



Rule 3002.1

Thomas L Saladino (Bankr Chief Judge) to: Rules_Support

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Cc: Eva Roeber

I am submitting this email to suggest that a change is needed to Bankruptcy Rule 3002.1 to address where the notice of payment changes and the notice of fees, expenses and charges should be filed when the lender does not have a proof of claim on file. Many mortgage lenders do not file a proof of claim if there are no pre-petition arrearages to be paid under a chapter 13 plan. However, those lenders are now required to file the notices under Rule 3002.1 on the claims register, which cannot be done without a proof of claim. This has resulted in the lenders filing a "zero arrearage" proof of claim out of time, which triggers an objection by the trustee for late filing. Perhaps the rule could be changed to allow the notices under 3002.1 to be filed on the docket when the lender does not otherwise have a proof of claim on file.

Thank you for your consideration.

Tom Saladino



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