

[Case Heading]

AFFIDAVIT IN SUPPORT OF MOTION FOR RELIEF FROM STAY

STATE OF
PARISH/COUNTY OF

BEFORE ME, the undersigned Notary, came and appeared _____, a competent person of the full age of majority and the [title] of [Mover] whose permanent mailing address is _____ (“Affiant”) who after being sworn by me, Notary, declares:

1. This Affidavit is submitted in support of the Motion for Relief from Stay filed in the above captioned case by [Mover] (“Mover”).

2. My name is _____ and I am a _____ for _____. In that capacity I am familiar with the books and accounts of the Mover and have examined all books, records, and documents kept by the Mover concerning the transaction alleged in the Motion. All of the books, records, and documents are kept by Mover in the regular course of its business and are made at or near the time of transaction using information transmitted by persons with personal knowledge of the facts. It is the regular practice of Mover to make and keep these books, records, and documents. The books, records, and documents that the Affiant examined are in the custody and under the supervision and control of _____, and are complete, accurate, and correct. Furthermore, Affiant has personal knowledge of the matters contained in the books, records and documents.

3. My responsibilities include, but are not limited to, handling delinquent bankruptcy accounts, ascertaining amounts due and payable, and otherwise handling collections.

4. I have personal knowledge of the facts contained in this Affidavit. Specifically, I have personal knowledge of the facts regarding the sums of money which are due and owing pursuant to the Note and Mortgage/Security Agreement that are the subject matter of the Motion for Relief from Stay.

5. As of the Petition, date Debtor was indebted to Mover in the full amount of \$_____, calculated as follows:

- Principal: \$_____
- Interest (calculated at the rate of ___% or \$_____ per diem from <date>): \$_____
- Attorney’s Fees:\$_____
- Costs: \$_____
- Insurance: \$_____
- Late Fees: \$_____
- Foreclosure Expenses (specify all expenses separately): \$_____
- Other (please specify): \$_____

6. Under the terms of the Note, Debtor was obligated to pay \$_____ per month in principal and interest beginning on _____ and continuing monthly thereafter.

7. Following the filing of this case, Debtor has made the following payments on the indebtedness:

	Date	Payment	Amount	Check Number
a.				
b.				
c.				

8. Post-petition, Debtor defaulted on the obligations owed to Mover:

- a. [Payment default: Debtor has failed to make the monthly payments due under the Note for the months of _____. As a result, Debtor owes the sum of \$_____ in principal and interest. Additional charges of \$_____ are also due for <describe> .]
- b. [Debtor has failed to make the monthly payments due to Mover under his or her Plan. The Plan provides that in addition to the amount accruing under the Note, Debtor will pay the sum of \$_____ per month on arrearages accruing on the Note. Debtor has failed to remit the monthly payments due under the Plan for the months of _____ totaling \$_____.]
- c. [Debtor has failed to maintain adequate insurance over the collateral. Specifically, _____.]
- d. [Debtor has failed to satisfy property taxes accruing on the collateral for the period of _____ in the amount of \$_____.]
- e. [Other:_____.]

9. The loan documents attached to the Motion are genuine, authentic, and true copies of the originals, under the custody and control of _____.

10. I have read the Motion for Relief and know from my own knowledge that the allegations and facts contained therein are true, accurate, and correct.

<City> , <State> , this ___ day of _____, 200__.

Affiant

Print or Type Name

Notary Public
My Commission Expires: