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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

In re:

Chapter

Case No.

Debtor(s).

**MOTION FOR REFERRAL TO
MORTGAGE MODIFICATION
MEDIATION PROGRAM**

The Debtor and/or Debtors (collectively, the “Debtor”) file this Motion for Referral to Mortgage Modification Mediation Program (“Motion for Referral”) and requests that the Court enter an Order Granting Motion for Referral to Mortgage Modification Mediation” (“Referral Order”) referring Debtor and _____

(“Lender”) to Mortgage Modification Mediation (“MMM”) Program and states as follows:

- 1. Debtor is an individual who has filed for bankruptcy relief under Chapter _____ on _____, 20__.
- 2. Debtor requests MMM for real property (“Property”) located at the following street address:

The account number for this Property is _____ (last four digits).

- a. The Property is (check one box):
 - the Debtor’s primary residence.
 - not the Debtor’s primary residence.

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

Debtor only.

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

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

Name: _____

Address:

Telephone: _____

E-mail: _____

Other:

Name: _____

Address:

Telephone: _____

E-mail: _____

c. If a non-filing co-obligor/co-borrower/third party is listed above, Debtor has filed with this Motion the MMM Local Form “Third-Party Consent to Attend and Participate in Mortgage Modification Mediation” signed by each co-obligor/co-borrower/third party listed above.

3. Debtor: has has not (check one) previously sought Mortgage Modification Mediation for the subject property. (If previously sought in this or any other bankruptcy case, identify all bankruptcy case number(s) and result of Mortgage Modification Mediation(s):

1 4. Debtor intends to (check all boxes that apply):

2 modify the mortgage on the Debtor's primary residence.

3 modify the mortgage on Property that is not the Debtor's primary residence.

4 5. Prior to filing this motion, Debtor has completed the initial loan modification forms
5 using the Document Preparation Software, and collected the supporting documentation required
6 for submission to Lender for review through the MMM Portal. Debtor has paid the Document
7 Preparation Software fee to the vendor.

8 6. Prior to filing this motion, Debtor has determined that:

9 Lender is registered with the approved Mortgage Modification Mediation
10 Portal ("MMM Portal");

11 Lender is not registered. Debtor requests the Court require Lender, within
12 fourteen (14) days after the entry of the Order, to register with the MMM Portal
13 and provide to the MMM Portal vendor any forms or documents which Lender
14 may require to initiate a review under the MMM. The MMM Portal vendor shall
15 post any such forms or documents to the Lender's profile on the MMM Portal.

16 7. Debtor requests Lender consider (check as many boxes as applicable):

17 a loan modification

18 a deed in lieu of foreclosure

19 surrender options

20 other: _____

21 8. IF DEBTOR IS REQUESTING NON-RETENTION (SURRENDER) OPTIONS:

22 a. Debtor will submit all additional documents required for surrender as provided
23 for on the MMM Portal.

24 b. Debtor represents that the property has or has not been listed for sale.

25 9. Debtor has verified the eligibility of _____ to
26 serve as a mediator under the MMM Procedures and requests that the Court assign this
27 individual as the Mediator in the case.

1 10. If the Debtor is represented by an attorney, Debtor remitted the required Mediator's
2 fee pursuant to the MMM Procedures to the Debtor's attorney, or has made other arrangements
3 with Debtor's attorney for payment of the Mediator's fee. Debtor understands and
4 acknowledges that after the mediator is assigned, the Mediator's fee is not refundable for any
5 reason at any time.

6 11. If the Debtor is not represented by an attorney, the Debtor obtained a money order
7 or a cashier's check to pay the required Mediator's fee pursuant to the MMM Procedures, and a
8 copy of that money order or cashier's check is attached. Debtor understands and acknowledges
9 that after the mediator is assigned, the Mediator's fee is not refundable for any reason at any
10 time.

11 12. Within seven (7) days after entry of a Referral Order, Debtor shall pay a non-
12 refundable MMM Portal submission fee to the MMM Portal vendor and upload to the MMM
13 Portal:

- 14 a. A copy of the Referral Order referring the case to the MMM Program; and
- 15 b. Debtor's Prepared Package (prepared using the Document Preparation
16 Software);

17 13. Within seven (7) days after entry of a Referral Order, Debtor shall identify the
18 assigned Mediator on the MMM Portal.

19 14. Debtor will forward the Mediator's fee directly to the assigned Mediator within
20 seven (7) days after receiving initial contact and payment instructions from the assigned
21 Mediator on the MMM Portal.

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

25 16. If Debtor is not represented by counsel, Debtor may be contacted at the following
26 phone number(s) and e-mail address:

27 Telephone Number: _____

28 E-mail Address: _____

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2 17. If a Debtor’s bankruptcy case is dismissed, converted, or otherwise removed from
3 the District of Arizona prior to Debtor’s completion of the MMM Program, the MMM
4 proceedings in the case will immediately terminate and the parties will be relieved of the
5 requirements of these procedures.

6 18. In Chapter 13 Proceedings – Debtor has filed, or will soon file an Amended or
7 Modified Chapter 13 Plan consistent with the MMM Program requirements.

8 19. In Chapter 7 Proceedings – Debtor hereby requests that the Chapter 7 discharge be
9 delayed until conclusion of the MMM Proceedings.

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

12 Respectfully submitted this ____ day of _____, 20__.

13
14
15 _____
16 Attorney for Debtor(s), or Pro Se Debtor

17
18 **DEBTOR’S VERIFICATION**

19 I declare under penalty of perjury the foregoing is true and correct as of
20 _____, 20__.

21
22
23 _____
24 Debtor

25 _____
26 Debtor