

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number <input type="checkbox"/> Attorney for <input type="checkbox"/> Pro Se Debtor	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	CHAPTER 13 CASE NUMBER
In re Debtor(s).	<p style="text-align: center;">DEBTOR'S MOTION FOR AUTHORITY TO REFINANCE REAL PROPERTY UNDER LBR 3015-1 (p)</p> <p style="text-align: center;">(No Hearing Required)</p>

Debtor moves this Court for an order authorizing the debtor to refinance the real property, described below, pursuant to the terms and conditions described herein.

1. Debtor's Chapter 13 Plan (the "Plan") was confirmed on: _____.

2. Debtor wishes to refinance the real property (the "Property") located at:

The Property is more particularly described in Exhibit "A" attached hereto.

Debtor wishes to modify the Plan for early payment of the Plan as described in the *Motion to Modify Plan* submitted by Debtor concurrently with this Motion.

3. Debtor requests authority to borrow the sum of \$ _____ from

Lender name: _____

Address: _____

Debtor also requests authority to execute a promissory note secured by a _____ deed of trust on the Property.

4. From the proceeds of this loan, the following encumbrances of record against the Property will be paid through escrow:

- a) _____
- b) _____
- c) _____

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5. After payment of the foregoing encumbrances and all costs of sale:
- there will remain the approximate sum of \$_____; OR
 - no proceeds will remain.
6. (a) The Chapter 13 Trustee is hereby authorized to make demand upon escrow for sufficient funds to pay off the Plan with a:
- 100% dividend to unsecured creditors; OR
 - ____% dividend as indicated in the confirmed plan.

After escrow's payment of the encumbrances listed above, any remaining funds shall be paid directly to debtor.

OR

- (b) The Chapter 13 Trustee is hereby authorized to make demand upon escrow for the balance remaining after escrow's payment of the encumbrances listed above even though the amount is insufficient to pay off the Plan. The refinance is in the best interest of the creditors.

7. The escrow is being processed by:

Escrow company name: _____
 Address: _____

 Telephone: _____
 Facsimile: _____
 Escrow officer: _____
 Escrow number: _____

8. Supporting documents attached to this Motion are:

- a) Exhibit "A" – Legal Description with street address
- b) Exhibit "B" – Escrow Instructions and Documents
- c) Exhibit "C" – Estimated Closing Statement
- d) Exhibit "D" – Schedules I and J of the bankruptcy petition

(Note – Debtor must provide to Chapter 13 Trustee a certified copy of the escrow closing statement within 14 days of the close of escrow.)

Dated: _____

 Attorney for Debtor(s)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

 Debtor

Dated: _____

 Joint Debtor

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NOTE: When using this form to indicate service of a proposed order, **DO NOT** list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on a CM/ECF docket.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document described as _____ will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d), and **(b)** in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”) - Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) (“LBR”), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____ I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email addressed indicated below:

Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On _____ I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follow. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served):

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method) by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date	Type Name	Signature
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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.