

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Case No.
Chapter

Debtor(s).

LOSS MITIGATION REQUEST BY DEBTOR(S) AND CERTIFICATE OF SERVICE

PURSUANT TO SECTION V OF THE COURT'S LOSS MITIGATION PROGRAM PROCEDURES, THE CREDITOR NAMED HEREIN HAS 14 DAYS FROM SERVICE OF THIS REQUEST TO FILE AND SERVE AN OBJECTION TO LOSS MITIGATION REQUEST AND A NOTICE OF HEARING ON OBJECTION TO LOSS MITIGATION REQUEST ON THE DEBTOR(S), DEBTOR(S)' ATTORNEY, AND THE CASE TRUSTEE. IF AN OBJECTION TO LOSS MITIGATION REQUEST AND A NOTICE OF HEARING ON OBJECTION TO LOSS MITIGATION REQUEST ARE NOT FILED, THE COURT MAY ENTER A LOSS MITIGATION ORDER.

I. IDENTIFICATION OF THE PROPERTY AND THE PARTIES:

I am/We are the Debtor(s) in this case and hereby request to enter into the Loss Mitigation Program with respect to my/our Property located at:

Address: _____
_____;

With the following Creditor:

Creditor's Name and Address:

With respect to the Property, Creditor is the holder of a:

- First Mortgage
- Second Mortgage
- Other (please specify): _____

_____.

II. SIGNATURE:

I understand that if the court orders Loss Mitigation in this case, I am required to comply with the Loss Mitigation Program Procedures and will participate in good faith. **I understand that Loss Mitigation is voluntary for all parties and that I am not required to enter into any agreement or settlement with any other party as part of entry into the Loss Mitigation Program. I also understand that no other party is required to enter into any agreement or settlement with me.** I understand that I am not required to request dismissal of my case as part of any resolution or settlement that is offered or agreed to during Loss Mitigation. I also understand that if a Loss Mitigation Order is entered, I am responsible pursuant to section VII(B) of the Loss Mitigation Program Procedures for adjourning any matters pending between the Loss Mitigation Parties for which I am the movant. I certify that the Property in question consists only of real property used as my principal residence in which I hold an interest.

Dated: _____
_____ Debtor

Dated: _____
_____ Joint Debtor

III. LOSS MITIGATION CONTACT INFORMATION FOR ATTORNEY FOR DEBTOR(S):

Name: _____

Title: _____

Firm: _____

Address: _____

Address 2: _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Facsimile No.: _____

Email Address: _____.

IV. CERTIFICATE OF SERVICE:

I, _____, state under penalty of perjury that the following is true and accurate.

(1) That I am not a party to this action, am over 18 years of age, and reside in _____, New York.

(2) That on _____, 20____, I served a true and accurate copy of the above Loss Mitigation Request by Debtor(s)—

—by notice of electronic filing (NEF) via the CM/ECF system upon the following parties at the email addresses listed below:

—by first class mail upon the following parties at the addresses listed below:

—by certified mail upon the following parties at the addresses listed below:

Dated: _____, 20____
_____, New York

Name

Sworn to before me this

_____ day of _____, 20____

Notary Public, State of New York