

PROCEDURE #2 CLAIMS

- A. The creditor's account number must be conspicuously stated on the claim form.
- B. A claim filed by a secured creditor shall identify the collateral. A holder of a claim secured by the debtor's personal residence must separately state the following: arrearage, late fees, attorney's fees and foreclosure costs incurred through the date of filing of the debtor's bankruptcy petition, principal balance, applicable interest rate and amount of the regular monthly payment. Any postpetition arrearage must be separately stated and itemized.
- C. All claims arising out of the rejection of executory contracts must be filed and served on the Chapter 13 Trustee and the debtor or debtor's attorney, if represented, by the later of the claims bar date or thirty (30) days after the date of rejection. Executory contracts may be rejected in the confirmed plan.
- D. No deficiency shall be paid to a creditor following the consensual relinquishment of collateral unless the creditor files and serves on the Chapter 13 Trustee, the debtor and debtor's attorney, if represented, a notice of intention to collect a deficiency within thirty (30) days after the effective date of the surrender.
- E. If an amended proof of claim is filed after the deadline for filing claims, such claim must be served by the creditor on the Chapter 13 Trustee and the debtor and debtor's attorney, if represented. All objections to the amended proof of claim must be filed and served within fourteen (14) days after service plus an additional three (3) days if served by mail.