

**Fill in this information to identify your case:**

Debtor 1 \_\_\_\_\_  
 First Name Middle Name Last Name

Debtor 2 \_\_\_\_\_  
 First Name Middle Name Last Name

**United States Bankruptcy Court for the Northern District of West Virginia**

Case Number: \_\_\_\_\_

## DEBTOR'S APPLICATION TO THE CHAPTER 13 TRUSTEE FOR PAYMENT OF RESERVE FUNDS

**1. Reserve Fund Information:** Pursuant to the Debtor's proposed or confirmed plan, the Debtor requested that the Chapter 13 Trustee establish a reserve fund, created from the Debtor's periodic plan payments, to assist the Debtor in meeting the Debtor's ordinary, reasonable, and necessary living expenses. Pursuant to the purpose of the reserve fund, the Debtor hereby makes this application to the Chapter 13 Trustee to release reserve funds in the amount and for the purposes stated below. This request is to be made directly to the Chapter 13 Trustee, not the court. A request may only be made to the court if the Debtor believes that the Trustee has unreasonably refused this request.

<b>Amount Requested:</b>	\$ _____
<b>Name of Vendor, Service Provider, or Debtor to whom funds are payable:</b>	_____
<b>Address for Payment of Reserve Funds, Telephone Number:</b>	_____

**2. Purpose of Request:** The Debtor represents that the Debtor is entitled to use of the reserve funds to meet one or more of the following reasonable and necessary living expenses:

	Explanation
Maintenance, Repair or Upkeep	_____
Childcare or Education	_____
Medical or Dental	_____
Transportation or Car Repair	_____
Insurance or Taxes	_____
Other	_____

**3. Documentation.** Attached to this request are estimates, invoices, appraisals, or such other documentation that is necessary to support my request for use of the reserve fund.

**4. Limitations of Reserve Fund:** I understand that my request for use of reserve funds is limited to the amount available in the fund and that the only source of funds from which the Chapter 13 Trustee may draw upon are those funds that have been specifically designated as reserve funds in my proposed or confirmed plan. I understand that the amount of my reserve funds may have been previously reduced by the Chapter 13 Trustee to make up a shortfall in a previously due plan payment. I understand that the Chapter 13 Trustee has the discretion to approve or deny my requested use of reserve funds. If denied, I understand that I have the right to have the decision of the Chapter 13 Trustee reviewed by the Court.

\_\_\_\_\_  
Signature of Debtor 1                      Date

\_\_\_\_\_  
Signature of Debtor 2                      Date

\_\_\_\_\_  
Debtor's Attorney                      Date

**For Use by the Chapter 13 Trustee**

**4. Approval or Denial of the Request to Use Reserve Funds.** Having reviewed the Debtor's request for use of reserve funds and the attached documentation, if any, I find as follows:

\$	Is the amount of reserve funds currently available in the Debtor's Case
\$	Is the total amount of the Debtor's request for the use of the reserve fund
\$	Is the remaining reserve fund balance if the request is granted

I hereby approve the use of the reserve fund monies in the following amount and will make the necessary payment transfer arrangements to the Vendor, Service Provider or the Debtor as indicated.

Funds to be Disbursed

\$ \_\_\_\_\_

Address for Disbursement

\_\_\_\_\_

I hereby disapprove of the Debtor's request to use reserve funds because:

\_\_\_\_\_

\_\_\_\_\_  
Signature of Trustee

\_\_\_\_\_  
Date