

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

Debtor(s): \_\_\_\_\_

Case No: \_\_\_\_\_

Chapter 13 Plan \_\_\_\_\_

Amended Chapter 13 Plan \_\_\_\_\_

You should read this Plan carefully and discuss it with your attorney. Confirmation of this Plan, as modified by the Bankruptcy Court, may modify your rights by providing for payment of less than the full amount of your claim, by setting the value of the collateral securing your claim, and/or by setting the interest rate on your claim. Payments distributed by the Trustee, as herein provided or as modified by the Court, are subject to the availability of funds.

**All secured creditors, including mortgage creditors, must be paid through the plan as part of the plan payment to the Chapter 13 Trustee.** The only exception will be; if a Debtor is current with a secured creditor, the Debtor may file a separate motion asking the court to allow them to make direct payments to that creditor. If the Debtor is allowed to make direct payments, the stay will lift as to that property and creditor, and that property will no longer have any bankruptcy court protection.

**PLAN PAYMENTS AND LENGTH OF PLAN:** The projected disposable income of the Debtor(s) is submitted to the supervision and control of the Trustee. The Debtor(s) shall pay the Trustee by money order or cashier's check following the filing of this chapter 13 plan the sum of \$\_\_\_\_\_ for 36 months, or longer to a maximum of 60 months. Each pre-confirmation plan payment shall include, all adequate protection payments made pursuant to §1326(a)(1)(C).

**CLAIMS GENERALLY:** The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief. The Trustee shall only make payment to creditors with filed and allowed proof of claims. An allowed proof of claim will be controlling, unless the Court orders otherwise. Objections to claims may be filed before or after confirmation, according to the limitations set forth in the Court's Order Establishing Duties.

**ADMINISTRATIVE CLAIMS:** Trustee will pay in full allowed administrative claims and expenses pursuant to §507(a)(2) as set forth below, unless the holder of such claim or expense has agreed to a different treatment of its claim.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TRUSTEE FEES:** Trustee shall receive a fee for each disbursement, the percentage of which is fixed periodically by the United States Trustee.

**ATTORNEYS FEES FOR DEBTOR'S COUNSEL PAID IN PLAN:**

Total Amount of Attorneys' Fees \_\_\_\_\_

Amount Paid Through Plan \_\_\_\_\_

\_\_\_\_\_

**PRIORITY CLAIMS:**

**(A) Domestic Support Obligations:** Debtor(s) is required to pay all post-petition domestic support obligations directly to the holder of the claim. Unless otherwise specified in this Plan, the following priority claims under 11 U.S.C. §507(a)(1), domestic support obligations, will be paid in full pursuant to 11 U.S.C. §1322(a)(2). These claims will be paid at the same time as claims secured by personal property, arrearage claims secured by real property, and arrearage claims for assumed leases or executory contracts.

Name of Creditor	Total Est. Claim	Estimated Payment

Pursuant to §507(a)(1)(B) and §1322(a)(4), the following domestic support obligation claims are assigned to, owed to, or recoverable by a governmental unit, and/or not assigned to said entity for the purpose of collection.

**Claimant and Proposed Treatment:**


**(B) Other Priority Claims (e.g., tax claims):** These priority claims will be paid in full, but will not be funded until after all secured claims, lease arrearage claims, and domestic support claims are paid in full.

Name of Creditor	Total Est. Claim	Estimated Payment

**SECURED CLAIMS:**

**Pre-Confirmation Adequate Protection Payments:** No later than 30 days after the date of the filing of this Plan or the Order for Relief, whichever is earlier, the Debtor(s) shall make the following adequate protection payments to creditors pursuant to §1326(a)(1)(C). If the Debtor(s) makes such adequate protection payments on allowed claims to the Trustee pending confirmation of the Plan, the creditor shall have an administrative lien on such payment(s), subject to objection. If Debtor(s) elects to make such adequate protection payments directly to the creditor, and such creditor is not otherwise paid through the Plan, upon confirmation said claims shall be neither dealt with nor affected by the Plan as confirmed.

Name of Creditor	Total Est. Claim	Adequate Protection Payment in Plan

**(A) Claims Secured by Real Property Which Debtor(s) Intends to Retain / Mortgage Payments Paid Through the Plan:** Debtor(s) will pay, in addition to all other sums due under the proposed Plan, all regular monthly post-petition mortgage payments to the Trustee as part of the plan. These regular monthly mortgage payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter. The Trustee shall pay the post-petition mortgage payments on the following mortgage claims:

Name of Creditor/Security	Total Est. Claim	Estimated Monthly Payment

**(B) Claims Secured by Real Property Which Debtor(s) Intend(s) to Retain / Arrearages Paid Through the Plan:** In addition to the provisions in Paragraph A above requiring all post-petition mortgage payments to be paid to the Trustee as part of the Plan, the Trustee shall pay the pre-petition arrearages on the following mortgage claims:

Name of Creditor/Security	Total Est. Claim	Estimated Monthly Payment
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**(C) Claims Secured by Property other than Real Property which Debtor(s) Intend(s) to Retain and pay through the Plan:** Debtor(s) will pay, in addition to all other sums due under the proposed Plan, all regular monthly post-petition payments to the Trustee as part of the plan. These regular monthly payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter. The Trustee shall pay the post-petition payments on the following claims:

Name of Creditor/Security	Total Est. Claim	Estimated Monthly Payment
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**(D) Claims to Which §506 Valuation is NOT Applicable:** Debts secured by a purchase, money security interest in a vehicle for which the debt was incurred within 910 days of filing the bankruptcy petition, or, if the collateral for the debt is any other thing of value, the debt was incurred within one year of filing. Upon confirmation of the Plan, the interest rate and value shown below or as modified will be binding unless a timely written objection to confirmation is filed and sustained by the Court. Payments distributed by the Trustee are subject to the availability of funds. Upon timely written objection filed by a creditor, the Debtor(s) may elect to surrender the property to creditor in full satisfaction of the value of the collateral indicated in the creditor's claim.

Name of Creditor/Security	Ad. Prot Pmt. In Plan – Value	Int. Rate -Total to be Pd.
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**(E) Claims to Which §506 Valuation is Applicable:**

Name of Creditor/Security	Ad. Prot Pmt. In Plan – Value	Int. Rate -Total to be Pd.
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**(F) Secured Claims on Personal Property – Balance Including any Arrearage Paid in Plan:**

Name of Creditor/Security	Est. Amount	Int. Rate	Total to be Paid
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**(G) Secured claims Paid Direct by the Debtor(s):** Debtor(s) as of the date of filing their bankruptcy case are current with, and will pay the following secured creditors direct outside of their Plan.

**(H) Surrender of Collateral:** Debtor(s) will surrender the following collateral no later than thirty (30) days from the filing of the petition unless specified otherwise in the Plan. Upon Plan confirmation, the automatic stay will be deemed lifted for the collateral identified below for surrender and

the creditor need not file a Motion to Lift the Stay in order to repossess, foreclose upon or sell the collateral. Nothing herein is intended to lift any applicable co-Debtor stay, or to abrogate Debtor's state law contract rights.

<b>Name of Creditor</b>	<b>Collateral to be Surrendered</b>
_____	_____
_____	_____

**SECURED – LIENS TO BE AVOIDED:**

<b>Name of Creditor/Security</b>	<b>Estimated Amount</b>
_____	_____
_____	_____

**LEASES/EXECUTORY CONTRACTS:**

<b>Name of Creditor/Security</b>	<b>Assume/Reject</b>	<b>Estimated Arrears</b>
_____	_____	_____
_____	_____	_____

**OTHER CREDITORS PAID IN FULL IN PLAN:**

<b>Name of Creditor/Description</b>	<b>Estimated Amount</b>
_____	_____
_____	_____

**UNSECURED CREDITORS:** Unsecured creditors with allowed claims shall receive a pro rata share of the balance of any funds remaining after payments to the above referenced creditors or shall otherwise be paid pursuant to the provisions of a subsequent Order Confirming Plan. The estimated dividend to unsecured creditors is \$\_\_\_\_\_.

**OTHER PROVISIONS:**

1. Secured creditors, whether or not dealt with under the Plan, shall retain the liens securing such claims;
2. Payments made to any creditor shall be the amount allowed in a proof of claim filed by the creditor or other amount as may be allowed by a specific Order of the Bankruptcy Court.
3. Property of the estate shall not vest in Debtor(s) until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise.

\_\_\_\_\_  
Debtor                      Dated:\_\_\_\_\_

\_\_\_\_\_  
Debtor                      Dated:\_\_\_\_\_

**EXHIBIT A**

<b>CLAIM #</b>	<b>Priority:</b>	
_____	_____	\$ _____ <b>Total</b>
_____	_____	\$ _____ <b>Total</b>
<b>Secured Creditors Receiving Monthly Adequate Protection Payments:</b>		\$ _____ <b>Monthly**</b>
_____	_____	\$ _____ <b>Monthly*</b>
<b>Secured Creditors Curing Arrearage Total:</b>		
_____	_____	\$ _____ <b>Total*</b>
<b>Secured Creditors Paying Secured Balance Total:</b>		
_____	\$ _____ @ _____ %	\$ _____ <b>Total*</b>
<b>Other:</b>		
_____	_____	\$ _____ <b>Total*</b>
_____	_____	\$ _____ <b>Total*</b>
<b>Minimum Distribution to unsecured:</b>		_____ % (Dividend)

**Order of Distribution/or as specified above:**

1. Adequate protection over life of plan or until creditor is paid in full.
2. Allowed Attorney's Fees
3. Secured/Valued Balance plus interest over the life of the plan or as otherwise specified, pro rata.
4. Domestic Support Obligations under \$500.00, pro rata.
5. Small Secured creditors-Under \$500.00 in balance, pro rata
6. Arrearages and Domestic Support Obligations, pro rata
7. Other Priority Creditors, pro rata
8. Pro-Rata Distribution to Unsecured Creditors

**Total Monthly Amount to be Paid to the Chapter 13 Trustee Monthly** \$ \_\_\_\_\_

(In addition to the aforementioned monies, the Debtor shall pay to the Trustee; reference paragraph 2)

**Total Estimated Plan Length \_\_\_\_\_ Months: (Reference page 2, paragraph 2)**

**\* These numbers are approximate amounts only:**

**\*\* This amount may vary per annual escrow notice: (reference paragraph 6; a, b and c)**