

**OFFICE OF THE  
CHAPTER 13 STANDING TRUSTEE  
DAVID G. PEAKE  
9660 HILLCROFT, SUITE 430  
HOUSTON, TEXAS 77096  
(713) 283-5400 OFFICE  
(713) 852-9084 FACSIMILE**

**FACSIMILE COVER SHEET**

DATE: 1-19-06

TO: Rob

FAX NUMBER: 713-772-5058

FROM: Yvonne

NO OF PAGES: \_\_\_\_\_  
(includes coversheet)

RE: \_\_\_\_\_

COMMENTS:

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DAVID G. PEAKE  
CHAPTER 13 STANDING TRUSTEE  
9660 HILLCROFT, SUITE 430  
HOUSTON TEXAS 77096  
713-283-5400  
713-852-9084 (FAX)

DEBTOR (S): \_\_\_\_\_

CASE NO: \_\_\_\_\_

DATE: \_\_\_\_\_

You have submitted a request to this office for approval of a new loan. Before we can respond to your request, we must have you complete the following questionnaire, the attached budget & return it to this office.

1. WHAT IS THE PURPOSE OF THE LOAN?

\_\_\_\_\_

2. HAVE YOU MADE ANY PRIOR REQUESTS FOR LOAN APPROVAL WHILE IN CHAPTER 13? IF SO, GIVE THE DATES, AMOUNTS, TELL US WHETHER THE LOAN REQUESTS WERE GRANTED OR DENIED, & GIVE US THE STATUS OF THE LOAN PAYMENTS.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. HOW MUCH DO YOU WISH TO BORROW? \_\_\_\_\_

4. WHAT IS THE NAME, ADDRESS & TELEPHONE NUMBER OF THE LENDER AND/OR DEALERSHIP? (INCLUDE FAX # & TO WHO'S ATTN)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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- 5. WHAT IS THE INTEREST RATE, MONTHLY PAYMENT AMOUNT & NUMBER OF MONTHLY PAYMENTS YOU WILL BE REQUIRED TO MAKE ON THIS LOAN?

INTEREST RATE \_\_\_\_\_

MONTHLY PAYMENT \_\_\_\_\_

NUMBER OF MONTHLY PAYMENTS \_\_\_\_\_

- 6. WHAT IS THE AMOUNT OF THE DOWN PAYMENT ON THIS TRANSACTION, IF THERE IS ONE, AND WHAT IS THE SOURCE OF THE DOWN PAYMENT MONEY?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 7. WILL THE MONTHLY PAYMENT ON THIS NEW LOAN BE MADE IN ADDITION TO, OR IN REPLACEMENT YOU ARE ALREADY RESPONSIBLE FOR IN YOUR CHPT 13 PLAN OR BUDGET? EXPLAIN.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
DEBTOR

\_\_\_\_\_  
JOINT DEBTOR (IF ANY)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

**\*MUST BE SIGNED BY BOTH DEBTORS**

# \* Budget must be Completed.

## INSTRUCTIONS FOR COMPLETING CHAPTER 13 BUDGET

**PURPOSE OF THE BUDGET:** The budget you prepare serves two very important purposes. In order to have your Chapter 13 case approved, you must convince the Trustee and the Judge that you have sufficient income to enable you to pay your reasonably necessary living expenses, AND the proposed Chapter 13 Plan payment. The bankruptcy laws require that you submit to the Trustee's and Court's control, all of your "disposable income". "Disposable income" is defined as being all income, from whatever source, that is not reasonably necessary to support yourself and your dependents. The enclosed budget form contains spaces for you to enter the amounts you feel are "reasonably necessary" for you to spend on most items essential to your support. The Trustee and Judge will review the budget to determine whether your budget meets this requirement. The second purpose the budget serves is to provide you with some guidelines for your future living expenses. The Plan you file will not work for you unless you can discipline yourself to live within your budget. Please prepare this budget thoughtfully and carefully according to the following instructions:

1. All of your income, from whatever source, needs to be reported. If you are married, and living with your spouse, your spouse's income must be reflected, even though he or she may not have filed Chapter 13.
2. You must show your Gross Income, and the deductions that are taken from your check to arrive at your "take home pay" or net income. If no deductions are made, enter the word "income" in the spaces provided.
3. This is a "budget" and thus it deals with the income you expect to receive and the expenses you expect to incur in the FUTURE, while you are in Chapter 13. Therefore, do not show as deductions from your gross income, or as expenses on your budget, any payment being deducted or made to pay debts which will be paid by the Chapter 13 Trustee under your plan.
4. If you are requesting permission to pay any debt yourself, rather than through the Trustee, you must clearly identify the creditor by name, and footnote in the margin the number of months that will be necessary to pay this debt in full. Normally, it is to your advantage to pay all debts through the Chapter 13 plan and Trustee, unless the debt is a secured debt, and the number of monthly payments remaining is more than the number of months your Chapter 13 plan will be in effect.
5. If possible, try to determine what was actually spent by you on the items shown on the budget over the previous year, and calculate the average amount you spent per month. This will adjust for seasonal expenses such as utilities. Of course, if you have had unnatural expenses, such as high medical bills that you do not expect to incur in the future, you should omit them from your budget.
6. If you are the proprietor of a business, you must complete a business budget as well as a personal budget.
7. The difference between your total income and your total expenses must be not less than the amount of your Chapter 13 plan payment.
8. Please be realistic in estimating your income and your expenses. You are attempting to estimate these items for a three year, and in many cases a five year period. If your estimates prove to be unrealistic, and you find you cannot make your plan payments, you could be forced to incur additional attorney fees to modify your plan.

Please Complete

Debtor(s)

Case No.

(If known)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE		
	NAMES	AGE	RELATIONSHIP

  

	DEBTOR	SPOUSE
Employment		
Occupation		
Name of Employer		
How long employed		
Address of Employer		

Income (Estimate of average monthly income)	DEBTOR	SPOUSE
Current monthly gross wages, salary and commissions (pro rate if not paid monthly) .....	\$ _____	\$ _____
Estimate monthly overtime .....	\$ _____	\$ _____
<b>SUBTOTAL</b> .....	\$ _____	\$ _____
<b>LESS PAYROLL DEDUCTIONS</b>		
a. Payroll taxes and social security .....	\$ _____	\$ _____
b. Insurance .....	\$ _____	\$ _____
c. Union dues .....	\$ _____	\$ _____
d. Other (Specify) .....	\$ _____	\$ _____
<b>SUBTOTAL OF PAYROLL DEDUCTIONS</b> .....	\$ _____	\$ _____
<b>TOTAL NET MONTHLY TAKE HOME PAY</b> .....	\$ _____	\$ _____
Regular income from operation of business or profession or farm (Attach detailed statement) .....	\$ _____	\$ _____
Income from real property .....	\$ _____	\$ _____
Interest and dividends .....	\$ _____	\$ _____
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above .....	\$ _____	\$ _____
Social security or other government assistance (Specify) .....	\$ _____	\$ _____
Pension or retirement income .....	\$ _____	\$ _____
Other monthly income (Specify) .....	\$ _____	\$ _____
<b>TOTAL MONTHLY INCOME</b> .....	\$ _____	\$ _____

Please complete Debtor(s) Case No. (if known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly or every second month or annually to show monthly rate

Monthly

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home) \$

Are real estate taxes included? Yes No Is property insurance included? Yes No

Utilities Electricity and heating fuel \$

Water and sewer \$

Telephone \$

Other

Home maintenance (repairs and upkeep) \$

Food \$

Clothing \$

Laundry and dry cleaning \$

Medical and dental expenses \$

Transportation (not including car payments) \$

Recreation, clubs and entertainment, newspapers, magazines, etc \$

Charitable contributions \$

Insurance (not deducted from wages or included in home mortgage payments)

Homeowner's or renter's \$

Life \$

Health \$

Auto \$

Other

Taxes (not deducted from wages or included in home mortgage payments) \$

Specify

Installation payments: \* Auto New car pymt (if approved) \$

\* Other Trustee payment \$

Alimony, maintenance and support paid to others \$

Payments for support of additional dependents not living at your home \$

Regular expenses from operation of business, profession or farm (attach detailed statement) \$

Other

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules) \$

A. Total projected monthly income \$

From PAGE ONE

B. Total projected monthly expenses \$

C. Excess income (A minus B) \$

**THIS IS A LIST OF DEALERSHIPS THAT WE KNOW HAVE FINANCED AUTOMOBILE PURCHASES FOR PEOPLE INVOLVED IN A CHAPTER 13 CASE. THE TRUSTEE'S OFFICE DOES NOT NECESSARILY RECOMMEND ANY PARTICULAR DEALERSHIP. THE TRUSTEE'S OFFICE SUGGESTS THAT YOU "SHOP AROUND" AND COMPARE PRICES AND INTEREST RATES BEFORE YOU SIGN ANYTHING.**

**AUTO DEALERSHIPS**

<b><u>DEALERSHIP</u></b>	<b><u>CONTACT</u></b>	<b><u>PHONE NUMBER</u></b>
<b>DAVIS CHEVROLET</b>	<b>WES DOWNEY OR COREY MIDDLETON</b>	<b>713-794-2500</b>
<b>KNAPP CHEVROLET</b>	<b>TIM JACQUET</b>	<b>(713) 228-4311</b>
<b>BECK &amp; MASTEN PONTIAC GMAC</b>	<b>RICHARD WHITT</b>	<b>(713) 947-4111</b>
<b>AUTO SPEC</b>	<b>MARVIN WHITFIELD</b>	<b>(713) 466-7575</b>
<b>CHARLIE THOMAS</b>	<b>SAM MARTINEZ</b>	<b>(713) 371-4000</b>
<b>COURTESY CHEVROLET</b>	<b>DARRELL BRAUN</b>	<b>(713) 957-5410</b>
<b>CROWN DODGE</b>	<b>RICHARD WHITT</b>	<b>(281) 556-1111</b>
<b>MC GINNIS</b>	<b>MARK DELANEY</b>	<b>(281) 496-8743</b>
<b>MCHAIK FORD</b>	<b>BROCK JOHNSON</b>	<b>(713) 932-5045</b>
<b>MUNDAY CHEVROLET</b>	<b>ANDY GARCIA</b>	<b>(281) 397-8600</b>
<b>RON CARTER</b>	<b>DEAN WAUSSON</b>	<b>(281) 388-8055</b>
<b>TEXAS FORD</b>	<b>HORACE SUTTER</b>	<b>(281) 578-4319</b>