

**IN THE UNITED BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
\_\_\_\_\_ DIVISION**

<b>IN RE:</b>	§	
	§	<b>CASE NO:</b>
<b>[DEBTOR(S) NAME]</b>	§	
	§	
	§	
<b>Debtor(s)</b>	§	<b>CHAPTER 13</b>

**FORBEARANCE MOTION  
(PROVIDING FOR CARES ACT MORTGAGE FORBEARANCE)**

*This Motion seeks to reduce the mortgage payments due in this case. If there is a pending plan or modification motion, it is deemed amended on the filing of this Motion. If there is not a pending plan of modification motion, this Motion seeks modification of the currently approved plan. If you object to the relief, you must file a written objection with the clerk of the Court. The deadline for the filing of objections is 21 days after service of this motion. If no timely objection is filed, the Motion is approved unless abrogated by Court order.*

**Represented parties should act through their attorney.**

Debtor(s) move to reduce the payments due on their home loan mortgage pursuant to the CARES Act. Pursuant to General Order \_\_\_\_\_, the relief sought in this motion is effective upon filing unless later abrogated by Court order.

1. Attached to this Motion is a copy of the Home Loan Mortgage Cover Sheet to Notice of Cares Act Forbearance Agreement (the “Cover Sheet”).
2. This Motion applies to the payments due to the Lender listed on line 3 of the Cover Sheet regarding the Property listed on line 4 of the Cover Sheet and the payments due that are secured by the mortgage described on line 5 of the Cover Sheet.
3. Notwithstanding any plan to the contrary, the payments due to the Lender by the Debtor(s) or by the Chapter 13 Trustee are reduced to the amount set forth in Line 10 of the Cover Sheet for the period shown on Line 8 of the Cover Sheet.
4. The amount, frequency, and duration of plan payments to the Trustee during

the forbearance period are:

A	B	C	D	E	F	G
<b>Beginning Month</b>	<b>Ending Month</b>	<b>Total Amount of Monthly Payment Before this Forbearance (including savings and reserves)</b>	<b>Less Monthly Forbearance Amount (From line 10 of the attached Exhibit 1)</b>	<b>Less Reduction in Posted Chapter 13 Trustee Amount (Column D multiplied by Posted Chapter 13 Trustee Amount)</b>	<b>Revised Monthly Payment to Trustee (Column C minus Column D minus Column E)</b>	<b>Total Reduction in Payments to Trustee (Column C minus Column F multiplied by Number of Months)</b>
		<b>Grand Total:</b>				

5. Check One:

- a. \_\_\_\_\_ After the forbearance period, the Debtor(s) will resume payments in the amount required by the confirmed chapter 13 plan. The total amount of payments not made during the forbearance period will be due on the final maturity date of the loan secured by the mortgage; *provided, that*, upon a timely filed objection to the Motion, the Court will consider a different due date at a hearing on the Motion.
  
- b. \_\_\_\_\_ Prior to plan completion, the Debtor(s) must file a proposed modification or other motion to provide for treatment of deferred mortgage payments during the forbearance period.

6. Check all that apply:

- \_\_\_\_\_ A. Along with this Motion, the Debtor(s) filed a proposed amended wage order to reflect the forbearance period in this proposed modification.

The Debtor(s) will also timely file an amended wage order to reflect the post-forbearance period.

\_\_\_\_\_ B. The Debtor(s) will amend the electronic funds transfer mechanism to reflect the forbearance period and the post-forbearance period in this proposed modification.

\_\_\_\_\_ C. The Debtor(s) authorize(s) the Chapter 13 Trustee to adjust the amount of their ACH payment to reflect the forbearance period and the post-forbearance period in this proposed modification.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
\_\_\_\_\_ DIVISION**

<b>IN RE:</b>	§	
<b>[Debtor]</b>	§	<b>CASE NO.</b>
	§	
	§	
<b>DEBTOR(S)</b>	§	<b>CHAPTER 13</b>

**ORDER GRANTING DEBTOR(S) FORBEARANCE MOTION  
(PROVDING FOR CARES ACT MORTGAGE FORBEARANCE)**

(Relates to Docket No.    )

The Debtor(s) Motion Forbearance Motion is GRANTED.

\_\_\_\_\_After the forbearance period, the Debtor(s) will resume payments in the amount required by the confirmed chapter 13 plan. The total amount of payments not made during the forbearance period will be due on the final maturity date of the loan secured by the mortgage.

\_\_\_\_\_Prior to plan completion, the Debtor(s) will file a proposed modification or other motion to provide for treatment of mortgage payments deferred during the forbearance period.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE