

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Tuesday, September 14, 2021

Hearing Room 301

9:30 AM

1: -

Chapter

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Docket 0

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
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CONT...

Chapter

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
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1:00-00000

Chapter

#0.00 PLEASE BE ADVISED THAT THE CHAPTER 13 CONFIRMATION CALENDAR
CAN BE VIEWED ON THE COURT'S WEBSITE UNDER:
JUDGES >KAUFMAN,V. >CHAPTER 13 > CHAPTER 13 CALENDAR
(WWW.CACB.USCOURTS.GOV)

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, September 14, 2021

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10:30 AM

1:16-13545 Luwana Ramos Alvarado

Chapter 13

#18.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21

Docket 37

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luwana Ramos Alvarado

Represented By
R Grace Rodriguez

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:17-10025 Amelia Quezada Velasquez

Chapter 13

#19.00 Trustee's motion to dismiss chapter 13 case due to material default of the plan pursuant to §1307(c)(6) failure to submit all tax returns

fr. 7/13/21

Docket 63

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Amelia Quezada Velasquez

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

1:17-10942 Shamiram E Chochian

Chapter 13

#20.00 Trustee's motion to dismiss case for failure to make plan payments
fr. 7/13/21

Docket 47

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shamiram E Chochian

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:17-11521 Solyman Davidesfahani and Sharzad Davidesfahani

Chapter 13

#21.00 Trustee's motion to dismiss case for failure to make plan payments
fr. 7/13/21

Docket 50

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Solyman Davidesfahani

Represented By
Ali R Nader

Joint Debtor(s):

Sharzad Davidesfahani

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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1:17-12875 Mady Lysse and Robert Lysse

Chapter 13

#22.00 Trustee's motion to dismiss case for failure to make plan payments
fr. 7/13/21

Docket 53

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mady Lysse

Represented By
Jeffrey J Hagen

Joint Debtor(s):

Robert Lysse

Represented By
Jeffrey J Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:17-12944 Kevin D Clark

Chapter 13

#23.00 Trustee's motion to dismiss case for failure to make plan payments

Docket 47

*** VACATED *** REASON: Motion withdrawn 8/25/21 - jjc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kevin D Clark

Represented By
Lauren Rode

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:18-10831 Jose Reynaldo Juarez

Chapter 13

#24.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 8/10/21

Docket 97

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Reynaldo Juarez

Represented By
Richard Mark Garber

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:18-11288 Neli Maria Negrea

Chapter 13

#25.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 8/10/21

Docket 132

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Neli Maria Negrea

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:18-12232 Faun Thai

Chapter 13

#26.00 Trustee's Motion to dismiss case for failure to make plan payments
fr. 6/8/21

Docket 58

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Faun Thai

Represented By
Devin Sawdayi

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

1:18-12996 Manuel Jimenez and Norma Mendez

Chapter 13

#27.00 Trustee's motion to dismiss case for failure to make plan payments

Docket 30

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Jimenez

Represented By
David Lozano

Joint Debtor(s):

Norma Mendez

Represented By
David Lozano

Movant(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:19-10022 Gus Albert Bolona and Deirdre Marie Bolona

Chapter 13

#28.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 5/11/21; 7/13/21; 8/10/21

Docket 88

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gus Albert Bolona

Represented By
Richard Mark Garber

Joint Debtor(s):

Deirdre Marie Bolona

Represented By
Richard Mark Garber

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

1:19-10806 Abrahan Moran

Chapter 13

#29.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 3/9/21; 5/11/21; 7/13/21

Docket 64

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Abrahan Moran

Represented By
R Grace Rodriguez

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:19-11856 Maria Menzi Cadelina

Chapter 13

#30.00 Trustee's motion to dismiss chapter 13 case due to material default of plan: failure to submit all tax refunds

fr. 4/6/21; 6/8/21

Docket 30

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Menzi Cadelina

Represented By
Hasmik Jasmine Papian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

1:19-11963 Lana Petrosyan

Chapter 13

#31.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 3/9/21; 4/6/21; 7/13/21

Docket 61

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lana Petrosyan

Represented By
Rebecca Tomilowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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1:19-11963 Lana Petrosyan

Chapter 13

#32.00 Trustee's motion to dismiss chapter 13 case due to material default of plan: failure to submit all tax refunds

fr. 4/6/21; 7/13/21

Docket 70

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lana Petrosyan

Represented By
Rebecca Tomilowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:19-12350 Gregorio Alberto Driotez and Maryella Driotez

Chapter 13

#33.00 Trustee's motion to dismiss case for failure to make plan payments
fr. 7/13/21

Docket 36

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gregorio Alberto Driotez

Represented By
Jeffrey J Hagen

Joint Debtor(s):

Maryella Driotez

Represented By
Jeffrey J Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:19-12931 Tiffany Nicole Merlo

Chapter 13

#34.00 Trustee's motion to dismiss case due to material default of the plan pursuant to §1307(c)(6) failure to submit all tax refunds

Docket 65

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tiffany Nicole Merlo

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

1:19-12947 Ronaldo Garcia

Chapter 13

#35.00 Trustee's motion to dismiss case for failure to make plan payments
fr. 7/13/21

Docket 49

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronaldo Garcia

Represented By
Daniel King

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:19-13208 Elin Cometa Bukid

Chapter 13

#36.00 Trustee's Motion to dismiss case for failure to make plan payments

fr. 6/8/21 8/10/21

Docket 31

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elin Cometa Bukid

Represented By
Hasmik Jasmine Papian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:20-10046 Emmanuel Dumada-Ug Sitaca

Chapter 13

#37.00 Trustee's Motion to dismiss case for failure to make plan payments

Docket 49

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Emmanuel Dumada-Ug Sitaca

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, September 14, 2021

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10:30 AM

1:20-10460 Veronica E Pledger

Chapter 13

#38.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 12/8/20; 3/9/21; 5/11/21; 7/13/21; 8/10/21

Docket 45

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Veronica E Pledger

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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10:30 AM

1:20-10569 Michael Henry Moretti and Heather Marie Moretti

Chapter 13

#39.00 Trustee's Motion to dismiss case for failure to make plan payments
fr. 8/10/21

Docket 33

***** VACATED *** REASON: Motion withdrawn 8/25/21 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Henry Moretti

Represented By
Erika Luna

Joint Debtor(s):

Heather Marie Moretti

Represented By
Erika Luna

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

1:20-10619 Reginald Vergial Liddell

Chapter 13

#40.00 Trustee's motion to dismiss case for failure to make plan payments
fr. 5/11/21; 7/13/21

Docket 57

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Reginald Vergial Liddell

Represented By
Rabin J Pournazarian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 301

10:30 AM

1:20-11024 Frank Roy Adame

Chapter 13

#41.00 Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 8/10/21

Docket 44

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Frank Roy Adame

Represented By
Daniel King

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, September 14, 2021

Hearing Room 301

11:00 AM

1:17-11521 Solyman Davidesfahani and Sharzad Davidesfahani

Chapter 13

#42.00 Debtors' Motion for hardship discharge and waiver to file education certificate
fr. 7/13/21

Docket 51

Tentative Ruling:

For the reasons discussed below, the Court will deny the motion for hardship discharge.

I. BACKGROUND

A. Debtor's Bankruptcy Case and Chapter 13 Plan

On June 7, 2017, Solyman Davidesfahani and Sharzad Davidesfahani ("Debtors") filed a chapter 13 petition. In their schedule A/B, Debtors listed total assets in the amount of \$676,800.00 [doc. 1] and, in their amended schedule D, filed on August 5, 2017, Debtors listed total secured debts in the amount of \$481,019.00 [doc. 18].

In their schedule I, filed on June 7, 2017, Debtors stated that they had monthly income in the amount of \$4,173.00, including \$2,300.00 in rental income [doc. 1]. In their amended schedule J, Debtors stated that they have monthly expenses in the amount of \$3,874.79, resulting in a monthly net income of \$298.21 [doc. 17].

On September 21, 2017, the Court entered an order confirming Debtors' first amended chapter 13 plan [doc. 30]. Debtors' confirmed plan has a term of 5 years. It provides for monthly payments of \$264.00 starting on July 7, 2017, then \$297.00 per month from November 7, 2017 until the end of the plan term.

According to Debtors' liquidation analysis, in a chapter 7 case, nonpriority unsecured creditors would receive \$12,102.90, which Debtors represented to be a distribution of 3.44% of the scheduled nonpriority unsecured debt [doc. 19]. Under the confirmed plan, the class of nonpriority unsecured creditors is to receive \$14,281.94.

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CONT... Solyman Davidesfahani and Sharzad Davidesfahani

Chapter 13

On June 7, 2021, Debtors filed a *Motion for Hardship Discharge and Waiver to File Education Certificate* (the "Motion") [doc. 51].

B. The Motion

In the Motion, Debtors request a hardship discharge. Debtors represent that they lost their renter, who was paying \$2,300.00 per month, and that their only other source of income is social security. Specifically, Debtors state that "[d]ue to the loss of this renter, Debtors are unable to continue to make the plan payments in the Chapter 13 and ***do not want to rent*** during this pandemic." Declaration of Solyman and Shazad Davidesfahani [doc. 51], attached to the Motion, ¶ 3 (emphasis added; errors in original).

II. DISCUSSION

A. Legal Standards

11 U.S.C. §1328(b) states that, subject to subsection (d), at any time after the confirmation of the plan and after notice and a hearing, the court may grant a discharge to a debtor that has not completed payments under the plan only if:

- (1) The debtor's failure to complete such payments is due to circumstances for which the debtor should not justly be held accountable;
- (2) The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor had been liquidated under chapter 7 of this title on such date; *and*
- (3) Modification of the plan under section 1329 of this title is not practicable.

The granting of a hardship discharge is a matter for exercise of the court's discretion. *In re Bandilli*, 231 B.R. 836, 838 (1st Cir. B.A.P. 1999). The court must make its

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CONT... Solyman Davidesfahani and Sharzad Davidesfahani Chapter 13

determination on the facts of each individual case. *In re Perkins*, 381 B.R. 530, 537 (Bankr. S.D. Ill. 2007). The debtor bears the burden of proof, and must satisfy the court on all three elements of § 1328(b). *In re Spencer*, 301 B.R. 730, 733 (8th Cir. B.A.P. 2003).

A request for a hardship discharge must be accompanied with evidence that the debtor's failure to complete his plan is due to "circumstances for which the debtor should not justly be held accountable." While the circumstances need not be catastrophic, § 1328(b)(1) is generally interpreted as requiring a showing of involuntary adverse circumstances. Alan N. Resnick and Henry J. Sommer, eds., 8 COLLIER ON BANKRUPTCY, ¶ 1328.03[2][a] (16th ed. 2016).

Courts may consider the following factors to determine whether a debtor should not be held justly accountable for the failure to make plan payments:

- a) whether the debtor has presented substantial evidence that he or she had the ability and intention to perform under the plan at the time of confirmation;
- b) whether the debtor did materially perform under the plan from the date of confirmation until the date of the intervening event or events;
- c) whether the intervening event or events were reasonably foreseeable at the time of confirmation of the Chapter 13 plan;
- d) whether the intervening event or events are expected to continue in the reasonably foreseeable future;
- e) whether the debtor had control, direct or indirect, of the intervening event or events; and
- f) whether the intervening event or events constituted a sufficient and proximate cause for the failure to make the required payments.

Bandilli, 231 B.R. at 840.

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Chapter 13

Pursuant to 11 U.S.C. § 1328(f), a hardship discharge is not available if the debtor has received a discharge—

- (1) in a case filed under chapter 7, 11, or 12 of this title during the 4-year period preceding the date of the order for relief under this chapter, or
- (2) in a case filed under chapter 13 of this title during the 2-year period preceding the date of such order.

Furthermore, pursuant to Federal Rule of Bankruptcy Procedure ("FRBP") 4007(d):

On motion by a debtor for a discharge under §1328(b), the court shall enter an order fixing the time to file a complaint to determine the dischargeability of any debt under §523(a)(6) and shall give no less than 30 days' notice of the time fixed to all creditors in the manner provided in Rule 2002. On motion of any party in interest, after hearing on notice, the court may for cause extend the time fixed under this subdivision. The motion shall be filed before the time has expired.

B. Section 1328(f)

Debtors have filed no prior bankruptcy cases and have received no prior discharges. Thus, pursuant to § 1328(f), Debtors are eligible for a hardship discharge.

C. Section 1328(b)(1)

The legislative history of § 1328(b) indicates that if a debtor suffers severe problems (such as a natural disaster, a long-term layoff, family illness, or accident with attendant medical bills) that make plan modification impracticable, the debtor should not be held accountable for his failure to make plan payments. *See* H.R. Rep. No. 95-595, 95th Cong. 1st Sess. 128 (1977). Such "determination of whether a debtor is justly accountable for his or her failure to make payments under his or her Chapter 13 plan is necessary fact-driven, with the emphasis properly focused on the nature and

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Chapter 13

quality of the intervening event or events upon which the debtor relies." *In re Bandilli*, 231 B.R. at 840.

Here, despite satisfying some of the *Bandilli* factors, Debtors have not satisfied 11 U.S.C. § 1328(b)(1). Debtors materially performed under their chapter 13 plan for over three years. At the time of plan confirmation, the circumstances surrounding Covid-19 were not reasonably foreseeable. Debtors, however, have not shown that Covid-19 is expected to continue in the foreseeable future, as well as constitutes a sufficient and proximate cause for their inability to continue to make plan payments.

In their declaration, Debtors state that they do not want to rent a portion of their house because of the pandemic; this means that Debtors have *decided* not to generate that rental income. Debtors have not explained why they cannot rent to an individual who is fully vaccinated, nor have they demonstrated that they have underlying health problems which prevent them from renting.

Under these facts, Debtors have failed to demonstrate that their inability to make plan payments going forward is from circumstances beyond their control. *See In re Dior*, 2017 Bankr. LEXIS 1046 (Bankr. S.D. Ind. Apr. 14, 2017) ("[W]here a debtor is unable to complete payments under a chapter 13 plan due to economic circumstances beyond the debtor's control that did not exist nor were foreseeable at the time of confirmation of the plan, and where the debtor has made serious efforts to overcome those circumstances but is unable to complete his or her plan payments, the requirement of § 1328(b)(1) has been met.").

D. Section 1328(b)(2)

Debtors have not shown that the value of property which Debtors already have distributed under their confirmed plan is not less than the amount that would have been paid to unsecured creditors in a hypothetical chapter 7 liquidation. Debtors' plan states that that the amount which would be distributed to nonpriority unsecured creditors through a chapter 7 case is \$12,102.90 [doc. 19].

Based on the chapter 13 trustee's periodic accounting report for June 2021 [doc. 59], Debtors have paid \$10,366.72 to nonpriority unsecured creditors. This amount is less than the \$12,102.90 that nonpriority unsecured creditors would have received in

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chapter 7. Accordingly, nonpriority unsecured creditors have not received as much as they would have in a hypothetical chapter 7 liquidation. Therefore, Debtors have not satisfied § 1328(b)(2).

E. Section 1328(b)(3)

Plan modification does not appear impracticable. In their schedule I, Debtors indicated that their combined monthly income was \$4,173.00; \$2,300.00 of that amount was rental income [doc. 1]. In their amended schedule J, Debtors indicated that their monthly net income was \$298.21 [doc. 17]. Without having a renter paying \$2,300.00 per month, Debtors' income is insufficient to make their plan payments.

However, as discussed above, Debtors' inability to make plan payments apparently arises from their refusal to continue to rent part of their home, in order to generate rental income. Moreover, if the pandemic is the cause of Debtors' loss of rental income, Debtors have not shown why they cannot modify their plan under the Cares Act to suspend plan payments and extend their plan term beyond five years. Accordingly, it appears that Debtors have not satisfied § 1328(b)(3).

III. CONCLUSION

The Court will deny the Motion.

The Court will prepare the order.

Party Information

Debtor(s):

Solyman Davidesfahani

Represented By
Ali R Nader

Joint Debtor(s):

Sharzad Davidesfahani

Represented By
Ali R Nader

Movant(s):

Solyman Davidesfahani

Represented By
Ali R Nader

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Tuesday, September 14, 2021

Hearing Room 301

11:00 AM

CONT... Solyman Davidesfahani and Sharzad Davidesfahani

Chapter 13

Sharzad Davidesfahani

Represented By
Ali R Nader
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Tuesday, September 14, 2021

Hearing Room 301

11:00 AM

1:20-10569 Michael Henry Moretti and Heather Marie Moretti

Chapter 13

#43.00 Debtors' Motion for order disallowing claim number 19 filed by
BH Financial Group LLC.

Docket 40

Tentative Ruling:

Grant.

Movants must submit the order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movants is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movants will be so notified.

Party Information

Debtor(s):

Michael Henry Moretti

Represented By
Erika Luna

Joint Debtor(s):

Heather Marie Moretti

Represented By
Erika Luna

Movant(s):

Michael Henry Moretti

Represented By
Erika Luna

Heather Marie Moretti

Represented By
Erika Luna

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Tuesday, September 14, 2021

Hearing Room 301

11:00 AM

1:20-12087 Harry D Cleeland, III

Chapter 13

#44.00 Motion to Amend Order Granting Debtor's Motion for Authority to Sell Real Property entered on 02/26/21 (Docket #46) To Correct Errors and Omissions

Docket 102

Tentative Ruling:

The Court will set a briefing schedule regarding the chapter 13 trustee's entitlement to fees based on real property sale proceeds that were distributed directly from escrow to pay secured claims.

Party Information

Debtor(s):

Harry D Cleeland III

Represented By
Edmond Richard McGuire

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Tuesday, September 14, 2021

Hearing Room 301

11:00 AM

1:20-12087 Harry D Cleeland, III

Chapter 13

#45.00 Motion to Amend Order Granting Debtor's Motion for Authority to Sell Real Property entered on 03/04/21 (Docket #52) to Correct Errors and Omissions

Docket 105

Tentative Ruling:

The Court will set a briefing schedule regarding the chapter 13 trustee's entitlement to fees based on real property sale proceeds that were distributed directly from escrow to pay secured claims.

Party Information

Debtor(s):

Harry D Cleeland III

Represented By
Edmond Richard McGuire

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Tuesday, September 14, 2021

Hearing Room 301

11:00 AM

1:21-10143 Alda M Lutz

Chapter 13

#46.00 Debtor's Objection to Proof of Claim Number 1 of
J.P. Morgan Mortgage Acquisition Corp.

Docket 41

Tentative Ruling:

Given that J.P. Morgan Acquisition Corp. ("JPMorgan") recently provided, with JPMorgan's opposition, detailed invoices regarding the attorneys' fees that are included as prepetition arrears in JPMorgan's proof of claim [Exs. I and J, doc. 45], does the debtor intend to make any specific objections to the *reasonableness* of those attorneys' fees?

Party Information

Debtor(s):

Alda M Lutz

Represented By
William R Cumming

Movant(s):

Alda M Lutz

Represented By
William R Cumming

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se