IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OHIO

2018	FE8	20	PM	2:	07
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IN RE:)	CHAPTER 13 PROCEEDING
CHAPTER 13 APPOINTMENT AND PAYMENT OF APPRAISER)))	ADMINISTRATIVE SOUTH ORDER NO. 18-01
)	JUDGE RUSS KENDIG

- 1. All chapter 13 cases with real estate in which the debtor(s) has any interest must have a current appraisal if the unsecured creditors are not being paid ONE HUNDRED PERCENT (100%) of their allowed claims and either (1) the debtor has a second mortgage or lien on the property or (2) a party in interest requests that a current appraisal be performed.
- 2. The standing Chapter 13 Trustee shall engage an appraiser from the list of approved appraisers, attached as Exhibit A, based upon the county, or counties, in which the parcel(s) of real property of the debtor(s) is/are located. The fee for the appraisal of such real property shall not exceed TWO HUNDRED AND SEVENTY-FIVE DOLLARS (\$275) per appraised parcel. The Trustee shall move for separate authorization if the fee for the appraisal of any individual parcel of real property shall exceed TWO HUNDRED AND SEVENTY-FIVE DOLLARS (\$275), e.g., a complex property. Furthermore, if the appraisal fees shall exceed EIGHT HUNDRED AND TWENTY-FIVE DOLLARS (\$825) in the aggregate, the Trustee shall move for separate authorization of the same.
- 3. If an appraisal is required of a parcel of real property located in a county other than those appearing on Exhibit A, the Trustee shall locate a qualified appraiser and move the court for approval of the same. Appraisal fees shall be paid out of the debtor's estate before all other administrative fees. If sufficient funds are not available and the case has been dismissed or converted, the Trustee shall pay such fees from the Chapter 13 Trustee's expense funds.
- 4. The appraisers listed on Exhibit A are disinterested persons/entities and do not hold or represent an interest adverse to the bankruptcy estate. Affidavits from each appraiser attesting to this are attached as Exhibit B.
- 5. Any appraiser appointed pursuant to this Administrative Order will be deemed to have been appointed pursuant to Bankruptcy Code§ 327(a).
- 6. The United States Trustee waives notice of the appointment of the appraisers in Chapter 13 cases provided that any appraiser is selected from the attached list, the appraiser has filed an affidavit as required by Bankruptcy Code§ 327(b), the fee to be

paid per appraised parcel of real property is not greater than TWO HUNDRED AND SEVENTY- FIVE DOLLARS (\$275), and the total appraisal fees to be paid in any case does not exceed EIGHT HUNDRED AND TWENTY-FIVE DOLLARS (\$825).

- 7. An order shall be filed with the Court to pay appraisal fees in the form of attached Exhibit C together with a copy of the appraisal in the form of attached Exhibit D.
- 8. The clerk is given authority to sign said orders. The Clerk's action authorized by this order shall be accomplished by the affixing to such order the following language:

ENTERED PURSUANT TO ADMINISTRATIVE ORDER NO. 18-01: TERESA D. UNDERWOOD, CLERK OF COURT

BY:	
	Deputy Clerk

- 9. Any party affected by an order so entered shall be entitled to reconsideration thereof by a judge of the court, if, within ten (10) days of service of the notice of the entry of such order, such party files a written motion for reconsideration, which motion or attached memorandum shall state the grounds in accordance with Local Civil Rule 7.1 of the United States District Court made applicable in cases before this court by Local Rule 1.1 and Local Bankruptcy Rule 9013-1. Such motion for reconsideration will ordinarily be considered by the court upon the papers submitted.
- 10. Any party adversely affected by an order shall retain all rights of any nature relating to the impropriety of the order, e.g., the legal sufficiency of service.
- 11. If a case is filed and the plan proposes to pay unsecured creditors one hundred percent (100%) and is later amended or modified to reduce the payment to unsecured creditors, an appraisal pursuant to this Administrative Order may be required before the plan can be confirmed or the modification becomes effective.

12. This administrative order supersedes this court's Administrative Order 08-07 dated July 7, 2008.

IT IS SO ORDERED.

Russ Kendig

United States Bankruptcy Judge

Approved:

/s/ Andrew R. Vara (MI P45625)

Andrew R. Vara

Assistant United States Trustee

Toby L. Rosen

Chapter 13 Trustee

EXHIBIT A: LIST OF COUNTIES AND APPROVED APPRAISERS

STARK COUNTY:

1. DANNEMILLER APPRAISAL SERVICES:

Timothy B. Dannemiller Donna Dannemiller Heather M. Allman

2. THE CHARLES G. SNYDER CO.

Justin Agar Michael C. Barnett Amy L. Hootman Todd J. Kreps Jon D. Loader James C. Rafferty Charles G. Snyder Mark Stauffer Bruce E. Talley

CARROLL COUNTY:

1. THE CHARLES G. SNYDER CO.

(see above)

WAYNE COUNTY:

1. THE CHARLES G. SNYDER CO.

(see above)

TUSCARAWAS COUNTY:

1. THE CHARLES G. SNYDER CO.

(see above)

EXHIBIT A (CONTINUED)

HOLMES COUNTY:

1. THE CHARLES G. SNYDER CO.

(see above)

ASHLAND COUNTY:

1. EARHART APPRAISAL, LLC

Earick Earhart Robert Earhart

RICHLAND COUNTY:

1. EARHART APPRAISAL, LLC

(see above)

CRAWFORD COUNTY:

1. EARHART APPRAISAL, LLC

(see above)

EXHIBIT B

AFFIDAVITS OF APPRAISERS

Timothy B. DANNEMILL being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this

Notary Public

My Commission expires

ANNETTE SCHREFFLER, Notary Residence Co. Stark, State of Ohio My Commission Expires MAY 21, 2008

DONNA DANNEMILLER being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this

Notary Public

My Commission expires_

ANNETTE SCHREFFLER, Notary Residence Co. Stark, State of Ohio My Commission Expires MAY 21, 2008

Heather M. Allman, being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this

Notary Public

My Commission expires

ANNETTE SCHREFFLER, Notary Residence Co. - Stark, State of Ohio My Commission Expires MAY 21, 2008

Justin Agar, being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this 15 day of sept, 2

My Commission expires

MOLLY R. JOHANNING Notary Public, State of Ohio My Commission Expires April 29, 2007

Michael C. Barnett, being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this 14th day of Nept., 2005

My Commission expires 05/10/10

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Amy	L.	Hootman	, being first duly sworn according to law, deposes and says:
1 '	That	haloha io well an	alified to serve as appraiser of debtor's(s') real property in t

- his proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this Athlay of Nept, 2005

males Lematt
ry Public
commission expires 05/10/10

Topo J. KREPS, being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this

day of

2005.

Notary Public

My Commission expires

GARY L. WILLEN
Attorney at Law
Notary Public, State of Onio
My Commission Has No Expiration
Section 147.03 R.O.

Jon D.	Loader	being first duly sworn according to law	, deposes and says:
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- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this What of work, 2005

y Commission expires 05

James C RAFFERT leing first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this

day of Oc

200

Notary Public

My Commission expires

MELANIE L. ULRICH Notary Public, State of Onlo My Commission Expires Oct., 18, 2009

Charles G. Snyder , being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this Whay of Nept., 2007

Nøfary Public

 $\cancel{\mathsf{H}}$ Commission expires 05/010

Mark Starffer, being first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this 2

_day of _DOT

200

Notary Public

My Commission expires_

Notary Public, State of Ohlo My Commission Expires Recorded in Stark County

BRUCE E. TAUL'Geing first duly sworn according to law, deposes and says:

- 1. That he/she is well qualified to serve as appraiser of debtor's(s') real property in this proceeding;
- 2. That he/she is a disinterested person within the meaning of 11 U.S.C. § 101 (14), which means he/she has no connection with the debtor(s), the creditors, any other party in interest herein, their respective attorneys or accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any other party with an actual or potential interest in this case and that he/she does not hold any interest adverse to the debtor(s), their estate, or the creditors in the matter for which he is proposed to be retained;
- 3. That he/she has no personal relationship with any Judge of this Court in the State of Ohio as applies to proceedings under Title 11 of the United States Code;
- 4. That he/she will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

Further affiant saith not.

Sworn to before me and subscribed in my presence this

day of (

200

Notary Public

My Commission expires C

*

MELANIE L. ULRICH Notary Public, State of Offic My Commission Expires Oct 18, 2000

The undersigned, Earick Earhart (hereinafter the "Affiant"), whose primary place of business is located at 5940 Clever Road, Bellville, OH 44813, after first being duly sworn and states as follows:

- 1. That the Affiant is a real estate appraiser and wishes to be retained by the Standing Chapter 13 Bankruptcy Trustee, Toby L. Rosen, pursuant to 11 U.S.C. § 327, as appraiser for the Chapter 13 Trustee to appraise the market value of certain debtors' residential real property.
- 2. That the Affiant does not hold or represent any interest adverse to debtors' bankruptcy estates, and that he is a disinterested person as set forth in 11 U.S.C. § 327;
- 3. That the Affiant is not a relative of any Judge of the Bankruptcy Court, the U.S. Trustee or any employee of the U.S. Trustee, such that would render the Affiant's retention and employment improper such as would be prohibited under Bankruptcy Rule 5002;
- 4. That the Affiant is not a relative of, or connected with the debtors, attorney for debtors, any creditor(s), accountant(s), or attorney(s) for creditor(s); and,
- 5. That the Affiant will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee if the Affiant shall become aware of any such connection in the future.

AFFIANT SAYETH NAUGHT.

Earla Earlant	
Earick Earhart	
State of Ohio	
County of Richland, S.S.:	A.
The undersigned Notary Public states that on the <u>22</u> did appear before me, was duly sworn and affirmed the state of the same.	

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

DUSTY AU
Notary Public
In and for the State of Ohio
My Commission Expires

3/20121

Notary Public

The undersigned, Robert Earhart (hereinafter the "Affiant"), whose primary place of business is located at 5940 Clever Road, Bellville, OH 44813, after first being duly sworn and states as follows:

- 1. That the Affiant is a real estate appraiser and wishes to be retained by the Standing Chapter 13 Bankruptcy Trustee, Toby L. Rosen, pursuant to 11 U.S.C. § 327, as appraiser for the Chapter 13 Trustee to appraise the market value of certain debtors' residential real property.
- 2. That the Affiant does not hold or represent any interest adverse to debtors' bankruptcy estates, and that he is a disinterested person as set forth in 11 U.S.C. § 327;
- 3. That the Affiant is not a relative of any Judge of the Bankruptcy Court, the U.S. Trustee or any employee of the U.S. Trustee, such that would render the Affiant's retention and employment improper such as would be prohibited under Bankruptcy Rule 5002;
- 4. That the Affiant is not a relative of, or connected with the debtors, attorney for debtors, any creditor(s), accountant(s), or attorney(s) for creditor(s); and,
- 5. That the Affiant will inform the Chapter 13 Trustee if there is any connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee if the Affiant shall become aware of any such connection in the future.

AFFIANT SAYETH NAUGHT.

RODCE Editale

State of Ohio

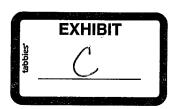
County of Rich land, S.S.:

The undersigned Notary Public states that on the day of November, 2017, Affiant did appear before me, was duly sworn and affirmed the statements appearing above by execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

SUSAN N. THOMPSON
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires



IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OHIO

IN RE:
CHAPTER 13 PROCEEDINGS
CASE NO:
JUDGE RUSS KENDIG
DEBTOR(S)
ORDER FOR COMPENSATION TO APPRAISER WITH COPY OF APPRAISAL

This matter is before the Court in accordance with Administrative Order No. 18-01.

The Court finds that , is an approved appraiser and that an appraisal has been performed and that the appraisal form has been attached hereto.

IT IS THE ORDER OF THIS COURT that the Chapter 13 Trustee, Toby L. Rosen, shall pay the appraiser, , the sum of \$275.00 for services performed in completing the attached appraisal.

I certify that this Order complies with Administrative Order No. 18-01 Signed under the pains and penalty of perjury.

/s/ Toby L. Rosen
Toby L. Rosen, Chapter 13 Trustee

List of parties to be served the above Order:

Attorney for Debtor(s) Debtor(s) Appraiser

			Exhibit
	•	•	\mathcal{D}
IN THE UNITED ST FOR THE NORT	TATES I	BANKRUPTCY CO DISTRICT OF OH	OURT GO
IN RE:	:	CHAPTER 13 PI	ROCEEDING
	:	CASE NO.	
	:	JUDGE RUSS K	ENDIG
DEBTOR(S)	; ******	APPRAISAL	
I, market value of the following real estate:		at I have performed	an appraisal of the fair
(Legal street address, City, County	y, Parcel	No.)	
Based upon my inspection of the property	, the foll	owing is a description	n of said property.
(Description of property: single or footage of the land and buildings, the property has a finished or unfir and garage. The general condition variables or problems.	number on nished ba	of bedrooms and bat isement, type of heat	hs and whether ling, air conditioning,
I have reviewed the following comparable ADDRESS 1. 2. 3.	e sales in	the area: SALE DATE	SALE PRICE
The real estate tax value of the above prop	perty is \$,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
The shore deliteral purchased this prope	rty in the	vear for \$	

Name Address Phone Fax

Based upon the above, it is my opinion that the fair market value of the real estate is