

Additional Review - Motion for Relief from Stay – Effective 11/1/2016

- The motion cannot include a request for additional relief except: (A) a request in the alternative for adequate protection may be included; and (B) a motion for relief from stay imposed by section 362 of the Code may be combined with a motion for relief from the codebtor stay imposed by section 1201 or section 1301 of the Code. LBR 4001-1(a)(10).

Real Property:

- LBR Form 4001-1(a) (Relief From Stay/Adequate Protection Exhibit and Worksheet – Real Estate) must be attached to the Motion.
- If the motion relates to real estate, the movant must attach: (A) a copy of the deed upon which the debtor(s) acquired title to the property; (B) note(s); (C) mortgages; and (D) other evidence of security interest upon which movant bases its secured claim. The deed and mortgage(s) as attached shall be copies as recorded with the applicable public recording agency and bearing notations evidencing such recordation. LBR 4001-1(a)(2).

Motor Vehicles:

- The motion must set forth the value of the motor vehicle. LBR 4001-1(a)(3).
- The motion must set forth the balance claimed due. LBR 4001-1(a)(3).
- The certificate of title to the motor vehicle or a copy of the motor vehicle registration (*Ohio Bureau of Motor Vehicles Form BMV 1149 0301 pursuant to Ohio Revised Code § 4503.26*) must be attached. LBR 4001-1(a)(3).

Personal Property Other than Motor Vehicles:

- The motion must set forth a description of the personal property, the estimated value or the appraised value of the personal property, and the balance due for the movant's secured claim. LBR 4001-1(a)(4).
- If the motion relates to personal property other than a motor vehicle the movant must attach a copy of the security agreement and/or retail installment contract and, if applicable, copies of financing statements bearing notation of filing with the appropriate public recording agency and indicating proper perfection of such liens under applicable state law. LBR 4001-1(a)(4)