

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:)	CASE NO. _____
)	
DEBTOR NAME)	CHAPTER 13 PROCEEDINGS
)	
Debtor.)	JUDGE _____
)	

MOTION TO INCUR DEBT TO PURCHASE REAL ESTATE

Now comes Debtor, by and through the undersigned counsel, and pursuant to Amended Administrative Order 98-1, hereby moves this Honorable Court for an order authorizing the incurrence of debt to purchase real estate located at _____ (*Insert address of property to be purchased*).

The next paragraphs should provide the following information specified in Amended Administrative Order 98-1:

1. *A statement of the basic terms: i.e., amount to be borrowed, number of years, down payment (including source of funds), interest rate, and points to be paid.*

Example: The loan will be financed in the approximate amount of \$_____ with interest at a rate of _____%, payments of approximately \$_____ per month, and an estimated term of _____ months. The loan financing is being provided by _____;

2. *The reason for the proposed purchase;*
3. *A comparison of the Debtor's existing housing cost to the anticipated new housing cost, including a utility and insurance analysis. If the proposed new housing cost is:*

- a. *higher than Debtor's existing cost, provide an explanation of how Debtor intends to handle the additional cost;*
 - b. *lower than the Debtor's existing cost, provide an explanation of how Debtor intends to apply the additional disposable income;*
4. *A statement as to any connection between Debtor and the proposed seller, or an affirmative representation that there is no such connection.*

A copy of the following documents should be included with this Motion as attached Exhibits:

- A. Proposed purchase contract*
- B. Preliminary Settlement Statement (HUD-1)*
- C. Truth-in-Lending Disclosure Statement;*
- D. Good Faith Estimate of Closing Costs.*

An Amended Budget should be filed with the Court in support of the Motion, if appropriate.

WHEREFORE, Debtor prays this Court grant Debtor's motion, enter an order authorizing Debtor to enter into the financing transaction set forth herein to purchase the real estate located at _____ (*Insert address of property to be purchased*), and grant such other relief as this Court deems appropriate.

Respectfully submitted,

/s/ _____
Attorney Name (Attorney Number)
Address
City, State and Zip Code
Telephone number
Facsimile number
Email address

CERTIFICATE OF SERVICE

A copy of the foregoing Motion to Incur Debt to Purchase Real Estate was served electronically and/or by regular U.S. Mail, postage prepaid, on this _____ day of _____, 20____.

Debtor

Name

Address

City, State Zip

Creditors

Name

Address

City, State Zip

Trustee

Craig Shopneck

Chapter 13 Trustee

(Via Electronic Service)

/s/ _____
Attorney Name