

Finance & Operations
Manager
Beverly A. Brenes
Systems & Facilities
Manager
William C. Drake

TERRY E. SMITH
Standing Chapter 13 Trustee
Middle District of Florida
Tampa Division

Senior Staff Attorney
M. Eric Barksdale
Staff Attorney
William C. Harrison

REFINANCING CONSENT FORM

Refinancing and paying off your Bankruptcy or lowering your monthly mortgage payment.
Please fill in all the blanks and make sure we have your signature(s).
Fax back to us at (813) 658-1160

Debtor(s) name _____

Debtor(s) address _____

Case number _____ Debtor(s) Telephone _____

Refinance Company name _____ Fax number _____

Debtor(s) Signature _____

Debtor(s) Signature _____

The Standing Chapter 13 Trustee, contingent on the Debtor(s) paying the total amount of the Trustee's fee that otherwise would be paid if all allowed claims were paid through the Chapter 13 Plan, as further described below, hereby gives consent for _____ to refinance _____ mortgage so long as the payments do not exceed the current payments. If the Debtor(s) _____ refinancing _____ homestead to payoff the total amount due under the confirmed Plan, then the Trustee has no interest in the monthly payment amount and consent is granted.

The bankruptcy court now requires that upon Debtors refinancing a mortgage, the Debtors must pay directly to the Trustee his normal percentage that the Debtors would have been required to pay as if the Plan went full term and the Trustee had collected his percentage fee on each and every payment due under the confirmed Plan. Therefore, any payoff requested from the Chapter 13 Trustee will include the total amount of the Trustee's fee due under the confirmed Plan, including the Trustee's fee due on any mortgage payments, arrearages, property taxes, etc. otherwise paid through the refinancing.

Sincerely,

Terry E. Smith
Chapter 13 Standing Trustee

1-26-10

Mail payments to: P. O. Box 830, Memphis, TN 38101-0830
Correspondence address: P. O. Box 6099, Sun City Center, FL 33571-6099
Telephone (813) 658-1165 Toll Free 1-866-658-1165 Facsimile (813) 658-1166
Trustee Website: www.ch13tampa.com