**UNITED STATES BANKRUPTCY COURT**

**SOUTHERN DISTRICT OF OHIO**

|  |  |  |
| --- | --- | --- |
| In re:    Debtor(s) | )  )  ) | Case No.  Chapter  Judge |

**CERTIFICATION OF MORTGAGE MODIFICATION**

**MEDIATION ELIGIBILITY AND READINESS**

1. **CERTIFICATION OF THE DEBTOR(S)**

**[Debtor(s) Name(s)]** (the “Debtor,” whether individually or collectively) hereby certifies that:

1. Debtor shall act in good faith throughout the entirety of the Mortgage Modification Mediation (“MMM”) Period,[[1]](#footnote-1) including but not limited to, promptly responding to all inquiries through the Portal and providing all requested documentation and information.
2. Unless otherwise ordered by the Court, Debtor will make adequate protection payments **[directly to the Creditor / to be paid by the Chapter 13 Trustee to the Creditor]** in the amount of **$** each month during the MMM Period, which payment amount meets the adequate protection requirements set forth in the MMM Procedures.
3. Debtor understands that commencing the MMM is voluntary, and that Debtor is not required to enter into any agreement or settlement with any other party, and no other party is required to enter into any agreement or settlement with Debtor as part of the MMM.
4. Debtor understands that Debtor is not required to request dismissal of this case as part of any resolution or settlement that is offered or agreed to during the MMM.
5. Debtor understands that if Debtor does not fully comply with the requirements of the MMM, Debtor’s participation in the MMM may be terminated.
6. Debtor hascompleted the Document Preparation Software requirements. Debtor’s Initial MMM Package has been completed and is ready for signature and submission.
7. Debtor understands and agrees that upon entry of an *Order Directing MMM*, Debtor will be required to (i) pay a Portal fee directly to the approved Portal vendor, and, if applicable, (ii) **[pay / provide for payment of]** one-half of the Facilitator Fee.

Date: **[ (month) (day) (year) ] [/s/ Debtor Name ]**

Debtor

Date:  **[ (month) (day) (year) ] [/s/ Joint Debtor Name ]**

Joint Debtor (if any)

1. **CERTIFICATION OF MMM Eligibility and Readiness**

The undersigned counsel represents the Debtor in the above-captioned case and hereby certifies that:

1. I have discussed the details of the Court’s MMM Program with Debtor.
2. I performed adequate due diligence to determine Debtor’s eligibility for the MMM.
3. In light of my due diligence, I am aware of no reasons why the commencement of the MMM in this case would be futile or otherwise contrary to reasonable expectations of a successful outcome.

***OR***

I have a colorable argument for MMM notwithstanding the following fact(s) which might hinder the pursuit of a successful outcome: . I am moving for the commencement of the MMM because .

1. I have fully complied with the requirements set forth in the MMM Proceduresand I am prepared to upload the required documents to the Portal upon entry of an *Order Directing MMM*.

Respectfully submitted,

**/s/ Name**

**Attorney Name/State Bar Number (if any)**

**Law Firm Name**

**Mailing Address**

**Ph: Telephone Number**

**Fx: Fax Number**

**Email Address**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Certification of Mortgage Modification Mediation Eligibility and Readiness* was served **electronically** on the date of filing through the Court’s ECF System on all ECF participants registered in this case at the email address registered with the Court and

by first class mail on **[ (month) (day) (year) ]** addressed to:

[**ENTER NAMES AND ADDRESSES OF OTHER PARTIES TO BE SERVED]**

**/s/ Name**

1. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Court’s Mortgage Modification Mediation Program and Procedures, which is available on the Court’s website at (www.ohsb.uscourts.gov). [↑](#footnote-ref-1)