# Rule 3002.1-1 Notice Relating to Claims Secured by Security Interest in the Debtor’s  Principal Residence

(a) In chapter 13 cases, the following applies to the holder of a mortgage secured by residential real property:

(1) The creditor does not need to file a proof of claim for the contractual monthly payments (i.e. those payments which have not come due as of the date of the petition) in those instances where the debtor’s plan proposes to make those payments directly to the mortgage holder.

(2) The creditor shall file a proof of claim for the contractual monthly payments when the debtor's plan proposes to maintain those payments through payments to the chapter 13 trustee. The proof of claim shall include the amount of the contractual monthly payment and the escrow amount.

(3) Claims for mortgage delinquencies accruing prior to but not paid as of the petition filing date shall be filed in accordance with Rule 3002, Federal Rules of Bankruptcy Procedure, and shall be calculated separately from the amount due for postpetition monthly payments.

 (b) Claims filed under this rule should be filed pursuant to local rule 3002-1.

 (c) When a payment change involves a home equity line of credit, creditors should use form 410S1, part 3, to explain that fact. For example:

