

## **STATEMENT OF FINANCIAL AFFAIRS**

**Instructions:** Answer each question completely on a separate piece of paper. If this is for a joint husband-wife case, answer each question for each person separately.

1. **Income from Employment or Operation of Business.**

State gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year). If a joint petition is filed, state income for each spouse separately. (Married debtors filing under Chapter 12 or 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

2. **Income other than from Employment or Operation of Business.**

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the *two years* immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under Chapter 12 or 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

3. **Payments to creditors.**

*Complete a. or b., as appropriate, and c.*

- a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made **within 90 days** immediately preceding the commencement of this case unless the aggregate value of all the property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under Chapter 12 or Chapter 13 must include payments by either or both spouses whether or not a joint petition is filed unless the spouses are separated and a joint petition is not filed.)
- b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made **within 90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under Chapter 12 or Chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

- c. *All debtors:* List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married Debtors filing under Chapter 12 or Chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

4. **Suits and Administrative Proceedings, Executions, Garnishments and Attachments.**

- a. List all suits and administrative proceedings to which the debtor is or was a party *within one year* immediately preceding the filing of this bankruptcy case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)
- b. Describe all property that has been attached, garnished or seized under any legal or equitable process *within one year* immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5. **Repossessions, Foreclosure and Returns.**

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, *within one year* immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

6. **Assignments and Receiverships.**

- a. Describe any assignment of property for the benefit of creditors made *within 120 days* immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)
- b. List all property which has been in the hands of a custodian, receiver, or court-appointed official *within one year* immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

7. **Gifts.**

List all gifts or charitable contributions made *within one year* immediately preceding the commencement of this case, except ordinary and usual gifts to family members

aggregating less than \$200.00 in value per individual family member and charitable contributions aggregating less than \$100.00 per recipient. (Married debtors filing under Chapter 12 or Chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

8. **Losses.**

List all losses from fire, theft, or other casualty or gambling *within one year* immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

9. **Payments related to debt counseling or Bankruptcy.**

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy *within one year* immediately preceding the commencement of this case.

10. **Other Transfers.**

- a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as a security *within two years* immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)
- b. List all property transferred by the debtor *within ten years* immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

11. **Closed Financial Accounts.**

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred *within one year* immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

12. **Safe Deposit Boxes.**

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables *within one year* immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

13. **Setoffs.**

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor *within 90 days* preceding the commencement of this case. (Creditor, address setoff date, amount.) (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

14. **Property held for Another Person.**

List all property owned by another person that the debtor holds or controls.

15. **Prior Address of Debtor.**

If the debtor has moved *within the three years* immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

16. **Spouses and Former Spouses.**

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington or Wisconsin) *within eight years* immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

17. **Environmental Information.**

For the purposes of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or materials.

"Site" means any location, facility or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if know, the Environmental Law.

- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.
- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

18. **Nature, location and name of business.**

- a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed in a trade, profession, or other activity either full- or part-time *within six years* immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities *within the six years* immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, *within the six years* immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities *within the six years* immediately preceding commencement of this case.

- b. Identify any business listed in response to subdivision a., above, that is “single asset real estate” as defined in 11 U.S.C. §101.

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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, *within the six years* immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

*(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case.)*

19. **Books, records and financial statements.**

- a. List all bookkeepers and accountants who *within the two years* immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

- b. List all firms or individuals who *within the two years* immediately preceding the filing of this bankruptcy as have audited the books of account and records, or prepared a financial statement of the debtor.
- c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.
- d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued *within the two years* immediately preceding the commencement of this case by the debtor.

20. **Inventories.**

- a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.
- b. List the name and address of the person having possession of the records of each of the two inventories reported in a. above.

21. **Current Partners, Officer, Directors and Shareholders.**

- a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.
- b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

22. **Former partners, officers, directors and shareholders.**

- a. If the debtor is a partnership, list each member who withdrew from the partnership *within one year* immediately preceding the commencement of this case.
- b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated *within one year* immediately preceding the commencement of this case.

23. **Withdrawals from a partnership or distributions by a corporation.**

If the debtor is a corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other prerequisite during one year immediately preceding the commencement of this case.

24. **Tax Consolidation Group.**

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time *within the six year period* immediately preceding the commencement of the case.

25. **Pension Funds.**

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time *within the six year period* immediately preceding the commencement of the case.