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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re _____
Debtor.

Case No.
Chapter 13
**MOTION FOR REFERRAL TO
MORTGAGE MODIFICATION
MEDIATION PROGRAM**

_____ (the "Debtor") hereby submits this Motion for Referral to Mortgage Modification Mediation Program (the "Motion") and requests that the Court enter an order referring the Debtor and _____ (the "Lender") to the Mortgage Modification Mediation Program ("MMM Program") based upon the following.

1. The Lender has voluntarily consented to participate in the MMM Program in the above-captioned case, and herewith this Motion, the Debtor has filed a Notice Of Lender Consent To Attend And Participate In The Mortgage Modification Mediation Program (Form ND-MMM-101).

2. The Debtor is an individual who has filed for relief under, or converted to, Chapter 13 of the United States Bankruptcy Code on _____.

3. The Debtor requests entry into the MMM Program with respect to real property located at _____ (the "Property"). The last four digits of the account number for the Lender's loan secured by the Property is _____ (the "Loan").

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- A. The Property is: (select one)
- the Debtor’s primary residence.
 - not the Debtor’s primary residence.
- B. The borrowers whom are obligated on the Loan are: (select one)
- only the Debtor.
 - the Debtor and a non-filing co-borrower, co-obligor, or third-party, and their name(s) are as follows:

C. If applicable, the Debtor has filed with this Motion the Notice Of Third-Party Consent To Attend And Participate In The Mortgage Modification Mediation Program (Form ND-MMM-102), which is signed by each co-obligor, co-borrower, or third party listed above.

4. The Debtor intends to: (select all that apply)
- modify the loan or mortgage on the Property.
 - surrender the Property to the Lender.

5. Prior to filing this Motion, the Debtor’s information was submitted to and processed through the court-approved online program that facilitates the preparation of the Debtor’s loan modification package (the “Document Preparation Software”). The Debtor’s initial loan modification forms have been generated and are ready for signature and submission. The Debtor has also collected all of the required supporting documentation as required by the Document Preparation Software (such documentation and forms shall be collectively referred to herein as the “Debtor’s Prepared Package”) and the Debtor is prepared to submit the supporting documentation and the modification forms. Further, the Debtor has paid the applicable Document Preparation Software fee to the approved vendor.

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6. Prior to filing this Motion, the Debtor has determined that: (select one)
___ the Lender is registered with the approved Mortgage Modification Mediation Portal (the “MMM Portal”).
___ the Lender is not registered with the MMM Portal. The Debtor requests that the Court require the Lender (and the Lender’s California counsel, if applicable), within fourteen (14) days after the entry of an order approving this Motion, to register with the MMM Portal and provide to the vendor operating the MMM Portal any forms or documents which the Lender may require to initiate a review under the MMM Program. The MMM Portal vendor shall post any such forms or documents to the Lender’s profile on the MMM Portal.

7. The Debtor requests that the Lender consider: (select all that apply)
___ a HAMP or other government sponsored loan modification.
___ a conventional loan modification.
___ a deed in lieu of foreclosure.
___ surrender options.
___ other: _____.

8. If the Debtor is requesting non-retention (surrender) options for the Property, then the Debtor will submit all additional documents required for surrender of the Property as provided for on the MMM Portal. Further, Debtor represents that the Property:
___ has not previously been listed for sale.
___ has previously been listed for sale.

9. If the Debtor is represented by an attorney, the Debtor has remitted the applicable mediator’s fee pursuant to the MMM Procedures to the Debtor’s attorney. The Debtor understands and acknowledges that after the mediator is designated, the mediator’s fee is not refundable for any reason at any time.

10. If the Debtor is not represented by an attorney, the Debtor obtained a

1 money order or a cashier's check to pay the required mediator's fee pursuant to the MMM
2 Procedures, a true and correct copy of which is attached hereto as **Exhibit A**. The Debtor
3 understands and acknowledges that after the mediator is designated, the mediator's fee is not
4 refundable for any reason at any time.

5 11. The Debtor has selected _____ (the "Mediator")
6 to act as the mediator in this case.

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

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10 Dated: _____

Respectfully submitted,

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By: _____

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