

MOTION TO APPROVE FINAL LOAN MODIFICATION AGREEMENT

1. **PARTIES:** Debtor(s) in this bankruptcy case are in possession of real property located at _____ (“Eligible Property”) that is the subject of this court’s Loan Modification Management Program (“LMM”). Servicer _____ (“Creditor”) is the servicer of loan # _____ (last 4 digits) (“Eligible Loan”) that is secured by the Eligible Property, specifically a (insert first/second/third) _____ deed of trust on the Eligible Property.

Loan Origination Date	Original Loan Amount	Prepetition Arrearages
	\$	\$

2. **TRIAL AGREEMENT:** Creditor and Debtor(s) satisfied obligations under a Trial Loan Modification Agreement (the “Trial Modification”), pursuant to an order entered on _____ (insert date) as docket entry # _____.
3. **FINAL AGREEMENT; SUMMARY:** Creditor and Debtor(s) have entered into a Final Loan Modification Agreement (“Final Modification”) regarding the Eligible Loan. Attached as **Exhibit A** is a copy of the Final Modification document that contains information to support the Final Modification. A summary of the terms of the Final Modification are:

Summary of Terms: Final Loan Modification		
As of the Petition Date	LOAN COMPARISON DATA	Under Proposed Modification
\$	Principal Balance	\$
\$	Interest Rate (%)	\$
\$	Maturity Date	\$
\$	P & I Payment	\$
\$	Initial Escrow Payment	\$
\$	<input type="checkbox"/> Includes Taxes: \$	
\$	<input type="checkbox"/> Includes Insurance: \$	
\$	<input type="checkbox"/> Includes Taxes & Insurance: \$	
\$	Total Payment	\$
\$	Balloon Payment	\$

4. **EFFECT ON CHAPTER 13 CASE:** For Debtor(s) who are in a chapter 13 case, debtor(s) understand and agree that certain documents may need to be filed pursuant to the LMM Procedures (*Stage Three, section III.C.*), and debtor(s) intend to file: ☐ amended Schedules I and J and/or ☐ a motion to modify the chapter 13 plan.

5. **DECLARATION:** Movant declares under penalty of perjury under the laws of the State of California that the facts asserted in this Motion are true and correct.

6. **WHEREFORE,** Movant requests that the court grant the Motion and approve the Final Modification.

Date: _____

Printed name of Movant

Signature of Movant

Printed name of Attorney for Movant

Signature of Attorney for Movant

ADDITIONAL SIGNATURES *(if applicable)*

Printed name of Borrower Who Did Not File Bankr. Case

Signature of Borrower Who Did Not File Bankr. Case

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **MOTION AND NOTICE OF MOTION TO APPROVE FINAL LOAN MODIFICATION AGREEMENT UNDER LMM PROCEDURES** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On *(date)* _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Printed Name

Signature