

Rule 3002.1 Mortgage Payment Changes

New FRBP 3002.1, effective December 1, 2011, applies to claims that are (1) secured by a security interest in the debtor's principal residence and (2) provided for under section 1322(b)(5) in the debtor's plan.

To implement and comply with the new Rule, our existing menu option, *Chapter 13 Post Petition Debt Notice*, has been replaced with three (3) new events:

1. **Notice of Mortgage Payment Changes** (Supplement 1 to Official Form 10).
 - Allows the claim holder to inform appropriate parties when a change in mortgage payment is to occur.
2. **Notice of Postpetition Mortgage Fees, Expenses and Charges** (Supplement 2 to Official Form 10).
 - Includes the claim holder's record of fees, expenses and/or charges incurred that the holder asserts are recoverable against the debtor or the debtor's property.
3. **Response to Notice of Final Cure Payment.**
 - Within 21 days after service of the Notice of Final Cure Payment, the claim holder shall file and serve a statement indicating:
 - a) Whether it agrees that the debtor has paid in full the amount required to cure the default, and
 - b) Whether the debtor is otherwise current on all payments.

The statement shall itemize the required cure or postpetition amounts, if any, that the claim holder contends are unpaid as of the date of the statement.

Important Note: When using the above ECF events, filers will be asked if they have already filed a proof of claim in the case.

- By answering “**yes**” to that question, the entry will appear on the ECF claims register as a supplement to the claim holder's proof of claim. Because no document number is associated with any of these events, the word “doc” appears as the document hyperlink, instead of a document number, on the Claims Register.
- By answering “**no**” to that question, the entry will appear on the case docket, not the claims register, and a document number is assigned.