

Fill in this information to identify your case:

Debtor 1	<u>Lisa</u>	<u>Sandra</u>	<u>Reyes</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>Western</u> District of Kentucky			
Case number (If known)			

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
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<p>2.1 BuyHereNow Auto Sales, Inc.</p> <p>Creditor's Name <u>234 Executive Park</u> Number Street</p> <p><u>Louisville</u> <u>KY</u> <u>40203</u> City State ZIP Code</p> <p>Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt Date debt was incurred <u>01/01/2016</u> </p>	<p>Describe the property that secures the claim:</p> <p><u>Wages held by debtor's employer</u></p> <p>As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input checked="" type="checkbox"/> Judgment lien from a lawsuit <input type="checkbox"/> Other (including a right to offset) Last 4 digits of account number <u>4 5 4 4</u> </p>	<p>\$ <u>2,348.78</u> \$ <u>635.00</u> \$ <u>1,713.78</u></p> <p style="text-align: center;">(40) (41) (42)</p>
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<p>2.2 Jack's Good-Deal Auto Co.</p> <p>Creditor's Name <u>1 American Rd.</u> Number Street</p> <p><u>Louisville</u> <u>KY</u> <u>40203</u> City State ZIP Code</p> <p>Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input checked="" type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt Date debt was incurred <u>02/01/2021</u> </p>	<p>Describe the property that secures the claim:</p> <p><u>Ford Focus ZX4</u></p> <p>As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input type="checkbox"/> Other (including a right to offset) Last 4 digits of account number <u>8 9 2 1</u> </p>	<p>\$ <u>3,124.89</u> \$ <u>1,600.00</u> \$ <u>1,524.89</u></p>
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Add the dollar value of your entries in Column A on this page. Write that number here:

\$ 5,473.67

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

M. Scott Chandler, Esq. 44

Name

781 West Main Str.

NumberStreet

Louisville

KY

40202

City

State

ZIP Code

On which line in Part 1 did you enter the creditor?

2.1

Last 4 digits of account number

4544

Name

NumberStreet

City

State

ZIP Code

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number

Name

NumberStreet

City

State

ZIP Code

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number

Name

NumberStreet

City

State

ZIP Code

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number

4544

Name

NumberStreet

City

State

ZIP Code

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number

Name

NumberStreet

City

State

ZIP Code

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number

Official Form 106D

Part 2 of Schedule D: Creditors Who Have Claims Secured by Property

page ___ of ___

Annotations to Completed Sample Form 106

Schedule D

Schedule D is a list of the debtor's secured debts. For a general discussion of Schedule D, see § 7.3.7.3.2, *supra*. The completed schedule contains notes referring to the following annotations:

35. Schedule D lists the claims of all creditors that hold liens, even if they are undersecured, and even if their liens can later be avoided by the debtor or the trustee. These liens may include judgment and statutory liens, garnishments, mortgages, and deeds of trust. Creditors holding security deposits also should be listed here, as well as creditors holding less obvious types of security interests such as those that arise by operation of law, like a tax lien, rather than from a security agreement. Similarly, banks and other savings institutions to which the debtor owes money and which have a right of setoff against the debtor's accounts should be considered secured to the extent such amounts are present in the debtor's accounts. Doctors or attorneys who have claims for professional services that are secured by liens on the outcome of the debtor's personal injury claim should be listed here.

The instructions for Schedules D and E/F request that the creditors be listed in alphabetical order "as much as possible." In addition, all creditors listed on the schedules should be included on the mailing list or matrix filed with the petition. There is a box on Schedule D for the debtor to check if there are no secured creditors. [BACK](#)

36. Ms. Reyes's garnished wages are listed here as being held by her employer. The wages are subject to a judicial lien issued on a prepetition judgment entered against the debtor. [BACK](#)
37. If a debt is contingent, unliquidated, or disputed, that should be noted by checking the applicable box. It is always wise to check the box that lists a debt as disputed if there is any doubt about the validity of the debt or the amount the creditor claims is due. A debt may be listed as disputed with respect to an unrecognized debt collector or debt purchaser if the ownership of the debt is uncertain. Noting the debt as disputed should prevent a later claim by the creditor that the schedules constitute an admission by the debtor of the validity or extent of the creditor's claim. This may be important in chapter 13 cases if the debtor intends to object to the claim filed by the creditor, or if the case is later dismissed. See § 14.4.4.5, *supra*. [BACK](#)
38. The debtor should check the box that best describes the nature of the lien, or provide a description under "other." Ms. Reyes has checked the box indicating that the lien against her garnished wages arises based on a "judgment lien from a lawsuit." [BACK](#)

39. Due to concerns about identity theft, Schedules D and E/F instruct the debtor to list only the last four digits of the account number. Most creditors are able to identify accounts without having the full account number. If the debtor is concerned that a particular creditor is threatening collection action and may not easily identify the account, a separate letter can be sent by the debtor's attorney to the creditor containing the full account number and advising the creditor of the bankruptcy filing. [BACK](#)
40. The amount listed in Column A should be the full amount of the claim even though it may exceed the value of the collateral. [BACK](#)
41. The amount listed in Column B should be the full fair market value of the property. It should correspond to the value listed in Schedule A/B. [BACK](#)
42. The amount listed in Column C is the amount by which this creditor's claim exceeds the value of the collateral. For example, if a creditor's total claim is \$4000, and the value of the collateral—such as a vehicle—is \$2500, the unsecured portion of the claim is \$1500. This unsecured portion of the claim should not be listed again on Schedule E/F. A debt should be listed on Schedule D as a secured claim even if there is no value to support the claim, such as a completely underwater junior mortgage. In chapter 13 it may be possible to avoid a lien to the extent that it exceeds the value of the collateral. Such treatment, however, may not be possible for loans secured only by the debtors' principal residence, certain vehicles purchased within 910 days before the filing, or certain personal property purchased within one year before the filing date. See §§ 11.2, 11.6.1.2, 11.6.1.4, *supra*. [BACK](#)
43. The existence of codebtors should be indicated on Schedules D and E/F by checking the box under the question "Who owes the debt?" that is labeled: "At least one of the debtors and another." The name and address of the codebtor also should be listed in Schedule H. Ms. Reyes checked the box here because her sister cosigned her auto loan. The debtor should check the applicable box if the debt is a community debt. [BACK](#)
44. If there are multiple parties who have owned or collected on a particular claim, the name and address of the current creditor (usually the creditor that has had most recent contact with the debtor) should be listed in Part 1 of Schedule D. A particular claim should be listed only once in Part 1. All other previous creditors for the claim and parties who are collecting on the debt, such as collection agencies and attorneys, may be listed for notification purposes in separate entries in Part 2 of Schedule D, noting the line in Part 1 of Schedule D that corresponds to the same claim and the last four digits of the account number for that debt. The amount of the debt is not listed in Part 2 of Schedule D so that the total debt amount reported on the schedule and summaries is accurate. Ms. Reyes has listed here the collection attorney who is representing the creditor in the garnishment proceeding. [BACK](#)