

**Fill in this information to identify your case:**

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

☐ Check if this is an amended filing

## Official Form 106E/F

### Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Property* (Official Form 106A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G). Do not include any creditors with partially secured claims that are listed in *Schedule D: Creditors Who Have Claims Secured by Property*. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. On the top of any additional pages, write your name and case number (if known).

#### Part 1: List All of Your PRIORITY Unsecured Claims

##### 1. Do any creditors have priority unsecured claims against you?

- ☐ No. Go to Part 2.  
☒ Yes.

##### 2. List all of your priority unsecured claims. If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If you have more than two priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3.

(For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

	Total claim	Priority amount	Nonpriority amount
<div style="border: 1px solid black; padding: 2px; display: inline-block; margin-bottom: 5px;">2.1</div> <b>Internal Revenue Service</b> <span style="border: 1px solid red; border-radius: 50%; padding: 2px 5px; color: red; font-weight: bold;">45</span> <small>Priority Creditor's Name</small> <b>P.O. Box 931000</b> <small>Number Street</small>  <b>Louisville</b> <b>KY</b> <b>40293</b> <small>City State ZIP Code</small>  <b>Who incurred the debt?</b> 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 is for a community debt  <b>Is the claim subject to offset?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<b>Last 4 digits of account number</b> <u>7 4 5 6</u> \$ <u>845.00</u>	<b>When was the debt incurred?</b> _____	\$ <u>609.00</u> \$ <u>236.00</u> <span style="border: 1px solid red; border-radius: 50%; padding: 2px 5px; color: red; font-weight: bold;">47</span>
<b>As of the date you file, the claim is:</b> Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Type of PRIORITY unsecured claim:</b> <input type="checkbox"/> Domestic support obligations <input checked="" type="checkbox"/> Taxes and certain other debts you owe the government <input type="checkbox"/> Claims for death or personal injury while you were intoxicated <span style="border: 1px solid red; border-radius: 50%; padding: 2px 5px; color: red; font-weight: bold;">46</span> <input type="checkbox"/> Other. Specify _____			

<div style="border: 1px solid black; padding: 2px; display: inline-block; margin-bottom: 5px;">2.2</div> <small>Priority Creditor's Name</small>  <small>Number Street</small>  <small>City State ZIP Code</small>  <b>Who incurred the debt?</b> Check one. <input 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 is for a community debt  <b>Is the claim subject to offset?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes	<b>Last 4 digits of account number</b> _____ \$ _____ <b>When was the debt incurred?</b> _____  <b>As of the date you file, the claim is:</b> Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Type of PRIORITY unsecured claim:</b> <input type="checkbox"/> Domestic support obligations <input type="checkbox"/> Taxes and certain other debts you owe the government <input type="checkbox"/> Claims for death or personal injury while you were intoxicated <input type="checkbox"/> Other. Specify _____
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Part 2: List All of Your NONPRIORITY Unsecured Claims

3. Do any creditors have nonpriority unsecured claims against you?

- ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.  
☒ Yes

4. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim. If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2.

	Total claim
4.1 Anne Gordon, M.D. (48)	
Nonpriority Creditor's Name	
145 N. Central Ave.	
Number Street	
Louisville KY 40203	
City State ZIP Code	
Last 4 digits of account number 9 1 1 4	\$ 1,650.00
When was the debt incurred?	(49)
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	
Type of NONPRIORITY unsecured claim:	
<input type="checkbox"/> Student loans	
<input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims	
<input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts	
<input checked="" type="checkbox"/> Other. Specify medical services (50)	
Who incurred 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 is for a community debt	
Is the claim subject to offset?	
<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes	

4.2 BankCard Choice	
Nonpriority Creditor's Name	
222 Credit Card Lane	
Number Street	
Wilmington DE 19899	
City State ZIP Code	
Last 4 digits of account number 3 8 9 7	\$ 2,276.18
When was the debt incurred?	(51)
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	
Type of NONPRIORITY unsecured claim:	
<input type="checkbox"/> Student loans	
<input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims	
<input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts	
<input checked="" type="checkbox"/> Other. Specify credit card purchases	
Who incurred 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 is for a community debt	
Is the claim subject to offset?	
<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes	

4.3 Corvus DebtBuyers Capital Corp. (52)	
Nonpriority Creditor's Name	
257 South Main St., Suite 400	
Number Street	
Greenville SC 29615	
City State ZIP Code	
Last 4 digits of account number 6 6 6 4	\$ 5,242.19
When was the debt incurred?	
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 (53)	
Type of NONPRIORITY unsecured claim:	
<input type="checkbox"/> Student loans	
<input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims	
<input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts	
<input checked="" type="checkbox"/> Other. Specify credit card purchases	
Who incurred 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 is for a community debt	
Is the claim subject to offset?	
<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes	

Part 2: Your NONPRIORITY Unsecured Claims – Continuation Page

After listing any entries on this page, number them beginning with 4.4, followed by 4.5, and so forth. Total claim

4.4 Easy Credit Co. (54)

Nonpriority Creditor's Name

45 Payday Rd.

Number Street

Knoxville TN 37919

City State ZIP Code

Who incurred the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

☐ No

☒ Yes (55)

Last 4 digits of account number 3 4 4 3 \$ 385.00

When was the debt incurred? 07/01/2022

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☒ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans

☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims

☐ Debts to pension or profit-sharing plans, and other similar debts

☒ Other. Specify Personal (payday) loan

4.5 Ideal Beauty School (56)

Nonpriority Creditor's Name

8220 Dixie Hwy.

Number Street

City State ZIP Code

Who incurred the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No

☐ Yes

Last 4 digits of account number n / a \$ 2,800.00

When was the debt incurred?

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☒ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans

☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims

☐ Debts to pension or profit-sharing plans, and other similar debts

☒ Other. Specify Tuition debt, not subject to 11 U (57)

4.6 Louisville Gad and Electric Company (58)

Nonpriority Creditor's Name

340 West Main Street

Number Street

Louisville KY 40202

City State ZIP Code

Who incurred the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No

☐ Yes

Last 4 digits of account number 3 9 9 1 \$ 790.00

When was the debt incurred?

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans

☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims

☐ Debts to pension or profit-sharing plans, and other similar debts

☒ Other. Specify Electric service

## Part 2: Your NONPRIORITY Unsecured Claims – Continuation Page

After listing any entries on this page, number them beginning with 4.4, followed by 4.5, and so forth.

Total claim

4.7

Louisville Metro Housing Authority

Nonpriority Creditor's Name

495 South 8th St.

Number

Street

City

State

ZIP Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ Yes

Last 4 digits of account number n / a 59

\$ 2,430.00

When was the debt incurred?

As of the date you file, the claim is: Check all that apply.

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify back rent owed

4.8

Radiology Specialists

Nonpriority Creditor's Name

435 South First Street, Suite 901

Number

Street

Louisville

KY

40202

City

State

ZIP Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ Yes

Last 4 digits of account number

\$ 752.84

When was the debt incurred? 04/01/2019

As of the date you file, the claim is: Check all that apply.

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify medical services

4.9

University of Louisville Hospital

Nonpriority Creditor's Name

530 S. Jackson St.

Number

Street

Louisville

KY

40202

City

State

ZIP Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ Yes

Last 4 digits of account number 3 4 4 1

\$ 4,563.21

When was the debt incurred? 04/01/2019

As of the date you file, the claim is: Check all that apply.

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify medical services

**Part 3:** List Others to Be Notified About a Debt That You Already Listed

5. Use this page only if you have others to be notified about your bankruptcy, for a debt that you already listed in Parts 1 or 2. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the original creditor in Parts 1 or 2, then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Parts 1 or 2, list the additional creditors here. If you do not have additional persons to be notified for any debts in Parts 1 or 2, do not fill out or submit this page.

Debt Collectors Inc.

(60)

Name

435 Dunning Street

Number

Street

Syracuse

City

NY

State

13202

ZIP Code

First Express Card

(61)

Name

P.O. Box 34760

Number

Street

Salt Lake City

City

UT

State

84101

ZIP Code

On which entry in Part 1 or Part 2 did you list the original creditor?

Line 4.2 of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☒ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number 3 8 9 7

On which entry in Part 1 or Part 2 did you list the original creditor?

Line 4.3 of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☒ Part 2: Creditors with Nonpriority Unsecured

Claims

Last 4 digits of account number 6 6 6 4

On which entry in Part 1 or Part 2 did you list the original creditor?

Line \_\_\_\_ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☐ Part 2: Creditors with Nonpriority Unsecured

Claims

Last 4 digits of account number \_\_\_\_

On which entry in Part 1 or Part 2 did you list the original creditor?

Line \_\_\_\_ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☐ Part 2: Creditors with Nonpriority Unsecured

Claims

Last 4 digits of account number \_\_\_\_

On which entry in Part 1 or Part 2 did you list the original creditor?

Line \_\_\_\_ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☐ Part 2: Creditors with Nonpriority Unsecured

Claims

Last 4 digits of account number \_\_\_\_

On which entry in Part 1 or Part 2 did you list the original creditor?

Line \_\_\_\_ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☐ Part 2: Creditors with Nonpriority Unsecured

Claims

Last 4 digits of account number \_\_\_\_

On which entry in Part 1 or Part 2 did you list the original creditor?

Line \_\_\_\_ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims☐ Part 2: Creditors with Nonpriority Unsecured

Claims

Last 4 digits of account number \_\_\_\_

**Part 4:** Add the Amounts for Each Type of Unsecured Claim

**6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. § 159. Add the amounts for each type of unsecured claim.**

		Total claim	
<b>Total claims from Part 1</b>	6a. <b>Domestic support obligations</b>	6a.	\$ <u>0.00</u>
	6b. <b>Taxes and certain other debts you owe the government</b>	6b.	\$ <u>845.00</u>
	6c. <b>Claims for death or personal injury while you were intoxicated</b>	6c.	\$ <u>0.00</u>
	6d. <b>Other.</b> Add all other priority unsecured claims. Write that amount here.	6d.	<b>+</b> \$ <u>0.00</u>
	6e. <b>Total.</b> Add lines 6a through 6d.	6e.	\$ <u>845.00</u>

		Total claim	
<b>Total claims from Part 2</b>	6f. <b>Student loans</b>	6f.	\$ <u>0.00</u>
	6g. <b>Obligations arising out of a separation agreement or divorce that you did not report as priority claims</b>	6g.	\$ <u>0.00</u>
	6h. <b>Debts to pension or profit-sharing plans, and other similar debts</b>	6h.	\$ <u>0.00</u>
	6i. <b>Other.</b> Add all other nonpriority unsecured claims. Write that amount here.	6i.	<b>+</b> \$ <u>20,889.42</u>
	6j. <b>Total.</b> Add lines 6f through 6i.	6j.	\$ <u>20,889.42</u>

# Annotations to Completed Sample Form 106

## Schedule E/F

Schedule E/F is a list of the debtor's unsecured claims. Part 1 is used for creditors with priority claims and Part 2 is for creditors with non-priority claims. The rule of thumb is "when in doubt, list it." Failure to list a claim may prevent discharge of the debt. See § 15.4.3.3, *supra*. For a general discussion of Schedule E/F, see § 7.3.7.3, *supra*. For a discussion of priority debts in chapter 13 cases, see § 12.3.6, *supra*. The completed schedule contains notes referring to the following annotations:

45. In Part 1 of Schedule E/F, the debtor lists claims that have priority under the Bankruptcy Code, such as taxes and domestic support obligations. In order to complete this part a determination must first be made as to which claims, if any, fall into the priority categories set out in section 507. In some cases only part of the creditor's total claim will be entitled to priority status. If the creditor has a lien, list the debt on Schedule D as a secured debt, whether or not the creditor would otherwise be entitled to priority. If a creditor has more than one priority unsecured claim, list the creditor separately for each priority claim. Local bankruptcy court rules should be checked for designated addresses that are to be used whenever notice is provided to certain creditors or interested parties, such as the IRS and other federal, state and local agencies.

Not all tax claims are entitled to priority, and only those which are at least partially priority claims should be listed in Part 1 of Schedule E/F. This determination is especially important because priority tax claims are nondischargeable in both chapter 7 and chapter 13 cases, and must be paid in full in chapter 13 cases. If there are assets in the estate to be distributed in a chapter 7 case, or if a tax claim is to be paid under a chapter 13 plan, it is important to make sure that such nondischargeable tax debts are listed as priority claims so that they will be paid first. However, if there is any doubt as to priority status, list the taxes in part 2 of Schedule E/F (unless secured by a lien) so as not to make any admission as to nondischargeability. [BACK](#)

46. Boxes on the official form should be checked to designate which types of priority debt the debtor has or to note that the debtor has no priority obligations. If the priority claim is not described by one of the three checkbox options listed on the form (these categories are designated to assist the court in collecting statistical information), a brief description of the type of claim should be listed in the space provided under "Other." [BACK](#)
47. With respect to each priority claim, the total claim, the amount entitled to priority, and the amount not entitled to priority should be listed separately in the appropriate column. In the sample case, the total tax debt of Ms. Reyes includes amounts that are no longer subject



to priority. The nonpriority portion of the debt is listed in this column in Part 1, not in Part 2 of Schedule E/F. [BACK](#)

48. Nonpriority unsecured claims are listed in Part 2 of Schedule E/F. Because debts that are not listed are sometimes not discharged, it is obviously important to list every conceivable claim against the debtor so that the discharge may be used to maximum advantage. Doing so may necessitate prompting the client to remember various types and categories of frequently overlooked debts, such as medical treatment that may involve bills from multiple service providers. It may also mean listing debts that appear on a client's credit report (reports from all three major credit bureaus should be checked), even if the client does not recognize them and they appear to be erroneously reported. There is ordinarily no disadvantage to listing these debts and noting that they are disputed. The client may obtain a free credit report each year from each of the three major credit bureaus. See § 5.3.4, *supra*. [BACK](#)
49. In most chapter 7 cases, the amount of the debt listed in the schedules has little relevance because claims are not paid. If assets are available for distribution, they are paid out according to the creditors' proofs of claim rather than the debtor's schedules. However, if there is any chance that the amount of the debt will continue to be relevant after bankruptcy (as is the case with secured or nondischargeable debts), the schedules should not admit to a debt larger than the debtor will later contend is due. [BACK](#)
50. The debtor must check a box if the debt is for a student loan, arises from a divorce or separation agreement, or to a pension or profit-sharing plan (these categories are designated to assist the court in collecting statistical information). If the claim is not described by one of these options, a brief description of the type of claim should be listed in the space provided under "other," such as "goods purchased" or "medical services." [BACK](#)
51. The exact date the claim was incurred should be listed if that information is available. Otherwise listing the month and year, or simply the year, should suffice. In the case of credit card debts that involve multiple transactions, a general description such as "credit card purchases" or "miscellaneous purchases" made on "various dates" may be appropriate. Alternatively, the debtor can list the month and year (or simply year) when the account was first opened, or can provide a range of dates reflecting the first and last transactions, such as "Jan. 2012–April 2015." [BACK](#)
52. If there are multiple parties who have owned or collected on a particular unsecured 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 2 of Schedule E/F. A particular claim should be listed only once in this part of the form. Ms. Reyes has listed here the debt buyer she believes purchased one of her credit card accounts. The original creditor,



First Express Card, is listed for notification purposes in a separate entry in Part 3 of Schedule E/F, with a reference to line 4.3 in Part 2 of Schedule E/F as the same claim and the last four digits of the account number for that debt. If there is any doubt about who is the current holder of the account, especially if it is not clear whether an account has been sold to a debt buyer or assigned to a collection agency, including both the original creditor and any assignees or collection agencies in the appropriate parts of E/F, and the mailing list, ensures that all parties get notice of the bankruptcy and that any claim they may have is discharged. [BACK](#)

53. It is less critical in a chapter 7 case to list a debt as disputed in Schedule E/F because normally all unsecured debts are discharged, except those ineligible for discharge under section 523(a). See Chapter 15, *supra*. However the debtor in a chapter 13 case may have an interest in objecting to unsecured claims because the amount of the claim will affect the percentage distribution to unsecured creditors and may reduce the amount the debtor needs to pay under certain types of plan. If there is any doubt about the debtor's liability or the amount of the claim, list the claim as disputed to preserve the debtor's right to assert an objection to the claim later and to avoid any preclusive effect given to an undisputed claim in post-bankruptcy litigation. [BACK](#)
54. The debt owed to Easy Credit Co. is for a payday loan (also called "cash advances," "deferred presentment," "deferred deposits," or "check loans"). Some payday lenders take the view that a transaction in which they hold a postdated check of the debtor creates a secured debt. Most courts have rejected this position and therefore payday loans should be listed here on Schedule E/F as an unsecured debt rather than on Schedule D. [BACK](#)
55. With respect to creditor Easy Credit Co., Ms. Reyes has a potential set-off and affirmative claim based on a state consumer protection act violation, which is listed in Schedule B as property and exempted in Schedule C. The debt is listed here as disputed based on the consumer protection act claim, and the box is checked indicating that the debt is subject to offset. [BACK](#)
56. A debt should be listed even if the creditor may be barred from pursuing a potential collection action on the debt due to a statute of limitations, such as the debtor's tuition debt in the sample case. It is advisable to list the debt as "disputed." Similarly, claims should be listed even if the debtor's credit report shows that the debt has been "charged off," as this merely reflects an accounting treatment by the creditor and does not eliminate the debtor's liability on the debt. [BACK](#)
57. Because the debtor contends that this debt is for an unpaid tuition bill, the debtor did not check the box for "student loan" as the type of claim. The debtor has also noted that the tuition is not subject to 11 U.S.C. § 523(a)(8) in order to avoid any admission that the debt is nondischargeable. [BACK](#)

58. Utility debts are often omitted, particularly when the account is more or less current. Unless a current bill has just been paid and no balance is owed on the account (including any balance owed on a budget-billing plan), it should be listed. The debtor should list all prior utility accounts having an outstanding balance, whether or not they were obtained in the debtor's name. In the sample case the discharge of this debt will help Ms. Reyes obtain electric service once she has her own apartment and will remove a potential basis for the housing authority to deny her a housing subsidy. The debtor's attorney should attempt to determine if the utility will request a deposit after the petition is filed. See § 9.8.2, *supra*. [BACK](#)
59. Listing the account number can help the creditor identify the debt owed by the debtor. If the debt was not assigned an account number or the number is not known, that may be noted here or the space may be left blank. Due to concerns about identity theft, only the last four digits of the account number are listed. [BACK](#)
60. This collection agency, which has been dunning the debtor on the debt listed on line 4.3 in Part 2 of Schedule E/F, is listed here in Part 3 of the form for notification purposes. The amount of the debt is not listed here so that the total debt amount reported on the schedule and summaries is accurate. [BACK](#)
61. This is the original creditor on the credit card account that was sold to the debt buyer listed in 4.3 in Part 2 of Schedule E/F. If there is any doubt about who is the current holder of the account, especially if it is not clear whether an account has been sold to a debt buyer or assigned to a collection agency, including both the original creditor and any assignees or collection agencies in the appropriate parts of E/F, and the mailing list, ensures that all parties get notice of the bankruptcy and that any claim they may have is discharged.

[BACK](#)