

Debtor Request to Retain Tax Refund

(**We cannot process this request unless a copy of your tax return has been provided by your attorney through the Portal or emailed to taxreturn@ch13albany.com)

Your Name _____

Your Chapter 13 Case No _____

Date: _____ Contact info: _____

Tax year _____

Federal refund amount _____ NYS tax refund amount _____

Thank you for contacting my office about your tax refund. As your trustee, it is my job to review your finances annually. If you have received a tax fund and the funds are not needed for reasonably necessary expenses, then it is my job to collect those funds and distribute them to pay your creditors. If this occurs, you will provide the creditors with a better return ("and if you are paying back 100% of your debt, these funds may allow you to finish your chapter 13 plan early!")

It is my policy to allow you to retain the first \$3,000 of every tax refund without further information. If you are requesting to retain more than \$3,000 of your tax refund, please specify below how much you wish to retain and describe the unanticipated reasonable and necessary expenses for which you would like to use these funds. (Remember, "unanticipated expenses" are those not included in the budget you submitted to the court when your plan was confirmed.) Please attach any documentation, including bills and or estimates to demonstrate the amount you need:

Trustee Response: _____

For Office Use Only:

Plan Minimum Percentage: _____ Minimum DI: _____

Total Unsecured Claims Listed _____ Filed _____

PLAN BASE UPDATE: Y or N New Base _____ Date: _____