

AO 3015-1 Chapter 13 – Plan – Provisions Concerning HAF Grants

Any chapter 13 plan that proposes to pay prepetition debt with funds received from a grant from the New Hampshire Homeowner Assistance Fund (HAF) shall include the following language to be inserted in paragraph 13 of *LBF 3015-1A*, which language may only be modified if warranted by the particular circumstances of the debtor's case:

HAF Grant Provisions:

The debtor has applied or will apply by [insert a date not later than 30 days after the date of the plan] for a grant from New Hampshire Homeowner Assistance Fund (HAF). The debtor anticipates receiving a HAF grant in the amount of \$[insert amount of the anticipated grant], which will be paid directly to [insert name of affected creditor] pursuant to HAF's guidelines to be applied to the creditor's prepetition arrearage claim. Accordingly, the amount to be paid to [insert name of affected creditor] through this plan will be reduced by the anticipated amount of the HAF grant.

[Insert name of affected creditor] shall be authorized to accept and apply any grant funds it receives from HAF. The debtor shall be authorized to grant a mortgage, in the form required by HAF, upon their primary residence to secure the grant. HAF shall be permitted to record said mortgage.

Within 30 days of the receipt of any HAF grant funds that reduce [insert name of affected creditor]'s prepetition arrearage claim, [insert name of affected creditor] must file an amended proof of claim that reflects the updated amount necessary to cure any default as of the date of the petition.

If [insert name of affected creditor]'s amended proof of claim renders the debtor's confirmed plan underfunded, the debtor will file a motion to modify that plan within 30 days of the filing of the amended proof of claim.

If the debtor's HAF grant application is denied or the debtor fails to obtain a HAF grant within 90 days of the date of the order confirming the debtor's plan, the debtor shall file a motion to modify the debtor's confirmed plan within 30 days thereafter.