



UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

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CLERK'S NOTICE OF REVISED MORTGAGE MODIFICATION MEDIATION PROGRAM PROCEDURES

Effective March 29, 2017, the Mortgage Modification Mediation Procedures have been amended for all pending cases to reflect a change (highlighted in **red** text below) in the following paragraph contained in **Section X. (B) Chapter 12 and Chapter 13 Plan Language**.

NOTE: Please refer to the [Mortgage Modification Mediation Program Procedures](#) to review revised Section X. (B) in its entirety.

If the lender and the debtor fail to reach a settlement, then no later than 14 calendar days after the mediator's Final Report is filed, the debtor will amend or modify the plan to (a) conform to the lender's Proof of Claim (if the lender has filed a Proof of Claim), **without limiting the Debtor's right to object to the claim or proceed with a motion to value; or (b) provide that the real property will be "treated outside the plan."** If the property is **"treated outside the plan,"** the lender will be entitled to in rem stay relief to pursue available state court remedies against the property. Notwithstanding the foregoing, lender may file a motion to confirm that the automatic stay is not in effect as to the real property.

Copies of the revised procedures are available on the court's [Mortgage Modification Mediation](#) web page.