

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF COLUMBIA**

**In re:**

\_\_\_\_\_  
**Debtor(s).**

**Case No.** \_\_\_\_\_-ELG

**Chapter** \_\_\_\_

**MOTION TO COMMENCE PARTICIPATION  
IN MORTGAGE MODIFICATION PROGRAM**

**PLEASE TAKE NOTICE that no hearing will be conducted on this matter unless a written objection is filed with the Clerk of the United States Bankruptcy Court at on or before [Insert DATE] that is at least fourteen (14) days from the date of service of this document.**

**Any objection shall be in writing and filed with the Clerk care of the United States Bankruptcy Court, 333 Constitution Avenue, NW, Room 1225, Washington, DC 20001 and shall be served upon Movant(s) and any counsel for the Movant(s) prior to the objection deadline set forth herein. If a timely objection is filed, the Court shall set a hearing on this matter.**

**Notice of that hearing will be served only on any party filing a written objection. Any party that does not file a written objection shall be deemed to have consented to the relief sought herein and the Court may enter an order granting the relief sought or the noticed action may be taken.**

The above-captioned Debtor(s) hereby file this Motion to Commence Participation in the Mortgage Modification Program under Local Rule 6004-3 and request the Court to enter an Order Granting Debtor'(s) Motion to Commence the Mortgage Modification Program ("MMP")<sup>1</sup> referring Debtor(s) and \_\_\_\_\_ ("Lender") to the MMP. In support thereof, the Debtor states as follows:

**I. ELIGIBILITY TO ENTER THE MORTGAGE MODIFICATION PROGRAM**

1. On \_\_\_\_\_, Debtor(s) filed for petition under chapter \_\_\_\_ of the Bankruptcy Code.<sup>2</sup>
2. The Debtor(s) paid the applicable Document Preparation Software fee on or about \_\_\_\_\_.
3. The Debtor(s) has the ability to pay the applicable Portal Submission Fee and one half of the Program Manager's Fee upon entry of the attached proposed order.

<sup>1</sup> Terms not defined herein shall have the meaning ascribed to them in the Mortgage Modification Program Procedures adopted pursuant to Local Bankruptcy Rule 6004-3.

<sup>2</sup> 11 U.S.C. §§ 101-1532.

4. The Debtor(s) has paid the bankruptcy filing fee in full.

II. PROPERTY AND CREDITOR INFORMATION

5. Debtor(s) requests to enter the MMP for the following real property ("Property"):

Street Address: \_\_\_\_\_  
\_\_\_\_\_

Lender: \_\_\_\_\_

Lender Address: \_\_\_\_\_  
\_\_\_\_\_

Last 4 of Account Number: \_\_\_\_\_

6. The Property is:

\_\_\_\_ Debtor(s)' Primary Residence.

\_\_\_\_ Not Debtor(s)' Primary Residence.

7. The Debtor(s) represents that the property \_\_\_\_ has \_\_\_\_ has not been listed for sale.

a. If listed for sale, is the property still listed for sale? \_\_\_\_ Yes \_\_\_\_ No

8. Borrowers obligated on the promissory note and mortgage on the Property are:

\_\_\_\_ Debtor(s) Only

\_\_\_\_ Debtor(s) and non-filing co-obligor/co-borrower/third party:

Contact information for co-obligor/co-borrower/third party:

Name: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_  
\_\_\_\_\_

Email: \_\_\_\_\_  
\_\_\_\_\_

(additional pages are attached as necessary)

9. If applicable, Debtor(s) has filed with this Motion the "Third-Party Consent to Attend and Participate in Mortgage Modification Program" (Local Official Form MMP-01A) signed by each co-obligor/co-borrower/third party listed above. \_\_\_\_ Yes \_\_\_\_ No

10. Debtor(s) \_\_\_\_ has \_\_\_\_ has not previously sought the MMP or similar state court program(s) for the subject property.

If yes:

Case number: \_\_\_\_\_

How many times? \_\_\_\_\_

When was each prior MMP or mediation referral order entered?  
Date(s) \_\_\_\_\_

What was the outcome of each prior MMP session?  
\_\_\_\_\_

11. Debtor(s) \_\_\_\_ has \_\_\_\_ has not previously received a loan modification agreement from Lender? If yes, effective date of prior loan modification: \_\_\_\_\_

12. Debtor(s) request Lender to consider the following options:

- a. \_\_\_\_ Loan modification
- b. \_\_\_\_ Refinance
- c. \_\_\_\_ Deed in Lieu of Foreclosure
- d. \_\_\_\_ Short Sale
- e. \_\_\_\_ Other: \_\_\_\_\_

### III. CERTIFICATIONS

13. The Debtor(s) has prepared the Initial MMP Package utilizing the court-approved Document Preparation Software, including collecting the necessary supporting documents required for submission to Lender, and has paid the Document Preparation Software Fee. The Debtor(s)' completed Certification of Mortgage Modification Program Eligibility and Readiness is attached hereto.

14. The Debtor(s) propose an adequate protection payment of \$\_\_\_\_\_ to Lender throughout the pendency of the MMP. The Debtor(s) will be the disbursing agent for the adequate protection payment.

15. Within seven (7) days after the entry of an Order Granting this motion, Debtor will:
- a. Pay the Portal Submission Fee and Debtor(s)' portion of the Program Manager's Fee, and
  - b. Upload to the Portal a copy of the Order referring this case to the MMP.

### IV. MISCELLANEOUS PROVISIONS

16. All parties to this MMP shall be required to follow the MMP procedures.

17. If Debtor(s) is represented by counsel, Debtor(s) consent to Lender communicating directly with Debtor Counsel for any and all aspects of the MMP.

18. If Debtor(s) is not represented by counsel, Debtor(s) may be contacted at the following phone number(s) and email address:

Phone 1: \_\_\_\_\_

Phone 2: \_\_\_\_\_

Email: \_\_\_\_\_

19. If the instant bankruptcy case is dismissed or otherwise removed from the United States Bankruptcy Court for the District of Columbia prior to Debtor(s)' completion of the MMP, the MMP proceedings in the case will immediately terminate and the parties will be relieved of their requirements of the MMP procedures.

WHEREFORE, Debtor(s) requests that this Motion be granted and for such other and further relief as this Court deems proper.

Dated:	_____
	Signature of attorney/pro se party
	_____
	Name, Bar Number (if applicable)
	_____
	Firm (if applicable)
	_____
Address	
_____	
Address	
_____	
Telephone	
_____	
Email Address	

**Certificate of Service**

I hereby certify that on \_\_\_ of \_\_\_, 202\_, a true and correct copy of the foregoing pleading was served via XXXXXX on XXXXX.

Dated:	_____
	Signature of attorney/pro se party
	_____
	Name, Bar Number (if applicable)
	_____
	Firm (if applicable)
	_____
Address	
_____	
Address	
_____	
Telephone	
_____	
Email Address	