current on all postpetition payments. It must also provide a payoff statement. If the claim holder says that the debtor is not current on all payments, it must attach an itemized payment history for the postpetition period. The response, which is not subject to Rule 3001(f), must be filed as a supplement to the claim holder's proof of claim.

Official Forms 410C13-M2 and 410C13-M2R implement Rule 3002.1(g)(4). Form 410C13-M2 is used if either the trustee or the debtor moves at the end of the case to determine whether the debtor has cured all arrearages and paid all required postpetition amounts. If the trustee files the motion, she must disclose the payments she has made to the holder of the mortgage claim. If the debtor, rather than the trustee, has been making the postpetition payments, the trustee should state in part 4 that she has paid \$0. If the debtor files the motion, he should provide information about any payments he has made and any payments made by the trustee of which the debtor has knowledge.

Within 28 days after service of the trustee's or debtor's motion, the holder of the mortgage claim must file a response, using Official Form 410C13-M2R, if it disputes

any facts set forth in the motion. *See* Rule 3002.1(g)(4)(B). The claim holder must indicate whether the debtor has paid the full amount required to cure any arrearage and whether the debtor is current on all postpetition payments. The claim holder must provide a payoff statement, and, if the claim holder says that the debtor is not current on all payments, it must attach an itemized payment history for the postpetition period.

Official Form 410S1, Notice of Mortgage Payment Change, is amended to provide space for an annual HELOC notice. As required by Rule 3002.1(b)(2), new Part 3 solicits disclosure of the existing payment amount, a reconciliation amount representing underpayments or overpayments for the past year, the next payment amount (including the reconciliation amount), and the new payment amount thereafter (without the reconciliation amount). The sections of the form previously designated as Parts 3 and 4 are redesignated Parts 4 and 5, respectively.

Official Form 41013-N

Instructions for Trustee's Notice of Disbursements Made

United States Bankruptcy Court

12/25

Introduction

This form is used only in chapter 13 cases. It must be filed by the trustee within 45 days after the debtor completes all payments due to the trustee under a chapter 13 plan—whether or not the trustee made any disbursements to the claim holder.

Applicable Law and Rules

Rule 3002.1 of the Federal Rules of Bankruptcy Procedure addresses claims secured by a security interest in a chapter 13 debtor's principal residence. Subdivision (g)(1) of that rule requires the trustee at the end of the case to file a notice stating what amount the trustee disbursed to the claim holder to cure any default and what amount the trustee disbursed for payments that came due during the pendency of the case. The rule requires that this form be used for the notice and that it be served on the debtor, the debtor's attorney, and the claim holder.

Directions

Information required in Part 1

Insert on the appropriate spaces:

- the claim holder's name;
- the court claim number, if known;
- the last 4 digits of the loan account number or any other number used to identify the account;

- the address of the principal residence securing the claim.

Information required in Part 2

Either attach a copy of the trustee's disbursement ledger for all payments to the claim holder or provide the web address where it can be accessed.

Information required in Part 3

Insert on the appropriate lines:

- the allowed amount of any arrearage that arose prepetition;
- the total amount of any prepetition arrearage that the trustee disbursed;
- the total amount of any postpetition arrearage that the trustee disbursed;
- the total amount of arrearages disbursed by the trustee.

The amount listed in Part 3a. should be the same amount as "Amount necessary to cure any default as of the date of the petition" that was reported on line 9 of Official Form 410 and that was not disallowed or, in districts in which the plan controls, the amount specified by the plan. The amount listed in Part 3d. should be the sum of the amounts listed in Parts 3b. and 3c. If the trustee did not make any disbursements for a

listed category, insert \$0 in the appropriate space.

Information required in Part 4

Check the appropriate box indicating who made postpetition payments. If some postpetition payments were made by the trustee and some by the debtor, check the third box and explain how they were divided up.

If the trustee disbursed any postpetition payments, insert in the appropriate space the total amount of postpetition payments the trustee disbursed as of the date of the notice and the date of the last ongoing mortgage payment disbursed by the trustee.

Information required in Part 5

Insert in the space the amount of postpetition fees, expenses, and charges disbursed by the trustee. If the trustee made no such disbursements, insert \$0.

Information required in Part 6

Sign and date the form and provide the requested contact information.