

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 _____

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.

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.
6. The purchase of the vehicle has not already been completed by the Debtor.

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? _____

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 MAY BE APPROVED AND GRANTED BY THE COURT.

**Debtor and Debtor Attorney Declaration Regarding Attorney Fees
In Connection with the Purchase and Financing of a Vehicle**

I, the Debtor, certify that I understand that any payment I make to my attorney for the preparation of the Request to Incur Debt and Amended Schedules must be from my own funds. I did not receive funds from any other party, dealership, or finance company in connection with the financing of the vehicle.

I, the attorney for the Debtor, certify that any payment I receive from the Debtor for the services described above did not come from any other party, dealership, or finance company in connection with the financing of the vehicle. I further certify that I am required to file a Notice of Additional Fees and Rule 2016 Disclosure upon submission of this request.

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

Debtor

Attorney for the Debtor