**THE UNITED STATE BANKRUPTCY COURT**

**NORTHERN DISTRICT OF OHIO**

IN RE: ) CHAPTER 13

)

) CASE NO. XX-XXXXX

DEBTOR(S) NAME )

)

) JUDGE ALAN M. KOSCHIK

)

) MOTION TO SUSPEND PLAN ) PAYMENTS OR TEMPORARY

) REDUCE PLAN PAYMENTS

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Now comes the Debtor(s), by and through undersigned counsel, and hereby moves this Court, pursuant to 11 USC Section 1326, for permission to:

**Non-Conduit Mortgage Chapter 13 Plan**

\_\_\_\_\_\_\_\_ Suspend all plan payments for the following number of days: (insert number)

days to begin on the date that the Court approves an order to suspend plan

payments. The Debtor(s)’s plan does not provide for conduit mortgage payments as defined in Administrative Order 16-01.

**Conduit Mortgage Chapter 13 Plan**

\_\_\_\_\_\_\_\_ Reduce plan payments to (amount of reduced payment) for the following number

of days: (insert number) days to begin on the date that the Court approves an order to reduce plan payments. The Debtor(s)’s plan provides for conduit mortgage payments as defined in Administrative Order 16-01.

**Note:** *Plan payments shall not be lowered to an amount which will prohibit the*

*Trustee from making the monthly conduit payments unless the mortgage lender*

*is given notice pursuant to Bankruptcy Procedural Rule 3015.*

|  |
| --- |
| Insert reason for pay suspension |

This pay suspension will not reduce the amount that the Debtor(s) is obligated to pay creditors under the confirmed Chapter 13 plan.

During the pay suspension period, secured creditors which have filed and been allowed interest on their claim shall continue to receive said interest. During the pay suspension period, interest will continue to accrue on the secured claims which have requested interest.

The Debtor(s) understand the periods of payment suspension do not waive the requirement to make the required monthly payments for the applicable commitment period. The pay suspension period shall be added to the time the Debtor(s) is/are in the Chapter 13 case.

The Chapter 13 Trustee shall be authorized to return funds received in excess of the monthly plan payment authorized by this motion directly to the Debtor(s). The Debtor(s) shall not be required to make a separate application for these funds.

WHEREFORE, the Debtor(s) respectfully requests the change in their Chapter 13 plan payments as detailed herein.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney Name

Ohio Reg. No.

Street Address

City, State, Zip

Phone:

Fax:

Email:

CERTIFICATE OF SERVICE

I hereby certify on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2016, a copy of the foregoing was sent to:

Debtor(s) Name

Address

City, State, Zip

(via Regular U.S. Mail)

Attorney Name (via ECF)

Keith L. Rucinski, Chapter 13 Trustee (via ECF)

US Trustee (via ECF)

Mortgage Creditor – if suspension will prohibit conduit mortgage payment.