

Issue	Preferred Practice
<p>Asset is not listed.</p> <p>Asset is listed, but no other information is listed.</p>	<p>Although one might assume that this means the asset in is not insured, I would prefer not to assume anything. Please list all assets. If any asset is not insured, please state “not insured” (“not insured” or “uninsured” is preferred to “none.”)</p>
<p>Leased vehicles and real property are not listed.</p>	<p>Leased vehicles and real property must be listed, as with all other property.</p>
<p>Form is incomplete.</p>	<p>The form requires (and I require) the following information: Asset Description, Name and Address of Insurance Agent or Underwriter, Expiration Date, and other information.</p>
<p>Address is incomplete.</p>	<p>“Dewitt, Michigan” or “517-333-5555” is not an adequate address. The address must include a complete mailing address, including ZIP code.</p>
<p>Expiration date for real property is blank.</p>	<p>If debtor believes that the insurance policy does not have an expiration policy because insurance payments are paid to and escrowed by the mortgage company, then in lieu of an expiration date, enter “paid through escrow” or something to that effect.</p>
<p>Asset is not adequately described.</p>	<p>Please be certain that on Schedules A, B, D and the APR that property is adequately described. For real property, this requires a street address and city (state if not Michigan). For vehicles, this requires a year, make and model. What happens too frequently is Schedule D contains “mortgage” or “real property” or “vehicle” or “auto loan” for consideration, Schedule A or B lists more than one piece of collateral, and I have to put together a puzzle from the values what property is liened by what creditor (and which creditor to contact).</p>
<p>APR is not filed in conversion cases.</p>	<p>Local Bankruptcy Rule 1007-2(c)(1)(B) requires the debtor file a completed APR with the motion to convert the case or within 5 days after the order for conversion, if the conversion is involuntary. Please file an APR in converted cases, and please do so timely.</p>
<p>APR is not dated.</p>	<p>Please be certain that the filed APR is dated both on page 1 and page 2.</p>
<p>Expiration date is before the § 341(a) meeting</p>	<p>This is very common, and unavoidable. However, when completing the APR, remember that the § 341(a) meeting is scheduled between 20 and 60 days after filing. If the APR lists an expiration date prior to the meeting, then I generally contact your office (meaning you contact your client) to see if the insurance has been renewed. To avoid this extra work, I suggest that when the expiration date may fall before the meeting of creditors, that you note “Debtor will renew” on the APR if that is the debtor’s intention.</p>