

ADDENDUM TO CONFIRMATION ORDER
WHEN LOSS MITIGATION IS PENDING

Loss Mitigation is pending between Debtor and _____ (the “Mortgagee Creditor”). The following terms and conditions shall govern the rights of Debtor and Mortgagee Creditor under the confirmed Chapter 13 plan:

1. The Court and the parties acknowledge that the plan is dependent upon the success of the pending loss mitigation and modification of the mortgage terms. Mortgagee Creditor’s right to seek dismissal of the case based upon Debtor’s inability to successfully complete the plan and Debtor’s right to seek to modify the plan terms are preserved in all respects.

2. While Loss Mitigation is pending, the Trustee shall reserve all funds which would otherwise be disbursed on any claim timely filed by the Mortgagee Creditor. Reserved funds may be disbursed by the Trustee only with the consent of the Mortgagee Creditor or upon entry of an Order after notice and a hearing.

3. If the confirmed plan provides that Debtor will remit to the Trustee a sum certain every month as an ongoing post-petition mortgage payment for the Mortgagee Creditor, then the Trustee shall reserve and shall not disburse said funds while Loss Mitigation is pending absent consent of the Mortgagee Creditor or entry of an Order authorizing disbursement after notice and a hearing.