

## CHAPTER 13 DEBTOR'S REQUEST TO INCUR DEBT TO PURCHASE A VEHICLE

Debtor(s): \_\_\_\_\_ Case Number: \_\_\_\_\_

Provide the Debtor phone number and email address only if you are representing yourself and do not have a lawyer:

Debtor phone number \_\_\_\_\_ Debtor email address \_\_\_\_\_

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Name of lender: \_\_\_\_\_

Amount of loan: \_\_\_\_\_ Interest Rate: \_\_\_\_\_ Monthly Payment Amount: \_\_\_\_\_ Number of payments \_\_\_\_\_

Amount & Source of Down Payment (if applicable): \_\_\_\_\_

Please make sure to provide your attorney with proof of current monthly income and expenses for your household in order to amend your bankruptcy schedules. Contact your attorney regarding any questions.

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### Purchase of a Vehicle

Vehicle Purchase Parameters:

1. No auto loan in excess of \$30,000.00;
2. No monthly payment in excess of \$650.00 per month;
3. The interest rate cannot exceed 21%.
4. No vehicle warranties, or any type of additional insurance (i.e. disability insurance, GAP insurance, etc.).
5. The vehicle may not be a luxury vehicle, even if it is old.

If the vehicle falls within the above parameters, please submit with this request a copy of the buyer's order or sales contract containing the following information:

- A. Year, Make, & Model of the Vehicle the Debtor wants to purchase;
- B. Purchase Price;
- C. Down Payment Amount;
- D. Finance Amount;
- E. Loan Term;
- F. Interest Rate;
- G. Monthly Payment.

Is this vehicle replacing another vehicle already listed in your Plan or Schedules? Yes No

If yes, what vehicle is being replaced? (*Year/Make/Model*) \_\_\_\_\_

Are you planning to make direct payments to the lender on this vehicle (as opposed to paying for the vehicle as part of your Plan payment)? Yes No

If you are replacing a vehicle, what happened to the vehicle you are replacing? \_\_\_\_\_

If you are receiving or have already received insurance proceeds, in what amount? \_\_\_\_\_

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**IF THE CHAPTER 13 TRUSTEE DOES NOT APPROVE THIS REQUEST, THE DEBTOR MAY FILE A MOTION TO INCUR DEBT AND SEEK COURT APPROVAL OF THE PROPOSED PURCHASE AGREEMENT, WHICH MOTION MAY BE APPROVED AND GRANTED BY THE COURT.**

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### Declaration

I, \_\_\_\_\_ (please print), Debtor/Attorney (circle one), declare under penalty of perjury that the information provided above and on the attached budget is true and correct to the best of my knowledge, information, and belief. If the declarant is an attorney, he/she further declares that the source of the payment of my attorney fees is the Debtor and not a

third party, dealership, or finance company in connection with the financing of the vehicle. I understand that my attorney fees may be paid through the Trustee and that I must comply with the provisions of General Order 2023-04 as it is amended from time to time and file a Notice of Additional Fees.

I declare under penalty of perjury that my declaration is true and correct.

Debtor or Attorney Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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