

- **Motions to Abandon Property Checklist**

Our division reviews Motions to Abandon Property pursuant to 11 U.S.C. §554(b) and Bankruptcy Rule 6007(a) for compliance with the following requirements:

1. Does the packet contain:
 - a. a Motion to Abandon Property;
 - b. a Local Rule 202 Notice;
 - c. a Certificate of Service; and
 - d. a proposed Order.
2. Does the Certificate of Service indicate that the US Trustee, all creditors and any trustee elected or appointed in the case received a copy of the Local Rule 202 Notice? Does the Notice identify the property to be abandoned? Alternatively, was a copy of the Motion served on all parties along with the 202 Notice?
3. Does the Motion state grounds for relief under Section 554(b)? For example, does the Motion state that the property is burdensome to the estate or that it is of inconsequential value and benefit to the estate? Does the Motion provide facts/documents to support such statement? Does it state the purported value of the property? The amount of the various liens filed against the property? Does it indicate whether the debtor claimed an exemption on his/her Schedule C and the amount of the exemption claimed?
4. If abandonment is being sought to allow the property to be sold, is the sales contract attached to the Motion? Does the Motion/proposed Order provide that a copy of the closing statement and any agreements with secured creditors to compromise their debt will be provided in writing to the trustee?
5. Did the 202 Notice give 15 days (plus 3 for mailing) for the filing of an objection?
6. Does the proposed Order purport to do anything more than order the property abandoned?
7. Do not forget that we will not act on a motion until a party has filed either a “Certificate of Non-Contested Matter” or a “Certificate of Contested Matter” pursuant to Local Rule 202(d). It is not sufficient to include a “request for a hearing” in your pleading.

Note: This checklist is not intended to be an exhaustive list of all of the requirements of Section 554(b) and Rule 6007(a).