

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:

GENERAL ORDER #2005-6

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Debtors Asserting an Exception to the
Limitation of the Automatic Stay
under 11 U.S.C. §362(1) and Procedure
for Receiving Rent Deposits

ORDER

WHEREAS, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 amended 11 U.S.C. §110 *et seq.* (“Code”) including the automatic stay provisions of 11 U.S.C. §362 regarding actions to recover possession of residential property occupied by a Debtor by the enactment of 11 U.S.C. §362(1), and

WHEREAS, the Court requires uniformity in the procedure for the deposit of rent by Debtors and transmittal of rent to Lessors under §362(1)(1)(B) and §362(5)(D) of the Code,

IT IS HEREBY ORDERED, this 28th day of November, 2005, that, when the Petition is filed electronically on the Court’s Case Management/Electronic Case Filing system, the rent deposit must be collected funds in the form of a **cashier’s check, certified check, or money order payable to the order of the Lessor**, and shall be delivered to the Clerk of Court within three days of the filing date of the Petition and certification made under §362(1)(1)(A) of the Code; and

IT IS FURTHER ORDERED, that, when the Petition is not filed electronically, the rent deposit made by or on behalf of a Debtor, pursuant to §362(1)(1)(B) of the Code, must be collected funds in the form of a **cashier’s check, certified check, or money order payable to the order of the Lessor**, and shall be delivered to the Clerk of Court simultaneously with the filing of the Petition and the certification made under §362(1)(1)(A) of the Code; and

IT IS FURTHER ORDERED, that upon the Clerk’s receipt of a **cashier’s check, certified check, or money order payable to the order of the Lessor**, tendered by a Debtor pursuant §362(1)(1) of the Code, the Clerk is directed to promptly transmit the cashier’s check, certified check, or money order to the Lessor, by certified mail/return receipt requested, to the address of the Lessor listed on the Petition.

_____/s/
M. Bruce McCullough, Chief Judge

_____/s/
Judith K. Fitzgerald, Bankruptcy Judge

_____/s/
Thomas P. Agresti, Bankruptcy Judge

_____/s/
Jeffery A. Deller, Bankruptcy Judge

_____/s/
Bernard Markovitz, Bankruptcy Judge

_____/s/
Warren W. Bentz, Bankruptcy Judge