

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
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In re)
)
ADMINISTRATIVE ORDER GRANTING) Administrative Order
RELIEF FROM DISCHARGE) FLMB-2015-9
INJUNCTION TO REFINANCE OR)
MODIFY LIEN ON HOMESTEAD)
PROPERTY,)
)
_____)

**ADMINISTRATIVE ORDER GRANTING RELIEF FROM
DISCHARGE INJUNCTION TO ENTER INTO AGREEMENT
TO REFINANCE OR MODIFY DEBT SECURED BY LIEN ON HOMESTEAD**

When a debtor or former debtor (the “Debtor”) has received a discharge and later seeks to refinance or modify an un reaffirmed debt secured by a lien on the Debtor’s homestead property, the Bankruptcy Court for the Middle District of Florida finds that a secured creditor should not require individual judicial relief before the Debtor can negotiate and enter into a refinance or modification agreement. Accordingly, it is

ORDERED:

1. This order applies *only* when *the Debtor* initiates a request to refinance or to modify the debt secured by a lien on homestead property. This order does not authorize unsolicited attempts by any creditor to renegotiate debt that was not reaffirmed prior to a Debtor’s discharge.
2. This order grants relief from the discharge injunction to a secured creditor for the purpose of negotiating and entering into a refinance or modification agreement with a Debtor.

3. If the Debtor enters into an agreement to refinance or to modify an existing debt secured by a lien on homestead property, the Debtor may become liable for the entire amount owed under the new (refinanced or modified) loan, notwithstanding the Debtor's having obtained a discharge of the debt owed under a prior agreement secured by a lien on the same property.

DATED: November 16, 2015.



MICHAEL G. WILLIAMSON
Chief United States Bankruptcy Judge