

BANKRUPTCY QUESTIONNAIRE
CHAPTER 7 & 13

MARK E. HAGER, ATTORNEY & COUNSELOR AT LAW, P.L.
Mark E. Hager, Attorney

**STATEMENT OF FINANCIAL AFFAIRS FOR
DEBTOR NOT ENGAGED IN BUSINESS**

IF BOTH YOU AND YOUR SPOUSE ARE FILING, ALL QUESTIONS SHOULD BE ANSWERED BY BOTH OF YOU. (ATTACH ADDITIONAL PAGES WHERE NEEDED.)

PLEASE DO NOT LEAVE ANY QUESTION BLANK OR UNANSWERED

1. Name and residence:

a. What is your:

Full name: _____

Social Security number: _____

Date of Birth: _____

Telephone number: _____

Work number: _____

b. Have you used, or been known by, any other names within the ten years immediately preceding the filing of the original petition herein? If so, give particulars. (NOTE: If married less than ten years, wife's former name should be shown; if you have been in business within the last ten years, your business name should be shown.)

c. Where do you now reside? (Please list physical address, COUNTY and ZIP CODE, if you receive your mail at a separate address please indicate that address separately.)

- d. Where else have you resided during the past three years? (Please list the address and the accurate time periods that you lived at each address.) Also, please list the date you and your spouse became residents of Florida.
- e. What is your marital status? If there has been a recent change in your marital status, please give date of your marriage/divorce, etc.

2. What cases under the Bankruptcy Act or Title 11, United States Code, have previously been brought by or against you? (In other words, have you filed bankruptcy before? If so, when, where, what was the case number, and was the bankruptcy granted?)

3. Do you own any real estate?
(If you own more than one piece of property, please provide the following information about each one.)

a. What is the street address of the property?

b. Do you reside on the property?

- If so, have you resided on the property more than 3 years and four months?
- How long have you resided on the property?
- Who else lives on the property with you?

c. If you answered “no” to question b above, who lives on the property?

- d. In whose name is the property?

- e. What is the LEGAL description of the property? (If lengthy, you may attach a photocopy of this from the deed, mortgage or tax bill. Note: this is not the property address)

- f. Have you had a recent written appraisal of the property?

- g. What is the approximate market value of the property? (This should be the same as the approximate value you put down on the list of Secured Creditors if the house has a mortgage on it.)

- h. Do you own a cemetery lot? If so, give details.

4. Cash:

- a. What amount of cash do you have on hand?

- b. What certificates of deposit or shares in banks, savings and loan, thrift, building and loan and homestead associations, credit unions, brokerage houses, pension funds and the like have you maintained, along or together with any other person, and in your own or any other name within the last two years?

5. Financial accounts, certificates of deposit and safe deposit boxes:

- a. What bank accounts have you maintained, alone or together with any other person, and in your own or any other name within the last two years? (Give the name and address of every other person authorized to make withdrawals from such account. State whether accounts are currently open or closed.)

Name & Address of Bank	Account Number & Type of Account	Authorized Signers	Balance	Open? Yes/No

(Please indicate whether the account is still open or closed)
If you have any bank accounts maintained at the same bank that issued you credit via a credit card, line of credit, or other loans, please so indicate above.

- b. What amounts of money do you have on deposit with banking institutions, savings and loan associations, brokerage houses, credit unions, etc? List the name of the institution and present balance.

- c. Do any utility companies hold deposits for you? If so, how much? Please give the name and address of the person holding that deposit. (You may need to call Verizon or TECO, or your utility company(s) if you are not sure.)

- d. Please state the name and address of the landlord which holds a deposit for you, and in what amount is the deposit.

6. Your Personal Property:

(When placing a value on your personal property, for your own protection, estimate the value as if you were pricing it for a garage sale.)

- a. List all life insurance policies and cash surrender value.

- b. Do you own any annuities? Pension Plans? IRA? Retirement Plan? Social Security benefits or similar program? (If so, itemize and name each issuer.)

- c. Do you own any stock and/or interest in incorporated and unincorporated companies? (**Itemize separately.**)

- d. Do you own any interests in partnerships?

- e. Do you own any government or corporate bonds or other negotiable or nonnegotiable instruments?

- f. Does anybody owe you money? (If you are a business, attach a list of accounts receivable, if any.)

- g. Is any other person holding anything of value in which you have an interest? (Give name and address, location and description of the property, value and the circumstances of the holding.)

- h. Are you the beneficiary in a relative's will? Certain properties which you may receive within 180 days of the filing of the bankruptcy petition as a result of property settlement or proceeds from life insurance policies will belong to the bankruptcy trustee, and you will be ordered to turn them over to the court. However, there are legal ways to overcome such problems. Please state whether you might face such a situation.

- i. Do you own any patents, copyrights, licenses, franchises, or other general intangibles? **(Specify all documents and writings relating thereto.)**

- j. On the following pages, give a complete list of wearing apparel, jewelry, firearms, sports equipment and other personal possessions. (Examples provided, see below.)

PERSONAL FURNISHINGS AND TANGIBLE PROPERTY:

EXAMPLE: *(When listing personal furnishings)
(Please make sure you put a dollar value after each item!)*

Living Room:

Sofa, 2 chairs, 2 end tables, 3 lamps, 2 pictures, 1 decorative wall plaque, 1 electric wall clock, color TV, stereo, bookcase

Bedroom:

1 double bed, 1 dresser with mirror, 1 chest of drawers, 1 chair, 2 pictures, 1 alarm clock

Kitchen:

1 lot dishes, 1 lot glassware, 1 lot stainless steel flatware, 1 lot pots and pans, 1 mixer, 1 blender, 1 iron, 1 toaster, 1 coffee pot

Bathroom:

Bathroom scales, assorted linens, sheets, towels, pillowcases, blankets

Garage:

Garden tools, lawn mower, barbecue grill, etc.

NOTE: Children's clothes and toys do not need to be itemized; however, you do need to itemize all furniture located in their room(s).

Husband's Personal Effects:

2 pairs of shoes, 5 pairs of pants, 2 sport coats, 2 sets of cufflinks, 1 wedding band, 1 wrist watch, 10 shirts, assorted underclothing, 5 ties, tool box with miscellaneous hand tools, 1 power saw, 1 camera, 1 bowling ball with shoes

Be sure to include the following type of property:

- a. Encyclopedia or other book collections
- b. Coin or stamp collections
- c. Gun collections

Wife's Personal Effects:

3 purses, 7 pairs of shoes, assorted underclothing, 10 dresses, 4 blouses, 3 shirts, 1 coat, 2 jackets, 3 sweaters, 7 pairs of pants, 2 pantsuits, 3 night gowns, 1 wedding band, 1 watch, 4 necklaces, 2 rings, 6 pairs of earrings, sewing machine, hair dryer

NOTE: In preparing this inventory, it is suggested that you go through every room in your house and list all household items in each room. This would include everything not considered absolutely personal as to husband and wife. These items should be listed separately as shown above.

HOUSEHOLD GOODS, SUPPLIES, AND FURNISHINGS

LIVING ROOM:

FAMILY ROOM:

BEDROOM #1:

BEDROOM #2:

BEDROOM #3:

BEDROOM #4:

KITCHEN:

DINING ROOM:

BATHROOM:

GARAGE:

Do you own any other valuable assets, such as expensive jewelry or art collection, expensive video, electronic equipment such as a wide screen television(s) or computer, collectibles or antiques? If so, please so indicate below.

WEARING APPAREL. JEWELRY. FIREARMS. SPORTS EQUIPMENT AND OTHER PERSONAL POSSESSIONS

(List for both husband and wife if both are filing)

HUSBAND:

WIFE:

- k. List below any automobiles, trucks, trailers and other vehicles that you presently own. Give description (year, make & model), the name in which it is held, and approximate market value as to each vehicle. (The approximate market value should be the same as the Approximate Value shown on the list of Secured Creditors if you are making payments on the vehicle.)

<u>Make, Model & Year</u>	<u>Name(s) Titled</u>	<u>Market/Book Value</u>	<u>Mileage & Condition</u>	<u>Date Acquired</u>
-------------------------------	-----------------------	--------------------------	--------------------------------	----------------------

IF THE ANSWER TO ANY OF THE FOLLOWING IS "YES," GIVE COMPLETE LIST. (ATTACH ADDITIONAL PAGES, IF NECESSARY) WITH APPROXIMATE FAIR MARKET VALUE:

- l. Do you own any office equipment, furnishings or supplies?

- m. Do you own any machinery, fixtures, equipment and supplies used in business?

- n. Do you own a business inventory? If so, be sure to answer questions on Page 2, as well as attach list with market value.

- o. Do you own any livestock, poultry or any other animals? This is to include any household pets. State whether any are pedigree.

- p. Do you own any farm supplies and implements?

- q. Do you own any other tangible personal property of any other description?

7. Tax returns and refunds:

a. From what state did you file your federal income tax returns for each of the past two years? Give address to where you sent these returns.

b. What tax refunds (income and other) have you received during the past year?

c. If you received a tax refund, please indicate whether state or federal, the amount, and when it was received.

d. What did you do with the refund/how did you spend it?

e. Are you expecting any tax refund? If so, how much? If payable to you jointly with someone else, please give particulars.

**(IF FILING JOINTLY, PLEASE STATE WHETHER THE ACCOUNT
IS A JOINT ACCOUNT/HUSBAND ONLY/WIFE ONLY)**

8. SECURED CREDITORS

(Creditors that have a security interest or lien on the property you own)

<u>NAME & ADDRESS SECURED CREDITOR</u>	<u>ACCOUNT #</u>	<u>COLLATERAL</u>	<u>ORIGINAL AMOUNT</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

SECURED CREDITORS (continued)

APPROXIMATE VALUE OF COLLATERAL	MONTHLY PAYMENT	BALANCE DUE	KEEP: YES/NO
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

UNSECURED CREDITORS

CREDITOR (NAME & ADDRESS)	DATE INCURRED	ORIGINAL AMOUNT	PRESENT BALANCE	ACCOUNT NUMBER
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

CREDIT CARD CASH ADVANCES AND/OR LOAN ADVANCES:

<u>CREDIT CARD/LENDER</u>	<u>DATE</u>	<u>ADVANCE AMOUNT</u>	<u>ADVANCE BALANCE</u>	<u>ACCOUNT NUMBER</u>
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

9. Creditors having PRIORITY: (Please answer on behalf of business if filing for business)

- a. Do you owe any wages or commissions? If so, list name and address of employee, amount owed and when the amount was earned.

- b. Have you made any contributions to employee benefit plans for services rendered within 180 days before filing this petition?

- c. Do you owe any other person/agency that may be entitled to priority by law or hold deposits that were not delivered or provided?

10. TAXES (*Do you owe any taxes to any governmental agency local, state or federal*):

- a. Please indicate the tax year, the amount owed, to what agency and their address.

- b. If you owe any employee withholding taxes-please list the year and quarter for which they are due and amounts owed.

- c. Sales Taxes or other miscellaneous taxes, please list what type of tax is owed and the amount due, and for what tax period, the agency and their address.

- d. Real estate taxes: please list for what property, the amount owed and the tax period or year.

11. DEBTOR'S PAYCHECK AND DEDUCTIONS

	Debtor	Spouse
Pay Period	_____	_____
Gross Monthly Pay	_____	_____
Estimated Overtime	_____	_____
Federal Income Taxes	_____	_____
Social Security Taxes	_____	_____
Other Payroll Deductions, please list:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Net Monthly Take Home Pay	_____	_____
Other Monthly Income from Bus/Prof	_____	_____
Interest and Dividend Income	_____	_____
Real Estate and Personal Property Income	_____	_____
Social Security Income	_____	_____
Pension or other Retirement Income	_____	_____
Alimony, Support, for debtor's use	_____	_____
(Described other income here)	_____	_____

Anticipated Irregular income in next 6 months:

Anticipated Substantial income change:

CURRENT MONTHLY EXPENDITURES:

Rent or Mortgage (including assessments)	_____
Real Estate Taxes	_____
Homeowner's or Renter's Insurance	_____
Electricity	_____
Gas	_____
Water	_____
Telephone	_____
(Describe other utilities here.)	_____
Home Maintenance	_____
Food	_____
Clothing	_____
Laundry & Cleaning	_____
Medical, dental and medicine	_____
Transportation (excluding car payment)	_____
Recreation, clubs and entertainment	_____
Newspapers, periodicals, books	_____
Charitable contributions	_____
Life Insurance	_____
Auto Insurance	_____
Health Insurance	_____
(Describe other insurance here)	_____
Taxes (not included elsewhere)	_____
Car Installment Payments	_____
(Describe other installments here)	_____
Child support/alimony	_____
Education (tuition, books)	_____
Credit cards (you are keeping and continue to pay for)	_____
Other	_____

State the name, age and relationship of all your dependents:

Name	Age	Relationship

12. Occupation and income:

- a. What is your occupation?

- b. Where are you currently employed? (Give the full name and address of your employer(s), or the address(es) at which you carry on your trade or profession. Include County and Zip Code).

- c. How long have you been employed with the above employer(s)? (Give Dates).

- d. Please list your gross monthly wages and net take home pay for the past 6 months: (if you have your pay stubs for the past 6 months you may attach complete copies of those).

- e. Have you been in a partnership with anyone, or engaged in any business during the preceding six years? (If so, give particulars, including names, dates and places.)

- f. What amount of income have you received from your trade or profession during each of the three calendar years immediately preceding the filing of the petition? (Refer to W-2 forms. Separate husband's earnings from wife's, if wife is employed.)

	<u>You</u>	<u>Spouse</u>
20__		
20__		
20__		

- g. Where did you get the money to pay the attorneys' fees (salary, wages, borrow money, or other source)?

13. Have you made any general settlement with your creditors, either oral or written, at any time during the past year? If so, give dates, name and addresses of the creditors and a brief statement of the terms of the settlement.

14. Payment or loans, installment purchases and other debts:

- a. List all creditors that you have paid off in the last 12 months, including the amount paid, original amount owed and the date incurred.

- b. What debts have you owed to any creditor which was SETOFF by that creditor against a debt or deposit owing by the creditor to you during the last year?

15. Lawsuits:

- a. Are you PRESENTLY involved in a lawsuit? (If you have been served with legal papers by a process server or sheriff, we need copies.) Give details about each, if any.

- b. Were you a party to any suit TERMINATED within the last year? (If so, give details.)

- c. Do you have any claims or lawsuits pending against anyone else? If so, give details.

- d. Has any of your property been attached, garnished, or seized under any legal or equitable process during the last year? (If so, give details.)

16. Has any property been returned to, or repossessed by the seller, or by a secured party during the past year? (If so, give the particulars, including the name and address of the party getting the property and its description and value.)

17. Is any of your property in the hands of a receiver or trustee? If so, explain.

18. Transfers of property:

a. Have you made any gifts of your property worth in excess of \$500 to family members, business partners during the last two (2) years?

b. Have you made any charitable donations over the last two (2) years in excess of \$500.00? If yes, then provide the amounts and dates of the donations.

19. Losses:

a. Have you suffered any losses from fire, theft, or gambling during the last year? Or did you list the loss as a deduction on your tax return(s)? (If so, give particulars.)

b. Was the loss covered in whole or in part by insurance? (If so, give particulars.)

23. Books and records:

- a. Have you kept your canceled checks for the last two years?
- b. Have you kept books of account or other records relating to your affairs within the last two years?
- c. In whose possession are these books or records? Please give location.
- d. If any of these books or records is not available, explain.
- e. Have any books of account or records relating to your affairs been destroyed, lost otherwise disposed of within the last two years? (If so, give particulars).

24. Have you transferred or sold any personal property, worth \$500.00 or more by gift, sale, trade or any other means within the last two (2) years; or have you pledged any of your assets as security for indebtedness within the last (2) years; or have you bought or sold any real estate within the last two (2) years? If so, list the property and to whom it was sold and the date and amount it was sold for.

(List any real property transferred or sold within the last 4 years. Please list the property, to whom it was sold, the sale date and amount it was sold for.)

25. Have you listed all of your unsecured debts, such as credit cards, hospital bills, car repossessions, judgments, etc? If not, please make sure you list any other debts you may have not previously indicated under the previous portion of this questionnaire.
26. Have you taken any cash advances or transferred any balances on any of your credit cards in the form of ATM withdrawals, convenience checks or balance transfers within the last year? If so, please indicate the credit card or bank the advance was made from, the amount and the date taken.
27. Have you utilized a credit card to obtain any non-essential luxury goods or services aggregating more than \$ 1,000.00 within the last 4 months or (120) days? If so, please indicate the item purchased, the date, and the credit card it was purchased on.
28. Have you disclosed all real estate that you own? If not, please so indicate other real property in which you have an interest, this would include any time shares, or family owned property in which you may have a present or remainder interest.
29. Have you listed all automobiles, trucks, RV's, boats, motorcycles, etc. that you own? Please make sure you list the other vehicles that were not previously indicated in this questionnaire.
30. Are you involved in any lawsuit in which you are the Plaintiff and seeking some type of recovery? If so, please indicate the type of lawsuit, whom it is against, the date, court case number, name and address of the court in which the case is pending, and what recovery you expect.