

OFFICE OF THE CHAPTER 13 BANKRUPTCY TRUSTEE
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LANGUAGE REQUIRED IN MOTIONS TO SELL OR REFINANCE REAL ESTATE IN CHAPTER 13 CASES IN WHICH HERBERT L. BESKIN IS TRUSTEE

See Local Rule 6004-3, which requires that the notice must state: (i) the amount of sale / refinancing; (ii) the amount to be paid to the Trustee; (iii) whether the transaction will pay off the balance owed on the plan; and (iv) if the plan is not being paid off, the amount to be received by the debtors.

LANGUAGE REQUIRED IN ORDERS TO SELL OR REFINANCE REAL ESTATE IN CHAPTER 13 CASES IN WHICH HERBERT L. BESKIN IS TRUSTEE

"Debtor's attorney shall ensure that a copy of this Order is received by the closing agent prior to the scheduled closing."

"The closing shall not occur unless the closing agent will be able to promptly forward to the Trustee \$_____ from the proceeds of closing." [*or*, if the Trustee is to receive all net proceeds or the balance of plan payments : "The closing shall not occur unless either (a) all net proceeds of the sale/refinancing or, (b) \$_____, which is an amount sufficient to pay the case in full, *whichever of these two amounts is less*, will be promptly forwarded by the closing agent to the Trustee."]

"If the confirmed plan provides for pre-petition and/or post-petition mortgage arrears to be paid by the Trustee, and if such arrears are instead paid at closing, the entire remaining balance on the debtor's confirmed Plan must still be paid to the Trustee in order for the debtor to receive a discharge pursuant to the existing confirmation order."

"The closing agent shall promptly forward to the Trustee a copy of the HUD-1 once closing has occurred."

"Any funds for the Trustee should be sent to: Herbert L. Beskin, Trustee, P.O. Box 1961, Memphis TN 38101-1961; the check should contain the debtor's full name and case number. Any documents should be sent to the Trustee by e-mail (beskinordc13@ntelos.net) or by fax (434 817 9916)."