

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA

IN RE:

PROCEDURE FOR RECEIVING  
RENT DEPOSITS PURSUANT TO  
11 U.S.C. §362(1)

GENERAL ORDER

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 amended 11 U.S.C. §101 et seq. ("Code") including the automatic stay provisions of 11 U.S.C. § 362 in regard to actions to recover possession of residential property occupied by a debtor by the enactment of 11 U.S.C. §362(1), and

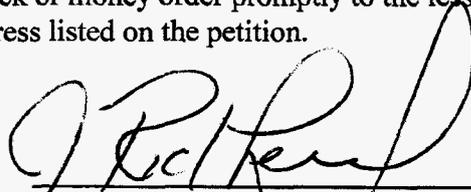
The court requires uniformity in the procedure for the deposit of rent by debtors and transmittal of rent to lessors under §362(1)(1)(B) and §362(5)(a) of the Code, and any deposit of rent made by or on behalf of a debtor, pursuant to 11 U.S.C. § 362(1)(1)(B) of the Code, must be made as follows:

1. a deposit must be in the form of a certified check or money order payable to the order of the lessor, and delivered to the clerk of court upon filing of the petition; and
2. the certification must be made under §362(1)(1)(A) of the Code, and
3. the debtor must file a copy of the judgment of eviction together with the petition.

Upon the clerk's receipt of a certified check or money order payable to the order of the lessor, with a copy of the judgment of eviction, tendered by a debtor pursuant to §362(1)(1) of the Code, the clerk shall transmit the certified check or money order promptly to the lessor, by certified mail, return receipt requested, to the address listed on the petition.

SO ORDERED.

DATE: 6/9/2006

  
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J. Rich Leonard  
Chief Bankruptcy Judge

  
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A. Thomas Small  
Bankruptcy Judge