**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF VERMONT**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

In re:

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Chapter \_\_**

 **Debtor(s). Case # \_\_\_\_\_\_\_\_\_**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Motion for Mortgage Mediation**

NOW COMES [*debtor/mortgagor or creditor/mortgagee*] (the “Movant”) by and through attorney [*name*]of [*city*], Vermont, seeking an order directing the parties to proceed with mortgage mediation/loss mitigation (hereinafter “mortgage mediation”) with respect to the mortgage described below. In support of this motion, the Movant states the following:

1. The above-named debtor granted creditor [*creditor name*] a mortgage to secure a loan [*redacted loan #*] evidenced by a promissory note dated [*date*] payable to [*creditor name*] in the original amount of $\_\_\_\_\_\_\_, on [*date*], secured by the debtor’s primary residence, which is a property that has four units or less, located at [*address*].
2. The debtor sent the last payment, in the amount of $\_\_\_\_\_\_\_, on [*date*] to [*servicer or bank to which the debtor makes payments*] at [*address to which the debtor sends mortgage payments*].
3. The debtor filed for relief under chapter [*7, 11, 12, or 13*] on [*date*].
4. As of the date of the bankruptcy filing, the status of the mortgage payments and any pending litigation with respect to this mortgage was as follows:
5. \_\_\_ The Court has not entered either a discharge order or an order granting relief from stay to creditor [*creditor name*] on the subject property, or

\_\_\_ The creditor [*creditor’s name*] consents to the instant motion.

1. The Movant seeks mediation because it will be useful to the parties in the following way(s) [*may specify here or attach affidavit or hardship letter*]:
2. The Movant believes that the mediation will benefit the estate by [*enumerate benefits / needs*]:
3. \_\_\_ The United States holds the mortgage. If so, the specify the federal statute and/or regulation authorizing mediation:

WHEREFORE, the Movant respectfully requests this Court enter an order approving mortgage mediation and directing the parties to engage in mediation of the above-referenced mortgage, and to appoint a mediator to conduct that mediation.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*Signature]*

[*typed name, with address, e-mail address, and telephone number*]