

**TIFFANY D. CASTRO**  
**CHAPTER 13 TRUSTEE**  
**LOAN QUESTIONNAIRE FOR CHAPTER 13 CASES**  
**TRUSTEE GUIDELINES AND TIPS**

Individuals in Chapter 13 cases generally must seek court approval before entering loan or financing agreements while a Chapter 13 case is pending. The Court may allow the Chapter 13 Trustee to grant permission to incur new vehicle debt in some circumstances. **Home mortgage and/or real estate loans require court approval.**

This form, along with any supporting documents, must be completed and submitted in the following manner **before** you incur a post-petition vehicle loan:

- **Tiffany D. Castro: send via email to [loaninfo@ch13hou.com](mailto:loaninfo@ch13hou.com)**

The Office of Tiffany D. Castro, Chapter 13 Trustee, will inform you if the application has been approved or denied. If approved, you will be responsible for remitting payment directly to the lender for this new loan and you must continue to submit your monthly plan payment to the Chapter 13 Trustee.

Denial of an application by the Chapter 13 Trustee means you will need to file a “Motion for Authority to Incur New Debt” and seek Court permission if you still want to incur the new debt.

You must identify the specific vehicle to be purchased **and** the financing terms with the lender before submitting this Loan Questionnaire. You need to provide the Chapter 13 Trustee the terms of the loan, a copy of the proposed contract, if available, and the following supporting documents with your Loan Questionnaire:

- Proof of household income (e.g. pay stubs, social security award letter, or bank statements) for the 90 days prior to this Loan Questionnaire
- Most recently filed tax return

The Chapter 13 Trustee must have the following information about the loan:

- Lender’s Name
- Lender’s Full Address
- Amount Financed
- Interest Rate
- Monthly Payment
- Term Length
- Dealer’s Contact Information

\*The information on the Buyer’s/Purchase Order must match the information in the Loan Questionnaire or the request will be denied.

The Chapter 13 Trustee will not approve a new loan request if a plan modification is not also ready for approval and/or a notice of surrender has not been filed.

**YOU SHOULD NOT (I) TRADE IN A VEHICLE OR (II) TAKE A NEW VEHICLE OFF THE DEALER’S LOT UNTIL YOUR APPLICATION HAS BEEN APPROVED.**

## **LOAN QUESTIONNAIRE INSTRUCTIONS**

1. Complete the Loan Questionnaire, in detail, so the Chapter 13 Trustee can evaluate your request. Only complete Loan Questionnaires with proper supporting documents will be processed.
2. Gather the required documents (Buyer's Order, tax returns, etc.) listed on the Loan Questionnaire and submit the documents using the method and manner listed on page one of the *Trustee Guidelines and Tips*.
3. File income and expense schedules (Schedules I and J) with the court that update your income/expenses and demonstrate the requested loan amount is accounted for in your monthly budget.
4. The Chapter 13 Trustee will not approve a loan request if your plan payments are not current.
5. Make sure to continue to remit your plan payment timely and be aware that the Chapter 13 Trustee will not remit payments on any loan approved under this Loan Questionnaire. Contact your attorney if you are unable to get current on your plan payments. You can check the status of your payments at [www.ndc.org](http://www.ndc.org).

## LOAN QUESTIONNAIRE

\*\*The purpose of this questionnaire is to allow the Chapter 13 Trustee to evaluate the new debt based on the current financial situation. **This form is not a legal and binding contract**; it is a tool for the Chapter 13 Trustee to determine if the new loan should be authorized without court consideration\*\*

Before the Chapter 13 Trustee can process your Loan Questionnaire, you must submit the following documentation:

- (i) A completed Loan Questionnaire (this form),
- (ii) Proof of income for the last 90 days,
- (iii) A copy of your most recently filed tax return,
- (iv) A Buyer's/Purchase order, and
- (v) Proof of insurance

Answer all questions fully. Incomplete questionnaires will not be processed. Return the **Loan Questionnaire and supporting documents** in the method and manner identified on page one (1) of *Trustee Guidelines and Tips*.

Debtor 1: \_\_\_\_\_

Case #: \_\_\_\_\_

Debtor 2: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Work: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

### Loan Information:

Lender's Name	
Lender's Full Address	
Lender's Fax/Email	
Amount to Financed	
Interest Rate	
Monthly Payment	
Term Length	

1. What is the purpose of the loan? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Have you made any prior requests for loan approval during this Chapter 13 case? \_\_\_\_\_  
If yes, please provide the following information:

Date of Request: \_\_\_\_\_ Amount requested: \$ \_\_\_\_\_

Granted or denied? \_\_\_\_\_ If granted, are you current on the payment? \_\_\_\_\_

3. Are you on a wage order for your monthly plan payment? \_\_\_\_\_

4. New Vehicle Identification Information:

Make \_\_\_\_\_

Year: \_\_\_\_\_

Model \_\_\_\_\_

Mileage \_\_\_\_\_

5. If applicable, how much is the downpayment? \$ \_\_\_\_\_

6. If applicable, What is the source of downpayment funds? \_\_\_\_\_

7. Any additional notes or comments for the Chapter 13 Trustee to consider?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prior to Trustee approval, ***you must have an amended income schedule (Schedule I) and amended budget (Schedule J) on file with the Court*** that reflect the amount requested in this Loan Questionnaire as well as changes, if applicable, to vehicle insurance and other expenses.

Replacement vehicles will require a plan modification or notice of surrender. Contact your attorney for more information on the process.

**Finally, the Chapter 13 Trustee reserves the right to request additional documentation or information based on the review of your Loan Questionnaire.**

\_\_\_\_\_  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

Date: \_\_\_\_\_

## Car Dealerships

Below is a list of dealerships that have expressed a willingness to do business with people while in Chapter 13 Bankruptcy. The Office of Tiffany D. Castro has no affiliation or association with the dealerships listed. **This is not a list of recommendations** you are free to purchase a vehicle and obtain financing wherever you desire. Do not feel obligated to use the dealerships listed. The Office of Tiffany D. Castro and her staff are not liable for any dealings or transactions that take place between the debtor and the dealerships listed.

REVV-ELATION AUTO SALES	DANA COLEMAN	(281) 272-6703
DON MCGILL TOYOTA	JOSEPH HADI	(713) 498-8777 (direct)
KEATING TOYOTA	TOM WILSON	(713) 851-7363
RON CARTER	DAVID PATTIE	(281) 388-8140
DAVIS CHEVROLET	FRANK ADU	(713) 794-2500
NEW START AUTO HOUSTON	BRANDON LOCKO	(281) 895-3858
AUTONATION TOYOTA (Gulf Freeway)	YANIER (JOHNNY) OLANO	(713) 943-9900
MAC HAIK	BARRY GRAVES	(713) 932-4223
GULFGATE DODGE	JEFF PASON	(713) 589-4444
NORTHWEST DODGE HWY 6/290		(832) 912-2500
CLEAR LAKE NISSAN	ROBERT RENDINO	(281) 557-5300