

*In re Rodriguez*

16-14608-BKC-LMI

The Debtor filed his chapter 13 bankruptcy petition after the foreclosure sale of his property but before the certificate of sale was issued. At issue was whether the Debtor could treat the mortgage under his chapter 13 plan notwithstanding the sale. Following the reasoning of *In re Jaar*, 186 B.R. 148 (Bankr. M.D. Fla. 1995), the Court held that the Debtor could treat the mortgage under his chapter 13 plan because the Debtor retains his property rights under 11 U.S.C. §1322(c)(1) until the certificate of sale is issued.