

UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

**PROCEDURE FOR RECEIVING RENT  
DEPOSITS UNDER THE REFORM ACT.**

Gen. Order No.: 05-05

**ORDER**

**WHEREAS**, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 amended 11 U.S.C. §101 *et seq.* ("Reform Act") including the automatic stay provisions of 11 U.S.C. §362 regarding actions to recover possession of residential property occupied by a debtor by the enactment of 11 U.S.C. §362(l), and

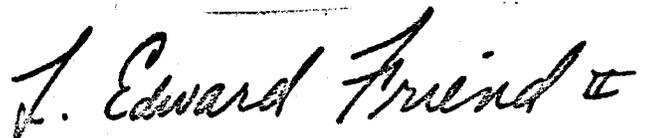
**WHEREAS**, the Court requires uniformity in the procedure for the deposit of rent by debtors and transmittal of rent to Lessors under §362(l)(1)(B) and §362(5)(D) of the Reform Act, it is hereby

**ORDERED**, that any deposit of rent made by or on behalf of a Debtor, pursuant to §362(l)(1)(B) of the Reform Act, must be in the form of a **certified check or money order payable to the order of the Lessor**, and delivered to the Clerk of Court upon filing of the Petition and the Certification made under §362(l)(1)(A) of the Reform Act, and it is

**FURTHER ORDERED**, that the debtor must file a copy of the judgment of eviction together with the bankruptcy petition, and it is

**FURTHER ORDERED**, that upon the Clerk's receipt of a **certified check or money order payable to the order of the Lessor**, with a copy of the judgment of eviction, tendered by a debtor pursuant §362(l)(1) of the Reform Act, the Clerk is directed to promptly transmit the certified check or money order to the Lessor, by certified mail/return receipt requested, to the address listed on the Petition.

DATED: October 19, 2005



---

L. EDWARD FRIEND II, JUDGE