VTB MM Form # 1

08/2012

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF VERMONT**

 **In re**

**Case # \_\_\_\_\_\_\_\_\_\_\_**

**Chapter \_\_**

 **[\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_],**

 **Debtor(s).**

**Motion for Mortgage Mediation**

NOW COMES [*Debtor/mortgagor or Creditor/mortgagee*] by and through attorney [*name*] *of* [*city*], Vermont, seeking an order directing the parties to proceed with 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 [*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 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

\_\_\_ Creditor [*Creditor name*] consents to the instant motion.

1. The movant seeks mediation for the following reasons [*may specify here or attach affidavit or hardship letter*]:
2. The movant believes that the mediation is necessary to enable the movant to [*enumerate benefits / needs*]:

WHEREFORE, the movant respectfully requests that 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.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature [or /s/ + typed name]

 Printed Name

 Address, E-Mail Address,

 Phone Number, Fax Number