

# **Office of Thomas H. Hooper**

## **Chapter 13 Trustee**

This office has been appointed standing trustee in your Chapter 13 bankruptcy case. The documents that you filed indicate that at least one of the persons filing this case is engaged in business. Enclosed you will find the following forms:

- \*Chapter 13 Summary of Operation
- \*Chapter 13 Monthly Business Reports
- \*Chapter 13 Monthly Financial Reports

Please complete the Summary of Operations and Monthly Business Report and mail them to our office immediately. The forms must be received by our office one week prior to the date of your confirmation hearing.

You are also required to complete a Monthly Financial Report for each month from the time your case was filed until the time it is confirmed. You must continue to send in a Monthly Financial Report as long as your Chapter 13 case is pending. Please complete the Reports and mail them to our office immediately. We have attached only one master copy of the Monthly Financial Report, so you must make copies for each required month.

In addition to the above forms, please mail the following immediately:

- \*most recent federal and state income tax returns
- \*most recent federal and state payroll returns (if applicable)
- \*most recent state sales tax returns (if applicable)
- \*proof of insurance for any business assets
- \*copies of any and all leases

If you have questions regarding these form requirements, please consult with your attorney.

Office of the Chapter 13 Trustee  
Thomas H. Hooper



***SUMMARY OF OPERATIONS***

***Business Property Leased  
(real estate, vehicles, equipment )***

<b>Description</b>	<b>Lease Term</b>	<b>Monthly Amount</b>

I certify under penalty of perjury that I have read the foregoing statement and it is correct to the best of my knowledge, information and belief.

\_\_\_\_\_  
Debtor(s)

\_\_\_\_\_  
Date

**MONTHLY BUSINESS REPORT**

Name: \_\_\_\_\_ Case No. \_\_\_\_\_

Business Name: \_\_\_\_\_

**Business Income:**

Sales	\$	_____
Other receipts	\$	_____
Total income	\$	_____

**Business Expenses:**

Rent	\$	_____
Inventory/Supplies	\$	_____
Salaries	\$	_____
Payroll Taxes	\$	_____
Employee Benefits	\$	_____
Utilities	\$	_____
Telephone	\$	_____
Equipment Leases	\$	_____
Loan Payments	\$	_____
Advertising	\$	_____
Insurance	\$	_____
Professional Services	\$	_____
Transportation	\$	_____
Interest	\$	_____
Bank charges	\$	_____
Sales Tax	\$	_____
Income Tax	\$	_____
Other expenses (breakdown on separate sheet)	\$	_____
Total Budgeted expenses	-	\$ _____

**Budget Net Income** \$ \_\_\_\_\_

I certify under penalty of perjury that I have read the foregoing statement and it is correct to the best of my knowledge, information and belief.

\_\_\_\_\_  
Debtor(s)

\_\_\_\_\_  
Date

## **MONTHLY FINANCIAL REPORT**

Name: \_\_\_\_\_ Case No. \_\_\_\_\_

Name of Business: \_\_\_\_\_

Month and Year: \_\_\_\_\_

**Cash Received during the month**

Sales	\$	_____
Loans	\$	_____
Wages from outside work	\$	_____
Other receipts	\$	_____
<b>Total cash receipts</b>	<b>\$</b>	<b>_____</b>

**Business Expenses paid out during the month:**

Rent	\$	_____
Inventory/Supplies	\$	_____
Salaries	\$	_____
Payroll Taxes	\$	_____
Employee Benefits	\$	_____
Utilities	\$	_____
Telephone	\$	_____
Equipment Leases	\$	_____
Loan Payments	\$	_____
Advertising	\$	_____
Insurance	\$	_____
Professional Services	\$	_____
Transportation	\$	_____
Interest	\$	_____
Bank charges	\$	_____
Sales Tax	\$	_____
Income Tax	\$	_____
Other expenses (breakdown on separate sheet)	\$	_____
<b>Total business expenses</b>	<b>\$</b>	<b>_____</b>

**Other Monthly Expenses:**

Household expenses	—	\$	_____
Chapter 13 plan payments	—	\$	_____

**Net income (loss) for the month** \$ \_\_\_\_\_

## **NOTICE REGARDING BUSINESS DEBTORS**

**All business debtors must provide all documents reflecting the business debtor's financial condition. These may include:**

- Copies of Federal and State tax returns, along with all supporting schedules, for at least the two years preceding the filing;
- Copies of financial statements furnished to a third party, such as a trade creditor or a bank, within the two years preceding the filing of the petition, including but not limited to the balance sheet, income statement and cash flow statement;
- Current books and records of the business, including checks and check registers;
- Monthly profit and loss statements for at least the year preceding the filing;
- Current schedule of accounts receivable and accounts payable;
- Current insurance policies; and
- Lease agreements

Business debtors must provide yearly business tax returns to the trustee, and other business records as requested by the trustee at any time during the pendency of their case.

Business debtors must co-operate with the Trustee in any investigation of the debtor's business operations pursuant to 11 U.S.C. Sec. 1302(c).

**NOTE: Special provisions apply to a "debtor engaged in business" as defined in 11 U.S.C Sec. 1304, in addition to the requirements above:**

- A "debtor engaged in business" as defined in 11 U.S.C Sec. 1304 must maintain a record of receipts and the disposition of money and property received, as required by Fed. R. Bankr. P. 2015 (c).
- A "debtor engaged in business" must file periodic reports and summaries as required by 11 U.S.C. Sec. 704(8) pursuant to Fed. R. Bankr. P 2015(c ).

- A "debtor engaged in business" as defined in 11 U.S.C Sec. 1304 must give notice of the bankruptcy case to those required to be notified pursuant to Rule 2015 (c).
- If the court directs, a "debtor engaged in business" as defined in 11 U.S.C Sec. 1304 must file and transmit to the United States trustee a complete inventory of the property of the debtor within the time fixed by the court pursuant to Rule 2015 (c).
- A "debtor engaged in business" as defined in 11 U.S.C Sec. 1304 is subject to monitoring during the case. Monitoring might include the debtor meeting with the standing trustee's business case analyst, if applicable, to review the budget, an evaluation of the debtor's accounting systems, an on-site tour of the business premises, the requirement that periodic operating reports be filed along with bank statements, tax deposits and payment forms, and monitoring of insurance coverage