

10-BK-034

As a Chapter 13 trustee who disburses plan payments to not only cure home mtge arrears but also the ongoing regular monthly mtge payment I welcome any rules that require the mtge servicers to be more specific.

In reviewing proofs of claim filed by the servicers it is difficult in many instances to get an attachment to the claim which clearly demonstrates how this servicer has a right to file the claim. How did they acquire this debt? where is the assignment, etc? Without this I am hamstrung until I can get the correct paper work and this will cause a delay in payments which could result in late charges assessed against the debtor.

Additionally, we do not always get notices of a payment change. when we do get them we work dilligently with the debtor atty to get the new payment into a confirmed plan. without them, I am disbursing incorrect monthly payments which may result in the debtor not properly reducing the principal balance of the loan and in many cases incurring late charges.

Thus, there can be extra charges including late charges, inspections, atty fees, etc. which need to be disclosed and requested during the course of the case so the debtor can have sufficient time to amend to cover these higher balances. Without requiring complete disclosure how will a debtor emerge from bankruptcy with the fresh start to which they are entitled?

Thank you.

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