



GUIDELINES AND
REQUIREMENTS FOR
CHAPTER 11
DEBTORS IN POSSESSION
(FOR ALL CASES FILED IN THE CENTRAL DISTRICT-CA)

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Refer to our website for the most current and up-to-date information:

<https://www.justice.gov/ust-regions-r16>

For Documents and Forms

http://www.justice.gov/ust/r16/reg_info.htm

TO: CHAPTER 11 DEBTORS, ATTORNEYS AND TRUSTEES

The United States Trustee Program is a component of the United States Department of Justice responsible for overseeing the administration of bankruptcy cases.

Pursuant to 28 U.S.C. §586(a)(3), the United States Trustee (“U.S. Trustee”) has extensive monitoring and oversight responsibilities with respect to Chapter 11 estates. In order to fulfill these responsibilities, the - U.S. Trustee has delineated certain duties, responsibilities and reporting requirements for Chapter 11 debtors in possession. The U.S. Trustee for the Central District of California has developed these Chapter 11 Guidelines to assist debtors in meeting their obligations while in Chapter 11.

Some of these requirements must be performed immediately upon (1) the filing of the Chapter 11 petition, (2) entry of the order of conversion; or (3) the entry of the order of relief in an involuntary proceeding. Other requirements are not due until several weeks after the petition is filed, and still others are required on an ongoing basis throughout the pendency of the bankruptcy. However, ***all requirements must be met in a complete and timely fashion unless waived in writing by the U.S. Trustee Attorney or Bankruptcy Analyst/ Auditor assigned to the case.***

These guidelines and requirements make reference to the Local Rules of Bankruptcy Procedure (Local Rules) for the Central District of California. A copy of the Local Rules may be downloaded from the United States Bankruptcy Court’s website at <http://www.cacb.uscourts.gov/>.

In addition to the following requirements, all applicable provisions of the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, Local Bankruptcy rules, General Orders, and other orders of the Court, must be observed in Chapter 11 cases. Failure to comply with any requirement may result in a motion by the U.S. Trustee, or another party, to dismiss or convert your case, or to request other relief.

There are additional requirements in large chapter 11 cases. See [Fee Guidelines | UST | Department of Justice](#).

The U.S. Trustee reserves the right to revise, modify or amend these guidelines and requirements from time-to-time and, as is appropriate, in an individual case.

A Chapter 11 Debtor-in-Possession serves as a fiduciary for the benefit of the creditors and owners in the case. Providing complete and accurate financial information regarding the estate is part of the debtor’s fiduciary duties.

I. Day-One Requirements

- A. **Close out all existing books and records.** All books and records of the Chapter 11 debtor must be closed out as of the date the petition is filed, or an order is entered converting the case to one under Chapter 11.
- B. **Open a new set of books and records.** These are the debtor in possession books and records, which must be maintained throughout the pendency of the bankruptcy.
- C. **Close all existing bank accounts.** All accounts that the debtor owns, has access to, or over which the debtor exercises possession, custody or control must be closed immediately upon filing of the petition.

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D. Open New General, Payroll and Tax Bank Accounts.

1. In business cases, a minimum of three new debtor in possession bank accounts (general, payroll and tax) must be opened in a bank appearing on the U.S. Trustee list of approved depositories (See [Region 16 List of Approved Depositories \(justice.gov\)](https://www.justice.gov/region16)). All estate funds must be kept in these accounts. (See 11 U.S.C. §§541 and 1115)
2. In some cases, such as those involving individual non-business debtors, the debtor may obtain written permission from the U.S. Trustee attorney or analyst assigned to the case to maintain fewer debtor in possession accounts.
3. If the debtor is required to segregate cash collateral, additional separate accounts must be established and maintained.
4. See also Section III D(3).

E. Obtain Insurance Coverage.

1. The debtor must maintain appropriate insurance coverage for all estate property, including vacant land, naming the debtor as the primary insured. Lender-placed insurance is not sufficient. Listed below are the types of insurance coverage that normally are required for most bankruptcy estates.
 - a. General comprehensive public liability insurance;
 - b. Fire and theft coverage;
 - c. Worker's compensation insurance;
 - d. Motor vehicle insurance;
 - e. Product liability insurance; and/or
 - f. Any other insurance coverage customary in debtor's business.
2. The debtor must name the U.S. Trustee as an ***additional party for notice purposes only*** on every insurance policy. The notice should reference the: (1) U.S. Trustee; (2) the office address for the division in which the case is filed, and the (3) the full case number. The U.S. Trustee will receive notification of any non-payment of premium or cancellation of policy. The U.S. Trustee highly encourages the insurance carriers to utilize the electronic notification method in lieu of paper notifications by sending their notices to: **ustp.region16.ch11@usdoj.gov** with the subject line containing the full case number, court division, and judge's initials.

Corporate Debtor: CH 11 COMPLIANCE 2:11-bk-12345-TD; A Happy Family, Inc.; Insurance Notice

Individual Debtor: CH 11 COMPLIANCE 2:11-bk-12345-TD; Last
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Name, First Name; Insurance Notice

Paper notifications should be mailed to the specific address based on the division in which the case is filed:

- Los Angeles District Office: 915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017 – Case numbers starting with **2:YY-BK**-(5 digit case number) – Judge Initials
 - Riverside District Office: 3801 University Ave., Suite 720, Riverside, CA 92501 - Case numbers starting with **6:YY-BK**-(5 digit case number) – Judge Initials
 - Santa Ana District Office: 411 West Fourth St., Rm 7160, Santa Ana, CA 92701 - Case numbers starting with **8:YY-BK**-(5 digit case number) – Judge Initials
 - Woodland Hills District Office: 915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017 – Case numbers starting with **1:YY-BK**-(5 digit case number) – Judge Initials
 - Santa Barbara District Office: 915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017 – Case numbers starting with **9:YY-BK**-(5 digit case number) – Judge Initials
3. If the debtor does not have the required insurance coverage at the time of filing, it must be obtained immediately.
 4. **It is an on-going requirement that the debtor provide updated proof of insurance during the pendency of the case.** If insurance coverage lapses at any time during the pendency of the bankruptcy, the U.S. Trustee must be advised and proof of new or renewed insurance must be presented at once.
 5. Upon plan confirmation, entry of an order of final decree, dismissal, and/or conversion, the Debtor/Debtor’s representative should notify their insurance carriers to have the U.S. Trustee removed from the policy.

II. Declaration Regarding Compliance with U.S. Trustee Guidelines and Requirements for Chapter 11 Debtors in Possession

- A. All Chapter 11 debtors in possession are required to file the Declaration of Debtor Regarding Compliance with U.S. Trustee Guidelines and Requirements for Chapter 11 Debtors in Possession (Form USTLA-3) (“Declaration Regarding Compliance”). Use of this form is mandatory.
- B. The Declaration Regarding Compliance must be signed under penalty of perjury by a person who is authorized to sign such documents on behalf of the debtor and may not be signed by the debtor’s attorney.

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III. 7 Day Package

Within seven days of the date on which the petition is filed, the case is converted, or an order for relief is entered, the debtor must electronically submit a package of required documents (the “Attorney’s 7 Day Package”) to the U.S. Trustee at ustp.region16.ch11@usdoj.gov.

Documents directed to any other mailbox or address will be disregarded. Service of the 7 Day Package directly upon U. S. Trustee personnel will NOT CONSTITUTE FILING of 7 Day Package requirements and will be disregarded.

If any document is not attached, an explanation must be provided. Inadequate explanations may result in the filing of a motion to dismiss or convert the case.

If any required document is not included in the Attorney’s 7 Day Package, but is later submitted, the submission must include an additional Cover Sheet indicating which document is being submitted at that time.

A. **Cover Sheet (Form USTLA-4)**

The Attorney’s 7 Day Package Checklist contains a list of the documents required to be included in the 7 Day Package. For each document required, and each subcategory identified on the USTLA-4 form, the debtor must select at least one category to indicate whether the document is attached, has been previously submitted, or an explanation is attached.

B. **Real Property Questionnaire (USTLA-5)**

- (1) If the debtor leases, owns, has an interest in or is in the process of purchasing a total of four (4) real properties or less, the debtor must submit a separate Real Property Questionnaire (Form USTLA-5) for EACH parcel of real property.
- (2) If the debtor owns a personal residence, the debtor must complete the Real Property Questionnaire For Principal Residence (USTLA 5.1). (See http://www.justice.gov/ust/r16/reg_info.htm).
- (3) If the debtor owns or has an interest in five (5) or more real properties, the debtor should not complete the Real Property Questionnaire, unless otherwise instructed by the U.S. Trustee. Instead, the debtor must complete the Owned Property Summary Sheet (USTLA 5.2) and list all properties owned by the debtor.
- (4) If the debtor leases five (5) or more real properties, the debtor should not complete the Real Property Questionnaire unless otherwise instructed by the U.S. Trustee. Instead, the debtor must complete the Leased Property Summary Sheet (USTLA 5.3) and list all properties the debtor leases.

C. **Pre-Petition Bank Accounts**

- (1) All pre-petition bank accounts must be closed.
- (2) The name of the depository, the account name and number, the closing balance and the date of closure must be set forth in the Declaration Regarding Compliance. Closing bank statements for all accounts must be attached to the

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Declaration Regarding Compliance. Each closing statement must show a zero-ending balance.

- (3) In cases where the pre-petition accounts have not been closed, the Declaration Regarding Compliance must provide a justifiable reason why this requirement has not been met.

D. Debtor In Possession Bank Accounts

Debtor must establish the required number of new debtor-in-possession accounts. Each account must clearly indicate that the account is a “debtor in possession account” and must include the Chapter 11 case number in the account name. This information must also be *pre-printed* and set forth prominently on the face of the check for each account. A voided check from each Debtor in possession account must be provided to the U.S. Trustee in the 7 Day Package.

The name of the depository, the account name and number, and the initial deposit amount for each such account must be set forth in the Declaration Regarding Compliance.

It is the debtor’s responsibility to maintain all cash of the estate in debtor in possession bank accounts in an approved depository throughout the pendency of the case. If the debtor opens or closes any account during the pendency of the case, the U.S. Trustee must be notified immediately in writing.

Pursuant to 11 U.S. § 345 - Money of estates, all approved depositories are required to maintain collateral, unless an order of the bankruptcy court provides otherwise, in an amount no less than 115 percent of the aggregate bankruptcy funds on deposit in each bankruptcy estate that exceeds the FDIC insurance limit by: (1) surety bond, in a form acceptable to and from a company approved by the U.S. Trustee in accordance with § 345(b)(1); or (2) deposit of securities in accordance with § 345(b)(2).

E. Proof of Insurance Coverage

Proof of insurance shall consist of ***ONLY*** the ***declaration page or pages*** containing the following information:

- (1) Name of insured party;
- (2) Name of additional interest parties, including the U.S. Trustee;
- (3) The type and extent of coverage;
- (4) Policy expiration date; and
- (5) The account or policy number (or other identifying information).

Binders and identification cards are not accepted as proof of insurance.

COPIES OF THE ENTIRE INSURANCE POLICY SHOULD NOT BE SUBMITTED, UNLESS SEPARATELY REQUESTED BY THE OVERSIGHT TEAM OF A SPECIFIC CASE.

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F. Proof of Required Certificates and Licenses

The debtor must submit proof that the debtor holds all certificates and licenses required by federal, state and local law for the lawful operation of the debtor's business. The following is a non-exclusive list of licenses and certificates that are typically required:

- *City business license*
- *Health Department permit*
- *Municipal tax or police permits*
- *Liquor/tobacco licenses*
- *Fictitious Business Name ("DBA") Statement filed with the county recorder*
- *Current registration with the Secretary of State*

G. Projected Cash Flow Statement

The debtor must submit a projected cash flow statement, covering the first ninety (90) days of operation under Chapter 11. This statement must contain:

A detailed income and expense statement (*Note: inclusion of bankruptcy schedules "I" and "J" in lieu of a cash flow projection is NOT acceptable*).

H. Statement of Major Issues and Timetable Report

If the debtor is represented by counsel, counsel should prepare and submit the statement of major issues and timetable report. The ONLY time this document should be prepared by the debtor is when the debtor is pro se.

A thorough statement of major issues and a timetable report which must provide a brief description of:

The structure of the corporation, partnership or business;

Identification of its officers and shareholders (if a corporation), principals and/or telephone numbers (if a sole proprietorship);

The nature of the debtor's business;

The major events or circumstances that led to the filing, including environmental problems and pending foreclosures;

The major issues, problems and/or disputes to be resolved, and with whom, and if there are any perishable goods;

A proposed timetable to resolve each of the problems described in such report, resolution of each task; and

The expected date for filing the disclosure statement and plan.

I. Employee Benefit Plan Questionnaire (Form USTLA-8)

All debtors **must** submit an Employee Benefit Plan Questionnaire (Form USTLA- 8) *Region 16, United States Trustee Program, U.S. Department of Justice.*

which identifies whether or not it is a public corporation, and whether it sponsors a group health, dental and/or a pension plan.

J. Declaration Regarding Compliance with U.S. Trustee Guidelines and Requirements for Chapter 11 Debtors in Possession

The debtor must submit the Declaration Regarding Compliance (USTLA 3), signed under penalty of perjury by an officer of the debtor, or by the individual debtor (not debtor's attorney).

K. Tax Returns

The debtor must submit the two most recent annual federal tax returns (e.g., 1040, 1120, etc.) in a SEPARATE ELECTRONIC FILE (PDF). Do not combine such returns with any other part of the 7 Day Package.

L. Proof of Recording of Chapter 11 petition

The debtor is required to record a copy of the chapter 11 petition (exhibits may be omitted) with the recorder of each county or other applicable political subdivision for each parcel of real property owned by the debtor or in which the debtor has an ownership interest and provide proof of recordation to the U.S. Trustee.

M. List of Insiders

The debtor must submit a list of all insiders as defined in 11 U.S.C. §101(31).

N. Pre-petition Financial Statements

The debtor must submit copies of its most recent financial statements (audited and unaudited), including but not limited to a balance sheet, income (profit and loss) statement and a cash flow statement. The cash flow statement must contain a detailed statement of all receipts and disbursements.

O. Domestic Support Obligations (DSO's)

Debtors with domestic support obligations are required to comply with 11 USC §1106(a)(8) with respect to providing notices to claim holders and the state child support agency. Debtors must provide proof that all notices required under § 704(10) have been given to the appropriate parties.

IV. Additional and Ongoing Requirements

In addition to all requirements set forth above, the debtor is required to comply with the following ongoing requirements:

A. Attendance at the Initial Debtor Interview, first meeting of creditors and other necessary meetings

1. Debtors are required to attend the Initial Debtor Interview, the first meeting of creditors held pursuant to 11 U.S.C. §341(a), as well as any other meetings

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required by the U.S. Trustee.

B. Insider Compensation

1. Before any insiders (as defined in 11 U.S.C. §101(31)), including the owners, partners, officers, directors or shareholders of the debtor and relatives of insiders, may receive compensation from a Chapter 11 estate, the debtor must submit a Notice of Setting/Increasing Insider Compensation. The Notice must attach proof of the insider's compensation received from the debtor during the 12-month period immediately preceding the Chapter 11 filing, such as Forms W-2, 1099, or other related payroll or compensation forms.
2. The Notice must be served on the creditors' committee or the twenty largest unsecured creditors if no committee has been appointed, as well as on any secured creditors that claim an interest in cash collateral. Proof of service of said notice **must** be submitted to the U.S. Trustee **by** email to the Trial Attorney assigned to the case as reflected on the docket.
3. No compensation may be paid out to any insiders until 15 days after service of such notice, and no objection to the Notice of Setting/Increasing Insider Compensation has been received or filed with the court. Compensation may accrue during this period.
4. If, at any later time, the debtor proposes to increase the compensation of any insider, the debtor must submit and serve a new Notice of Setting/Increasing Insider Compensation in the manner and under the terms as set forth above, and in compliance with the Local Bankruptcy Rules.
5. In either case, if an objection is filed, debtor shall refrain from paying any portion of the disputed compensation or increase until the objection has been resolved.

C. Periodic Financial Reports

1. Non-Small Business and Non-Subchapter V Cases

On June 21, 2021, the U.S. Trustee Program's rule entitled *Uniform Periodic Reports in Cases Filed Under Chapter 11 of Title 11*, published at 28 C.F.R. § 58.8 (the "Final Rule") became effective. The Final Rule, mandated by 28 U.S.C. § 589b, requires that chapter 11 debtors-in-possession and trustees, other than in small business and subchapter V cases, file monthly operating reports and post-confirmation reports using streamlined, data-embedded, uniform forms in every judicial district where the U.S. Trustee Program operates.

UST Form 11-MOR, Monthly Operating Report ("MOR"), is the periodic financial report that must be filed on a calendar monthly basis from the petition date to the earlier of the effective date of a confirmed plan, the conversion date of the case to another chapter, or the dismissal of the case.

UST Form 11-PCR, Post-confirmation Report ("PCR"), is the periodic financial report that must be filed on a calendar quarterly basis once the effective date of a

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confirmed plan occurs by any post-confirmation entities, which would include the reorganized debtor and any other “authorized parties” charged with administering the confirmed plan, until the earlier of the date the case is closed, dismissed, or converted to another chapter.

Report filers must refer to the Final Rule and instructions for the MOR and PCR forms for important information, including who must file each report, when the reports must be filed, who the reports must be served upon and what documentation must be filed along with each report.

To access the latest version of the MOR and PCR forms, instructions for their use and filing, and other important information related to periodic reporting under the Final Rule, please navigate to <https://www.justice.gov/ust/chapter-11-operating-reports>. While at that webpage, please subscribe to the “Chapter 11 Operating Reports E-mail Updates” feature to automatically receive email updates about periodic reporting under the Final Rule.

2. **Small Business Cases**

Each Small Business Debtor should file with the Court the National Small Business Operating Report (Judicial Conference Official Form B 425C) on the 21st day of each month for the preceding calendar-month period.

3. **Subchapter V Cases**

Each Subchapter V Debtor should file with the Court the National Small Business Operating Report (Judicial Conference Official Form B 425C) on the 21st day of each month for the preceding calendar-month period.

D. **Quarterly Fees**

1. **Due date:** Chapter 11 debtors, except those who elect relief under subchapter V of Chapter 11, are required to pay a quarterly fee to the U.S. Trustee every calendar quarter (including any fraction thereof). The amount of the quarterly fee varies, depending upon the dollar amount of disbursements made during the calendar quarter. The minimum fee is required to be paid even if no disbursements were made during the calendar quarter. The fees are *due* by the end of each calendar quarter, however, they are not *considered late* until the last day of the month following the end of each calendar quarter. Interest may be charged on any outstanding balance at the prevailing statutory rate.
2. Further information on quarterly fee calculations can be found at: [Chapter 11 Quarterly Fees | UST | Department of Justice](#)
3. **Online Payments:** Quarterly fees may be paid online at <https://www.pay.gov/public/form/start/672415208>

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E. Subchapter V—Small Business Debtor Reorganization

Effective February 19, 2020, Small Business chapter 11 debtors [as defined in 11 U.S.C. § 101(51D)] may elect to be treated as a “Subchapter V” chapter 11 case. Please note that portions of the Guidelines and Requirements for Chapter 11 Debtors in Possession (“Guidelines”) do not apply to Chapter 11 debtors who have elected to proceed under subchapter V. Specifically –

- Subchapter V debtors are not required to pay quarterly fees under 28 U.S.C. § 1930(a)(6)(A). Therefore, Section IV.D. of the Guidelines regarding quarterly fees does not apply to subchapter V debtors.
- Because subchapter V debtors are not required to pay quarterly fees, subchapter V debtors do not file post-confirmation quarterly reports of disbursements.
- Unless the Bankruptcy Court orders otherwise for cause, subchapter V debtors are not required to file a disclosure statement, pursuant to 11 U.S.C. § 1181(b).
- All requests for insider compensation must be handled as set forth in Section IV.B. of the Guidelines, with the additional requirement that debtors serve such request upon the case trustee.
- However, subchapter V debtors are required to comply with deadlines not imposed in other chapter 11 cases. Specifically –
 - The Bankruptcy Court will hold a status conference not later than 60 days after the case is filed “to further the expeditious and economical resolution” of the subchapter V case. 11 U.S.C. § 1188(a).
 - Not later than 14 days before the status conference, “the debtor shall file with the court and serve on the trustee and all parties in interest a report that details the efforts the debtor has undertaken and will undertake to attain a consensual plan of reorganization.” 11 U.S.C. § 1188(c).
 - The subchapter V debtor shall file a plan not later than 90 days after the order for relief, except that the court may extend the period “if the need for the extension is attributable to circumstances for which the debtor should not justly be held accountable.” 11 U.S.C. § 1189(b).

The subchapter V debtor also has a duty to cooperate with the subchapter V trustee in the trustee’s performance of his/her statutory duties, under 11 U.S.C. § 521(a)(3).

F. Other

1. On-site Audits and Inspections

- (a) The U.S. Trustee may conduct on-site audits and inspections of the debtor’s books, records, and facilities to verify the information provided and to ensure that the estate assets are appropriately safeguarded.

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- (b) On-site audits and inspections may be unannounced.
 - (c) Under 18 U.S.C. §152, concealment of books, records or assets of a bankruptcy estate is a felony, punishable by a maximum sentence of 5 years imprisonment and a fine.
2. **Use, Sale or Lease of Estate Property**
- (a) Where the court has authorized the use, sale, or lease of property of the estate outside the ordinary course of business of the debtor and an escrow is contemplated relating thereto, a copy of the escrow instructions must be submitted to the U.S. Trustee.
 - (b) Within ten days after the close of escrow or completion of the sale, a certified copy of the escrow closing statement, or, where no escrow was utilized, a sworn declaration showing the distribution of the proceeds of any sale of estate property, must be submitted to the U.S. Trustee.
3. **Trust Agreements**
- (a) The debtor must submit copies of any trust agreements to which the debtor is a party or under which the debtor holds, has possession of, or operates any personal or real property or business as a trustee or otherwise.
4. **Physical Inventory of Goods, Machinery and Equipment**
- (a) The debtor must conduct a physical inventory, including an itemized cost value, of all goods, machinery, and equipment on hand as of the date of the petition and a copy of the inventory must be submitted to the U.S. Trustee. If the inventory cannot be completed immediately—normally not more than 30 days after filing the petition—a notation should be made on the cover sheet.
5. **Notice of Address Change**
- (a) The debtor must notify the U.S. Trustee and the Bankruptcy Court of any change of address or telephone number within seven days after the change occurs.

Electronic Service Instructions

THE FOLLOWING PROCEDURES ARE TO BE USED ONLY TO SERVE COMPLIANCE ITEMS UPON THE U.S. TRUSTEE. THE U.S. TRUSTEE WILL NOT ACCEPT SERVICE OF LEGAL PLEADINGS PURSUANT TO THESE PROCEDURES. LEGAL PLEADINGS MUST BE SERVED UPON THE U.S. TRUSTEE IN ACCORDANCE WITH THE FEDERAL RULES OF BANKRUPTCY PROCEDURE AND LOCAL BANKRUPTCY RULES. THESE PROCEDURES DO NOT, IN ANY MANNER, CONSTITUTE A WAIVER OF THE REQUIREMENTS OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE AND LOCAL BANKRUPTCY RULES REGARDING SERVICE OF LEGAL PLEADINGS UPON THE U.S. TRUSTEE.

- I. Mandatory electronic service of the Attorney's 7 Day Package and Declaration Regarding Compliance is required for all debtors represented by counsel. *If service is not completed in the manner set forth herein, the submission will be rejected and returned to the submitting party via email. Service will not be successful until a compliance package is served that fully complies with these procedures.*
- A. **Pro Se Exception:** A person who is not represented by an attorney may file and serve papers non-electronically.
- B. **Email Address:** Documentation required to be filed electronically must be submitted to the **U.S. Trustee via the following email address ONLY:**

ustp.region16.ch11@usdoj.gov

- DO NOT send the documentation to the UST attorney, analyst, paralegal, etc. Documents must be sent to the above email address ONLY.** *The individual email boxes of UST employees are limited in size and can only handle a small amount of data.*
- C. **Signatures:** Documents that require the signature of a party shall be electronically imaged using scanning technology and electronically filed in portable document format (.pdf).
- D. **Document Size:** Document files shall not be larger than 5 megabytes (MB) in size. Approximately 100 pages of text, converted from a standard word processing format to a PDF image, should not exceed 5 MB. However, a PDF file created through scanning a document or by inserting additional pages that have been scanned may result in a file exceeding 5 MB. In particular, scanning a document with graphics or dark areas will significantly affect file size. A file exceeding the 5 MB limit must be broken into smaller sections and uploaded as consecutively numbered attachments to the main document. If scanning technology is to be used, scanning should be done in black and white only at a setting of 300 dpi.
- E. **Font Size:** The font size (typeface) must not be smaller than 12 point. Required typefaces are Arial, Courier, Times New Roman, Helvetica, Geneva or Letter Gothic. Font sizes smaller than 12 point may not be legible after imaging and ***must not*** be used.
- F. **Image Size:** Individual pages of documents shall not exceed 8.5 x 11 inches. PDF files with pages exceeding the 8.5 x 11-inch limit must be modified before uploading.
- G. **Grouping of Documents:** Multiple compliance items should **not** be sent in a single email. Rather, compliance items should be served on the U.S. Trustee in separate emails utilizing the naming protocol below. An exception to this rule is that the *Declaration of Debtor Regarding Compliance with U.S. Trustee Guidelines and Requirements for Chapter 11 Debtors in Possession* and any attachments thereto must be served on the U.S. Trustee **in one email** and *Region 16, United States Trustee Program, U.S. Department of Justice.*

preferably in one (1) pdf file.

- H. **Subject Line of Email Submissions:** The subject line for each submittal must contain the full case number, including court division and judge’s initials. Submissions that do not meet this requirement will be rejected. As an example:

Corporate Debtor: CH 11 COMPLIANCE 2:11-bk-12345-TD; A Happy Family, Inc.; USTLA3

Individual Debtor: CH 11 COMPLIANCE 2:11-bk-12345-TD; Last Name, First Name; USTLA3

When serving the *Declaration of Debtor Regarding Compliance with U.S. Trustee Guidelines and Requirements for Chapter 11 Debtors in Possession* and attachments thereto upon the U.S. Trustee, only include USTLA3 in the subject line of the email submission. Do **not** include in the subject line of the email the document codes for the attachments to the declaration.

- I. **Submissions in Parts:** If a submittal must be sent in parts due to file size, each part must be clearly identified in the email subject line. As an example:

CH 11 COMPLIANCE 2:11-bk-12345-TD; A Happy Family, Inc. USTLA3 **PART 1 OF 2**

- J. **Naming Protocol:** The standardized naming protocol for all documents submitted via these electronic service instructions is as follows. All fillable forms are available at http://www.justice.gov/ust/r16/reg_info.htm.

Form No.	Document Title	Standardized Email Name
USTLA-3	Declaration of Debtor Regarding Compliance with U.S. Trustee Guidelines and Requirements for Chapter 11 Debtors in Possession	USTLA3
USTLA-4	Attorney’s 7 Day Package Checklist	USTLA4
USTLA-5	Real Property Questionnaire	USTLA5
USTLA-5.1	Real Property Questionnaire for Principal Residence	USTLA5.1
USTLA-5.2	Owned Property Summary Sheet	USTLA5.2
USTLA-5.3	Leased Property Summary Sheet	USTLA5.3
USTR16-6.0	Professional Fee Statement	USTR16-6.0
USTR16-7.0	Post-Confirmation Status Report	USTR16-7.0
USTLA-8	Employee Benefit Plan Questionnaire	USTLA8
USTR16-12.0	Insider Compensation	USTR16-12.0

Fill in this information to identify the case:

Debtor Name _____

United States Bankruptcy Court for the: _____ District of _____

Case number: _____

Check if this is an amended filing

Official Form 425C

Monthly Operating Report for Small Business Under Chapter 11

12/17

Month: _____

Date report filed: _____

MM/DD/YYYY

Line of business: _____

NAISC code: _____

In accordance with title 28, section 1746, of the United States Code, I declare under penalty of perjury that I have examined the following small business monthly operating report and the accompanying attachments and, to the best of my knowledge, these documents are true, correct, and complete.

Responsible party: _____

Original signature of responsible party _____

Printed name of responsible party _____

1. Questionnaire

Answer all questions on behalf of the debtor for the period covered by this report, unless otherwise indicated.

Yes No N/A

If you answer *No* to any of the questions in lines 1-9, attach an explanation and label it *Exhibit A*.

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 1. Did the business operate during the entire reporting period? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you plan to continue to operate the business next month? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Have you paid all of your bills on time? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Did you pay your employees on time? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Have you deposited all the receipts for your business into debtor in possession (DIP) accounts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Have you timely filed your tax returns and paid all of your taxes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Have you timely filed all other required government filings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are you current on your quarterly fee payments to the U.S. Trustee or Bankruptcy Administrator? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Have you timely paid all of your insurance premiums? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answer *Yes* to any of the questions in lines 10-18, attach an explanation and label it *Exhibit B*.

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 10. Do you have any bank accounts open other than the DIP accounts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Have you sold any assets other than inventory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Have you sold or transferred any assets or provided services to anyone related to the DIP in any way? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Did any insurance company cancel your policy? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Did you have any unusual or significant unanticipated expenses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Have you borrowed money from anyone or has anyone made any payments on your behalf? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Has anyone made an investment in your business? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- 17. Have you paid any bills you owed before you filed bankruptcy?
- 18. Have you allowed any checks to clear the bank that were issued before you filed bankruptcy?

2. Summary of Cash Activity for All Accounts

19. Total opening balance of all accounts \$ _____
 This amount must equal what you reported as the cash on hand at the end of the month in the previous month. If this is your first report, report the total cash on hand as of the date of the filing of this case.

20. Total cash receipts
 Attach a listing of all cash received for the month and label it *Exhibit C*. Include all cash received even if you have not deposited it at the bank, collections on receivables, credit card deposits, cash received from other parties, or loans, gifts, or payments made by other parties on your behalf. Do not attach bank statements in lieu of *Exhibit C*.
 Report the total from *Exhibit C* here. \$ _____

21. Total cash disbursements
 Attach a listing of all payments you made in the month and label it *Exhibit D*. List the date paid, payee, purpose, and amount. Include all cash payments, debit card transactions, checks issued even if they have not cleared the bank, outstanding checks issued before the bankruptcy was filed that were allowed to clear this month, and payments made by other parties on your behalf. Do not attach bank statements in lieu of *Exhibit D*.
 Report the total from *Exhibit D* here. - \$ _____

22. Net cash flow + \$ _____
 Subtract line 21 from line 20 and report the result here.
 This amount may be different from what you may have calculated as *net profit*.

23. Cash on hand at the end of the month = \$ _____
 Add line 22 + line 19. Report the result here.
 Report this figure as the *cash on hand at the beginning of the month* on your next operating report.
 This amount may not match your bank account balance because you may have outstanding checks that have not cleared the bank or deposits in transit.

3. Unpaid Bills

Attach a list of all debts (including taxes) which you have incurred since the date you filed bankruptcy but have not paid. Label it *Exhibit E*. Include the date the debt was incurred, who is owed the money, the purpose of the debt, and when the debt is due. Report the total from *Exhibit E* here.

24. Total payables \$ _____
(Exhibit E)

4. Money Owed to You

Attach a list of all amounts owed to you by your customers for work you have done or merchandise you have sold. Include amounts owed to you both before, and after you filed bankruptcy. Label it *Exhibit F*. Identify who owes you money, how much is owed, and when payment is due. Report the total from *Exhibit F* here.

25. **Total receivables** \$ _____
(Exhibit F)

5. Employees

26. What was the number of employees when the case was filed? _____
 27. What is the number of employees as of the date of this monthly report? _____

6. Professional Fees

28. How much have you paid this month in professional fees related to this bankruptcy case? \$ _____
 29. How much have you paid in professional fees related to this bankruptcy case since the case was filed? \$ _____
 30. How much have you paid this month in other professional fees? \$ _____
 31. How much have you paid in total other professional fees since filing the case? \$ _____

7. Projections

Compare your actual cash receipts and disbursements to what you projected in the previous month. Projected figures in the first month should match those provided at the initial debtor interview, if any.

	<i>Column A</i>	-	<i>Column B</i>	=	<i>Column C</i>
	Projected		Actual		Difference
	Copy lines 35-37 from the previous month's report.		Copy lines 20-22 of this report.		Subtract Column B from Column A.
32. Cash receipts	\$ _____		\$ _____		\$ _____
33. Cash disbursements	\$ _____		\$ _____		\$ _____
34. Net cash flow	\$ _____		\$ _____		\$ _____
35. Total projected cash receipts for the next month:					\$ _____
36. Total projected cash disbursements for the next month:					- \$ _____
37. Total projected net cash flow for the next month:					= \$ _____

8. Additional Information

If available, check the box to the left and attach copies of the following documents.

- 38. Bank statements for each open account (redact all but the last 4 digits of account numbers).
- 39. Bank reconciliation reports for each account.
- 40. Financial reports such as an income statement (profit & loss) and/or balance sheet.
- 41. Budget, projection, or forecast reports.
- 42. Project, job costing, or work-in-progress reports.

Attorney or Party Name, Address, Telephone and FAX	
<input type="checkbox"/> Pro Se Debtor	
OFFICE OF THE UNITED STATES TRUSTEE LOS ANGELES DIVISION	SUBMIT TO UNITED STATES TRUSTEE – DO NOT FILE WITH COURT
In Re:	Case Number:
Debtor-In-Possession.	DECLARATION OF DEBTOR REGARDING COMPLIANCE WITH UNITED STATES TRUSTEE GUIDELINES AND REQUIREMENTS FOR CHAPTER 11 DEBTORS IN POSSESSION

Privacy Policy [Privacy Act of 1974, as amended (5 U.S.C 552a) and LBR 1002-1(e)].

Declarant acknowledges that they have redacted all personally identifiable information contained in this declaration and its attachments and further acknowledges that is the responsibility of the filing party, not the United States Trustee Program, to ensure compliance with this policy.

- (1) All “personal identifiers” must be redacted from documents filed with the USTP, including attachments. “Personal identifiers” are considered to be the following:
- (A) Social Security Numbers. If an individual’s Social Security number (SSN), or Individual Tax Payer Identification Numbers (ITIN) must be included in the document, only the last four digits of that number should be used.
 - (B) Financial Account Numbers. Only the last four digits of these numbers should be used;
 - (C) Dates of Birth. If an individual’s date of birth must be included in the document, only the year should be used; and
 - (D) Names of Minor Children. If the name of a minor child must be mentioned, only the initials of that child should be used.

1. REAL PROPERTY

1.1. For each property that debtor owns, leases, has an interest in, or is in the process of purchasing, including debtor’s personal residence, declarant has attached the following documentation:

Check All That Apply:

- 1.1.1. Debtor owns a personal residence. A Real Property Questionnaire for Principal Residence (USTLA-5.1) is attached hereto.
- 1.1.2. Debtor owns, leases, has an interest in, or is in the process of purchasing a total of **four (4) or less** parcels of real property. For each such property, declarant has attached a Real Property Questionnaire (USTLA-5.2).
- 1.1.3. Debtor owns, has an interest in, or is in the process of purchasing a total of **five (5) or more** parcels of real property. Attached is an Owned Property Summary Sheet (USTLA-5.3) which identifies all such parcels of real property.
- 1.1.4. Debtor leases **five (5) or more** parcels of real property. Attached is a Leased Properties Summary Sheet (USTLA-5.4)

In Re:	Case No.:
Debtor.	

2. BANK ACCOUNT INFORMATION

2.1. Debtor has closed all pre-petition bank accounts indicated below. For each account that is closed, Debtor has attached a copy of a bank statement evidencing that the account has been closed. For each account that has not been closed, debtor has provided a detailed explanation as to why each account has not been closed.

2.1.1. Account Name: _____
 Depository: _____
 Last 4 digits of Account Number: _____
 Date of Closure: _____
 Closing Balance: _____
 Explanation if account has not been closed:

2.1.2. Account Name: _____
 Depository: _____
 Last 4 digits of Account Number: _____
 Date of Closure: _____
 Closing Balance: _____
 Explanation if account has not been closed:

2.1.3. Account Name: _____
 Depository: _____
 Last 4 digits of Account Number: _____
 Date of Closure: _____
 Closing Balance: _____
 Explanation if account has not been closed:

Additional sheets are attached hereto, marked Attachment 2.1, and incorporated herein by reference.

2.2. All funds from the above-referenced pre-petition bank accounts were transferred to the following Chapter 11 debtor in possession bank accounts:

2.2.1. Account Name: _____
 Depository: _____
 Last 4 digits of Account Number: _____
 Opening Date: _____
 Initial Deposit: _____
 The beginning balance of this account differs from the ending balance of the pre-petition account because:

In Re:	Case No.:
Debtor.	

2.2.2. Account Name: _____
 Depository: _____
 Last 4 digits of Account Number: _____
 Opening Date: _____
 Initial Deposit: _____
 The beginning balance of this account differs from the ending balance of the pre-petition account because: _____

2.2.3. Account Name: _____
 Depository: _____
 Last 4 digits of Account Number: _____
 Opening Date: _____
 Initial Deposit: _____
 The beginning balance of this account differs from the ending balance of the pre-petition account because: _____

Additional sheets are attached hereto, marked Attachment 2.2, and incorporated herein by reference.

3. INSURANCE COVERAGE

- 3.1. Debtor will maintain appropriate insurance coverage for all estate property, including vacant land, throughout the pendency of this proceeding.
- 3.2. Debtor has named the United States Trustee, 915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017-3560, as an **additional interest party** on each and every insurance policy listed herein and any other policies, throughout the pendency of this proceeding.
- 3.3. If, for any reason, an insurance policy shall lapse, not be renewed, or fails to be in full force and effect, debtor will **immediately** provide updated proof of insurance to the United States Trustee.
- 3.4. The following policies are in effect as of the date of this declaration.

	Name of Insurance Carrier	Type of Insurance	Policy Number
3.4.1.			
3.4.2.			
3.4.3.			
3.4.4.			

3.5. **COPIES OF THE DECLARATION PAGE(S) for each policy listed herein are attached hereto as Attachment 3.5. Each declaration page(s) reflects (1) the name of insured, the additional interest party(ies), type and extent of coverage; policy expiration date; and the account or policy number (or other identifying information).**

In Re:	Case No.:
Debtor.	

4. PROOF OF REQUIRED CERTIFICATES AND LICENSES

- 4.1. Debtor will maintain all appropriate certificates and licenses required by federal, state and local law for the lawful operation of debtor's business.
- 4.2. The following certificates and licenses are in effect as of the date of this declaration:

	Type of Certificate or License	Issuing Authority
4.2.1.		
4.2.2.		
4.2.3.		
4.2.4.		

- 4.3. *Attached hereto as Attachment 4 is a copy, or other proof, of each license or certificate listed above.*

5. LIST OF INSIDERS

The following constitutes a complete list of all insiders of the debtors, as that term is defined by 11 U.S.C. Section 101(31):

	Name of Person	Relationship to Debtor
5.1.1.		
5.1.2.		
5.1.3.		

Additional sheets are attached hereto, marked Attachment 5, and incorporated herein by reference.

6. FINANCIAL STATEMENTS

Debtor has the following financial statements that were issued in the two year period prior to the filing of this bankruptcy:

	Audited	Unaudited
6.1.1.		
6.1.2.		
6.1.3.		
6.1.4.		
6.1.5.		
6.1.6.		
6.1.7.		

Debtor **HAS NOT** issued any financial statements in the two year period prior to the filing of this bankruptcy.

7. HEALTH CARE BUSINESS

Debtor **IS NOT** a health care business as defined by 11 U.S.C. Section 101(27A).

Debtor **IS** a health care business as defined by 11 U.S.C. Section 101(27A).

In Re:	Case No.:
Debtor.	

8. TRUST AGREEMENTS

- Debtor **IS NOT** a party to a trust agreement or a beneficiary under a trust agreement that holds property.
- Debtor **IS** a party to a trust agreement, or is a beneficiary under a trust agreement that holds property. Copies of all such trust agreements are attached hereto as Attachment 8.

9. RECORDATION OF CHAPTER 11 PETITION

- Debtor **DOES NOT** hold an interest in real property.
- Debtor **HAS** recorded a copy of the Chapter 11 petition in all counties in which it holds an interest in real property. Copies (or conformed copies) of each recorded petition are attached hereto as Attachment 9.
- Debtor has not been able to fulfill this requirement because:

10. FEDERAL AND STATE TAX RETURNS

Debtor has filed the following tax returns (list last two years for which returns have been filed). *Copies will be provided at the Initial Debtor Interview.*

Tax Year	Form Number and Name of Return <i>(i.e., 1040, Individual Income Tax Return)</i>	Taxing Agency's Name <i>(i.e., IRS)</i>

- Current tax returns have not been filed because:

11. EMPLOYEE BENEFIT PLANS

Attached hereto and marked Attachment 11 is a fully executed Employee Benefit Plan Questionnaire.

BUSINESS ENTITIES: I, am the authorized agent of the debtor named in this case, declare under penalty of perjury that I have read the foregoing Declaration, and the information provided is true and correct to the best of my knowledge, information, and belief. I further declare that I have been authorized to file this declaration on behalf of the debtor.

DATED: _____

Signature of Authorized Individual

Printed Name of Authorized Individual

In Re:	Case No.:
Debtor.	

<hr/> Title of Authorized Individual

<input type="checkbox"/> INDIVIDUAL DEBTORS: I declare under penalty of perjury that the information provided in the foregoing Declaration is true and correct to the best of my knowledge, information and belief.
DATED: _____
_____ Signature of Individual Debtor
_____ Printed Name of Individual Debtor
DATED: _____
_____ Signature of Joint Debtor
_____ Printed Name of Joint Debtor

Attorney or Party Name, Address, Telephone and FAX

Pro Se Debtor

OFFICE OF THE UNITED STATES TRUSTEE LOS ANGELES DIVISION	SUBMIT TO UNITED STATES TRUSTEE - Do not file with the Court
In Re:	Case Number:
Debtor-In-Possession	Attorney's 7 Day Package Checklist <input type="checkbox"/> Check this box to indicate that this checklist amends or supplements a previously filed checklist Amendment No. _____

You must attach each of the following documents or a satisfactory explanation of your failure to attach a document. Failure to submit these documents in a timely fashion may result in a motion to convert or dismiss the case. The submission of documents that are incomplete or not prepared in accordance with UTSP guidelines and requirements will be treated as a failure to submit.

Document Attached	Previously Submitted	Explanation Attached	REQUIRED DOCUMENTS
			1. Declaration of Debtor Regarding Compliance with UST Guidelines and Requirements for Chapter 11 Debtors in Possession
			1.1. Real Property
			1.2. Bank Account Information
			1.3. Insurance Coverage
			1.4. Proof of Required Certificates and Licenses
			1.5. List of Insiders
			1.6. Financial Statements
			1.7. Health Care Business
			1.8. Trust Agreements
			1.9. Recordation of Chapter 11 Petition
			1.10. Federal and State Tax Returns
			1.11. Employee Benefit Plans
			2. Projected cash flow statement for the first ninety (90) days from the initial filing date
			3. Statement of Major Issues and Timetable Report

I have read and understood the Guidelines and Requirements for Chapter 11 Debtors In Possession.

Dated: _____ Law Firm Name _____

By: _____
Attorney for Debtor or Debtor In Pro Per

Dated: _____ I HEREBY APPROVE THE ATTACHED

Signature of Debtor

(Image of Original Signatures Required)

Attorney or Party Name, Address, Telephone and FAX	
<input type="checkbox"/> Pro Se Debtor	
OFFICE OF THE UNITED STATES TRUSTEE LOS ANGELES DIVISION	SUBMIT TO UNITED STATES TRUSTEE - DO NOT FILE WITH COURT
In Re:	Case Number:
	REAL PROPERTY QUESTIONNAIRE
	CHECK ONE BOX:
Debtor-In-Possession.	<input type="checkbox"/> Owned <input type="checkbox"/> Being Purchased <input type="checkbox"/>

Within seven (7) days after the filing of the petition, every chapter 11 Debtor in Possession which holds any interest in any parcel of real property shall provide the United States Trustee with a completed Real Property Questionnaire (form UST-5). Included within the meaning of the phrase "any interest in any parcel of real property" are real property leases, land sales contracts, open escrows and other transactions under with the Debtor presently may not be a titleholder of record.

The United States Trustee deems the requested information necessary to carry out his statutory responsibilities to monitor and evaluate all pending Chapter 11 cases in this District. Therefore, failure to timely and fully submit this form for each parcel of real property may result in the filing of a motion to dismiss this case, convert this case to one under Chapter 7 or for appointment of a Trustee. Consequently, the Debtor is required to fully answer each question contained in each section of this Questionnaire that applies to the particular parcel of real property involved. A separate Questionnaire is to be filed for each parcel of real property. If additional space is required for any answer, and continuation sheet specifying the Section and Question involved should be attached.

SECTION ONE: PROPERTY OWNED OR BEING PURCHASED BY DEBTOR	
A.	Address of property including county and state in which it is located:
B.	Legal Description of Property (i.e. Lot and Tract Number, including Tax Assessor's I.D. Number)
C.	Percentage interest in the property owned by the Debtor:
D.	Date of Debtor's Acquisition of the Property: Purchase Price: \$

In Re:	Case No.:
Debtor.	

E.	Type of real property (i.e. single family residence, condominium, apartment bldg., office bldg., commercial, industrial, unimproved.)
F.	Description of property (i.e. square footage, number of units, number of offices, amenities, condition):
G.	Development status of property: (1) Permits (type, date issued, expiration date): (2) In construction (date of commencement, estimated date and cost of completion, name of construction lender): (3) Rehabilitation (specify nature, cost and status of rehabilitation effort):
H.	Present Fair Market Value: \$
I.	State source and basis of the above fair market value: (attach a copy of latest appraisal)
J.	Does the property meet all federal, state, and local requirements including, but not limited to; health, building, safety, OSHA, earthquake and fire regulations? <input type="checkbox"/> YES <input type="checkbox"/> NO (If the answer is "NO," briefly explain and attach copies of any complaints, citations and/or recorded documents which specify the substance of the alleged violations)
K.	State the name of the titleholder of records as of the date of the filing of the Petition:
L.	State the name of the Grantor of the property to the titleholder set forth in "K" above:

In Re:	Case No.:
Debtor.	

M.	Is the titleholder, specified in "K" above, the Debtor in this Chapter 11 proceeding? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "NO," explain why the titleholder and the Debtor are different persons/entities)
N.	State the date of the last transfer of any interest in the property and the name of the transferor and transferee:
O.	Was title to the property transferred to the Debtor within ninety (90) days prior to the filing of the Chapter 11 Petition? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," state the reason for the transfer)
P.	If the Debtor is a partnership, did all of the general partners consent to the filing of the Chapter 11 Petition? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," attach documentation to indicate such consent was given by all partners, if "NO," explain why all did not consent and identify each non-consenting partner).
Q.	Is the property currently occupied? <input type="checkbox"/> YES <input type="checkbox"/> NO
R.	Does the Debtor, its principals or any other person or entity related to the Debtor or its principals occupy or use any portion of the property? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," state the name of the tenant, nature of the relationship to the Debtor and terms of the agreement, if any)
S.	Does any other person/entity other than the Debtor use, lease or occupy any portion of the property? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," state name of each person/entity, whether it is relation, affiliated or doing business with the Debtor or any principal of the Debtor, and state the terms of such use, lease or occupancy)
T.	Has the Bankruptcy Petition been recorded in the Office of the Recorder of the county in which this property is located? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," state the Date of Recordation and Instrument Number or Book and Page Number)

In Re:	Case No.:
Debtor.	

SECTION TWO: FINANCIAL STATUS OF OWNED PROPERTY
--

A. List Voluntary encumbrances of record against the property (e.g. mortgages, stipulated judgments):

Lender Name	Current Principal Balance	Installment Amount	Frequency (Mo/Qtr/Yr)
1st:			
2nd:			
3rd:			
4th:			
Maturity Date	Date of Last Payment	Number of Delinquent Installments	
1st:			
2nd:			
3rd:			
4th:			

B. List involuntary encumbrances of record against the property (tax, mechanics's and other liens, judgments, lis pendens):

Type of lien	Amount Claimed	Date of recordation

C. Was a Notice of Default and/or a Notice of Sale recorded prior to the filing of the bankruptcy petition? YES NO
 (If "YES," state which document was recorded, the name of the lender, and the date of recordation)

D. Property Taxes:
 (1) Assessed value of property per latest real property Tax Bill \$

 (2) Annual taxes and installment due dates:

 (3) Indicate the due dates and amounts of any Tax Bills which have not been paid:

In Re:	Case No.:
Debtor.	

SECTION THREE: SALE OF PROPERTY

A. Has a real estate broker been employed? YES NO (If "YES," state the name of the broker, name of the salesperson, date employed, company name, address and telephone number and the listing agreement expiration date)

B. Has an application to employ the broker been filed with the court? YES NO

C. How long as the property been listed or advertised for sale with the current broker?

D. Has any written offer been received? YES NO (If "YES," state the terms of each such written offer)

E. What is the date the property was first listed for sale with any broker?

F. What is the current listing price? (attach a copy of the listing agreement) \$

G. Have other attempts been made to sell the property? YES NO (If "YES," for each such attempt, state the date, asking price and result)

H. Explain other alternatives considered as to the disposition of the property (i.e. refinancing, capital infusion, stipulation with lender):

SECTION FOUR: PURCHASE OF PROPERTY

A. Is the Debtor currently purchasing this parcel of real property? YES NO (If "YES," state the name, address and telephone number of the seller)

B. Is the Debtor a party to a land Sales Contract or other arrangement by which actual title is to be taken at some point in the future? YES NO (If "YES," attach a copy of any written documents which state the terms of such transaction).

C. If an escrow has been opened, state the escrow company name, name of escrow officer, address, and telephone number: (attach a copy of the purchase agreement and Escrow Instruction)

In Re:	Case No.:
Debtor.	

D.	What is the purchase price? \$
SECTION FIVE: PROPERTY LEASED BY DEBTOR AS LESSEE	
A.	Address of property including county and state in which it is located:
B.	Type of real property (i.e., single family residence, condominium, apartment bldg., office bldg., commercial, industrial, unimproved):
C.	Description of property (i.e. square footage, number of units, number of offices, amenities, condition)?
D.	Is the Debtor or any principal of the Debtor affiliated with or related to the lessor? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," explain the relationship)
E.	Does a written lease exist? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," attach a copy of the lease).
F.	Lease payment amount: \$ _____ per <input type="checkbox"/> Month <input type="checkbox"/> Quarter <input type="checkbox"/> Year
G.	Number of pre-petition delinquent payments:
H.	Total dollar amount of pre-petition delinquent lease and related payments: \$
I.	Specify the type, amount and date of any deposits paid to the lessor (i.e., security deposits, first and last months' rent)
J.	Describe provisions in the lease for increases in the lease payments:
K.	Describe type of lease (i.e. triple net, minimum plus percentage of sales, gross lease) and state basic lease terms:
L.	When did the lease commence? When is the lease termination date?

In Re:	Case No.:
Debtor.	

M. Does the lease provide any options to extend the term of the lease? YES NO (If "YES," describe each option)

N. List the improvements made and fixtures installed by the Debtor (i.e., items so attached or integrated with the property so as to render them legally non-removable) and state the cost:

SECTION SIX: INSURANCE

A. State the following as to each policy of insurance (attach a copy of the declaration page of each current policy):

Type of Insurance	Name of Ins Agent	Ins Company	Policy Number	Amt. of Coverage	Exp. Date

B. If any policy payments are delinquent, so state and provide the amount and number of installments that are past due:

SECTION SEVEN: INCOME FROM RENTAL OF PROPERTY

A. What is the actual gross monthly income being received from rental of the property? \$

B. What is the current occupancy rate and the square footage presently being leased?

C. If the property were fully leased, state the anticipated gross monthly income: \$

D. Itemize the total monthly expenses *excluding* debt service:

In Re:	Case No.:
Debtor.	

E. Is there any person or entity managing the property? YES NO (If "YES," state the name, address, and telephone number of the managing person/company and attach a copy of the management company's fidelity bond)

F. What are the terms of the management agreement? (If written, attach a copy of the agreement)

G. Is the manager of the property related to or affiliated with the Debtor in any way? YES NO (If "YES," explain the relationship or affiliation)

H. Is any person and/or entity occupying any portion of the property at a reduced rental rate or at no rental charge? YES NO (If "YES," explain fully)

I declare under penalty of perjury that the answers contained in the foregoing Real Property Questionnaire are true and correct to the best of my knowledge, information and belief. I have full authority to make the above answers on behalf of the debtor in possession.

Dated:

Print Name and Title of Authorized Agent for Debtor in Possession

Signature of Authorized Agent for Debtor in Possession

Attorney or Party Name, Address, Telephone and FAX

Pro Se Debtor

**OFFICE OF THE UNITED STATES TRUSTEE
LOS ANGELES DIVISION**

**SUBMIT TO UNITED STATES TRUSTEE
- DO NOT FILE WITH COURT**

In Re:

Case Number:

**REAL PROPERTY QUESTIONNAIRE
FOR PRINCIPAL RESIDENCE**

Debtor-In-Possession.

THIS QUESTIONNAIRE IS TO BE FILLED OUT BY DEBTOR(S) FOR THEIR PRINCIPAL RESIDENCE ONLY. USTLA-5 MUST BE USED FOR ALL OTHER OWNED OR LEASED REAL PROPERTY. THE QUESTIONNAIRE IS DUE WITHIN 7 DAYS FROM THE FILING OF A BANKRUPTCY PETITION. IF ADDITIONAL TIME IS NEEDED, DEBTORS AND THEIR ATTORNEYS SHOULD CONTACT THE U.S. TRUSTEE TRIAL ATTORNEY ASSIGNED TO THEIR CASE TO REQUEST A REASONABLE EXTENSION OF TIME FOR GOOD CAUSE SHOWN.

SECTION ONE: PROPERTY OWNED OR BEING PURCHASED BY DEBTOR

A. Address of property including county and state in which it is located:

B. Percentage interest in the property owned by the Debtor:

C. Date of Debtor's Acquisition of the Property:

Purchase Price: \$

D. Present Fair Market Value: \$

E. State source and basis of the above fair market value:

F. State the name of the titleholder of record as of the date of filing the Petition:

In Re:	Case No.:
Debtor.	

SECTION TWO: FINANCIAL STATUS OF OWNED PROPERTY

A. List encumbrances of record against the property (e.g. mortgages, judgments):

Creditor Name	Current Principal Balance	Installment Amount	Frequency (Mo/Qtr/Yr)
1st:			
2nd:			
3rd:			
4th:			
Maturity Date	Date of Last Payment	Number of Delinquent Installments	
1st:			
2nd:			
3rd:			
4th:			

SECTION THREE: INSURANCE

A. State the following as to each policy of insurance (attach a copy of the declaration page of each current policy):

Type of Insurance	Policy Number	Expiration Date

I declare under penalty of perjury that the answers contained in the foregoing Real Property Questionnaire are true and correct to the best of my knowledge, information and belief.

Dated:

Print Name of Debtor

Signature of Debtor

Car Allowance:	
Medical Insurance:	
Life Insurance:	
Business Expenses:	
Other (Specify):	
12. Identify the source of the funds to be used to pay compensations specified in No. 10:	
13. Date and amount of last increase in compensation:	
14. Identify any creditor who asserts a security interest (whether or not Debtor disputes the validity thereof) in the receipts generated by the operation of the Debtor=s business and the amount of its claim:	
15. Specify all compensation, perquisites, loans, benefits etc. received by insider from the Debtor during the twelve month period immediately preceding the filing of the Chapter 11 Petition (Attach W-2, 1099, Individual Payroll Cards and other related forms):	
Compensation:	
Loans:	
Perquisites (Specify):	

I declare under penalty of perjury that the answers contained in the foregoing Notice are true and correct.

Dated:

Print Name and Title of Authorized Agent for Debtor

Signature of Authorized Agent for Debtor

Attach proof of service on Creditors= Committee or the Twenty Largest Creditors if no committee has been formed, and to any secured creditors that claim an interest in cash collateral.

If this notice pertains to setting compensation, it must be filed and served fifteen days before any pay out of compensation, although compensation may be accrued during this period.

If this notice pertains to an increase in compensation, it must be filed and served thirty days before the date when the proposed increase takes effect.