

Filling Out the Mortgage Proof of Claim Form

Presented by:

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**13th Annual Consumer Bankruptcy Practice Conference
July 20, 2017**

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- New forms became effective December 1, 2015
- Stylistic difference intended to make the form easier to read and, as a result, likely to generate more complete and accurate responses

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- Variation from the B10 form in regards to listing of fees and charges
- Additionally, there are obvious formatting changes from the B10

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- Biggest change from previous form is the incorporation of Rule 3001(c)(2) of the FRBP which requires “an itemized statement of the interest, fees, expenses, or charges”, by providing a form payment history for completion
- Familiar to those who previously filed claims in Southern District of Texas

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- Another major change is the calculation of escrow. Delinquent payments included in the POC now only include principal and interest. Negative Escrow Balance as of filing and Projected Escrow Shortage are now in their own categories.
- Escrow analysis as of the time of filing still required
- Supporting documents still required

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Form 410—Case Information

Fill in this information to identify the case:

Debtor 1 _____
Debtor 2 _____
Debtor 3 _____
United States Bankruptcy Court for the _____ District of _____
Case number _____

Official Form 410
Proof of Claim 04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Debtors must leave out or redact information that is entitled to privacy on the form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, demand statements of taxing authority, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both, 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 305) that you received.

Part 1: Identify the Claim

1. **Who is the current creditor?**
Name of the current creditor (the person or entity to be paid for this claim) _____
Other names the creditor used with the debtor _____

2. **Has this claim been acquired from someone else?**
☐ No
☐ Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?**

Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Name _____ Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name _____	Name _____
Number _____ Street _____	Number _____ Street _____	Number _____ Street _____
City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____
Contact phone _____	Contact phone _____	Contact phone _____
Contact email _____	Contact email _____	Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one) _____

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First appeared as part of the conference materials for the

13th Annual Consumer Bankruptcy Practice session

"Filling Out the Mortgage Proof of Claim Form"