

# 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 Document Portal)

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 \$1500 of every tax refund without further information. If you are requesting to retain more than \$1500 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:

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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: \_\_\_\_\_