

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address          <input type="checkbox"/> Attorney for Debtor(s) <input type="checkbox"/> Debtor(s) appearing without an attorney	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - \_\_\_\_\_ DIVISION**

In re:	CASE NO.: CHAPTER: 13
          <p style="text-align: right;">Debtor(s).</p>	<p style="text-align: center;"><b>DEBTOR'S MOTION TO AVOID JUNIOR LIEN ON PRINCIPAL RESIDENCE [11 U.S.C. § 506(d)]</b></p>
	DATE: TIME: COURTROOM: PLACE:

**NAME OF CREDITOR HOLDING JUNIOR LIEN ("Respondent"):** \_\_\_\_\_

**A. Property at Issue:** Debtor moves to avoid the junior deed of trust, mortgage or other encumbrance (hereinafter, "Lien") encumbering the following real property (hereinafter, the "Property"), which is the principal residence of debtor(s).

*Street Address:* \_\_\_\_\_  
*Unit Number:* \_\_\_\_\_  
*City, State, Zip Code:* \_\_\_\_\_

Legal description or document recording number (including county of recording):

See attached page.

**B. Case History:**

1. A voluntary petition under Chapter  7  11  12  13 was filed on: \_\_\_\_\_
2.  An Order of Conversion to Chapter 13 was entered on (*specify date*): \_\_\_\_\_

**C. Grounds for Avoidance of Junior Lien:**

1. As of \_\_\_\_\_, the Property is subject to the following liens in the amounts specified securing the debt against the Property, which the debtor seeks to have treated as indicated:
  - i. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.
  - ii. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  is  is not to be avoided;
  - iii. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  is  is not to be avoided;

See attached page for additional lien(s).

2. As of \_\_\_\_\_, Property is worth no more than \$ \_\_\_\_\_.
  - a. As a result, Respondent's Lien encumbering the Property is wholly unsecured.

**3. Evidence in Support of Motion:**

- a.  The amount of the lien identified in paragraph C(1)(i) is based on \_\_\_\_\_, attached hereto and identified as Exhibit \_\_\_\_.
- b.  The amount of the lien identified in paragraph C(1)(ii) is based on \_\_\_\_\_, attached hereto and identified as Exhibit \_\_\_\_.
- c.  The amount of the lien identified in paragraph C(1)(iii) is based on \_\_\_\_\_, attached hereto and identified as Exhibit \_\_\_\_.
- d.  The relative priority of the liens encumbering the Property is established by evidence attached as Exhibit \_\_\_\_.
- e.  The value of the Property from paragraph C(2) is based on \_\_\_\_\_, attached as
- f.  Exhibit \_\_\_\_\_.
- g.  Debtor submits the attached Declaration(s).
- h.  Other evidence (*specify*): \_\_\_\_\_







