

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

C/A No.

Debtor(s).

STATEMENT IN SUPPORT
OF NON-CONDUIT PLAN¹

The Chapter 13 Plan proposed pursuant to 11 U.S.C. §§ 1321, 1322, or 1323, and SC LBR 3015-1 or 3015-2 does not address arrearages and all contractual payments on a mortgage encumbering a debtor's principal residence, including real property and/or manufactured homes ("Mortgage Payments") through a Conduit Plan. Feasibility of the proposed Chapter 13 Plan is a consideration in this case under 11 U.S.C. § 1325(a)(6) as a result of the following circumstances present on the petition date (*check and provide information for all that apply*):

1. The Mortgage Payments are three months or more past due.
 - a. Estimated number of months past due _____
 - b. Amount of regular payment (includes/does not include escrows) _____

2. Within one year of the petition date in the current case:
 Any mortgagor was a debtor in a Chapter 13 case that was dismissed; or
 Any mortgagor was a debtor in a prior Chapter 13 case in which a mortgagee obtained relief from the stay pursuant to 11 U.S.C. § 362.

Case number, court location, and date of any § 362 relief order _____

3. A foreclosure action related to the Mortgage Payments was pending in state court on the petition date.
 - a. Date foreclosure action was filed, court location _____
 - b. Status or disposition on petition date _____

(Attach a copy of the case docket)

4. The following facts support feasibility of the Non-Conduit Plan, including a detailed explanation of any substantial change in circumstances (*if loss mitigation is involved, provide details of prior or ongoing efforts*):

¹ See SC LBR 3015-1(b) and Op. Or. 23-01. This statement and all attachments thereto shall be provided to the Chapter 13 Trustee at least fourteen (14) days prior to the first confirmation hearing on the proposed Non-Conduit Plan. Do not file the statement with the Court unless or until the Trustee files an objection. In that event, the same statement provided to the Trustee shall be filed on the case docket not less than five (5) business days prior to the confirmation hearing.

5. At any contested confirmation hearing, debtor(s) will present the following:

a. Exhibits _____

b. Witnesses _____

6. Debtor(s) have attached a copy of all exhibits, including evidence of all post-petition Mortgage Payments made directly to the mortgagee as required by the debtor's proposed Non-Conduit Plan, proof of any substantial change in circumstances supporting debtor's position, and documentation evidencing any past or ongoing loss mitigation efforts. *Absent stipulation by the parties, the admissibility of any attached exhibits must be determined by the Court pursuant to the Federal Rules of Evidence.*

Debtor(s) may be limited to and bound by the positions provided herein. By signing below, the submitting parties certify that the information herein is true and correct to the best of their knowledge.

SIGNATURE OF DEBTOR(S)

SIGNATURE OF DEBTOR(S)

SIGNATURE OF ATTORNEY