

UNITED STATES BANKRUPTCY COURT

Middle District of Florida

In re Whitney, Randall
Debtor

Case No. 3:09-bk-10170-PMG
Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: BAYVIEW LOAN SERVICING, LLC

Court claim no. (if known): 13-1

Last four digits of any number you use to identify the debtor's account: 4 1 4 4

Date of payment change: 3/1/2013
Must be at least 21 days after date of this notice mm/dd/yyyy

New total payment: \$ 1,348.29
Principal, interest, and escrow, if any

Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?

- No
- Yes Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: _____

Current escrow payment: \$ _____ New escrow payment: \$ _____

Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

- No
- Yes Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: 8.24 % New interest rate: 8.24 %
Current principal and interest payment: \$ 1,197.54 New principal and interest payment: \$ 1,197.54

Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?

- No
- Yes Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____
Current mortgage payment: \$ _____ New mortgage payment: \$ _____

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

- I am the creditor.
- I am the creditor's authorized agent.
(Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

x Allison D Thompson
 Signature

Date 02/14/2013
 mm/dd/yyyy

Print: Allison D. Thompson
 First Name Middle Name Last Name

Title Bankruptcy Attorney

Company Law Offices of Daniel C. Consuegra, P.L.

Address 9204 King Palm Drive
 Number Street
Tampa, FL 33619
 City State ZIP Code

Contact phone (813) 915-8660

Email Allison.Thompson@consuegralaw.com



BAYVIEW
Loan Servicing

2/5/2013

RANDALL WHITNEY
VIRGINIA WHITNEY
PO BOX 290489
PORT ORANGE, FL, 321290489

NOTICE OF RATE ADJUSTMENT

Re: Loan ID: 4144

Dear Mortgagor (s):

This is notification of an interest rate adjustment to your loan. This adjustment is pursuant to the terms of your loan contract. It is not a waiver of any of the mortgage holder's rights. The mortgage holder reserves all its rights under the terms of the loan contract, including, but not limited to, its rights should you currently be in default.

INTEREST RATE INFORMATION:

CURRENT INDEX RATE:	3.2500 %	NEW INDEX RATE:	3.2500 %
MARGIN:	4.9900 %	MARGIN:	4.9900 %
CURRENT INT RATE:	8.2400 %	NEW INT RATE:	8.2400 %
CURRENT P & I :	\$1,197.54	NEW P & I :	\$1,197.54
CURRENT TOTAL PYMT:	\$1,348.29	NEW TOTAL PYMT:	\$1,348.29

Your payment is not due to be adjusted at this time. The change in your rate is calculated by adding the margin agreed upon in your note to the new index. The calculated interest rate is then rounded according to the terms of your note to arrive at the new rate shown above.

LOAN ACCOUNT INFORMATION:

INTEREST RATE CHANGE DATE:	2/1/2013
P & I PAYMENT CHANGE DATE:	3/1/2013
PROJECTED UNPAID PRINCIPAL BALANCE:	\$67,646.03

Your new interest rate and your new principal and interest payment will continue to be in effect until your next scheduled payment change date.

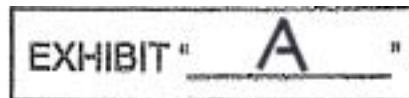
NEXT INT RATE CHG DATE: 8/1/2013 NEXT P&I CHG DATE: 9/1/2013

If you have any questions regarding this notice, please call Elaine Mitchell, Customer Service Manager or the Special Loans Department at (800) 457-5105 between 8:00 a.m. and 7:00 p.m. , (Eastern Time), Monday through Friday.

Sincerely,

Special Loans Department

4425 Ponce de Leon Blvd. / 5th Floor / Coral Gables, FL 33146 / Tel: (800) 457-5105



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In Re:

RANDALL B WHITNEY
VIRGINIA B WHITNEY

CASE NO. 3:09-BK-10170-PMG
CHAPTER 13

Debtor(s)

_____ /

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing with attachments has been served either by electronic or standard first class mail this 15th day of February, 2013 to RANDALL B WHITNEY, 820 INDIGO COURT, PORT ORANGE, FL 32129; VIRGINIA B WHITNEY, 820 INDIGO COURT, PORT ORANGE, FL 32129; AARON R WOLFE, ESQUIRE, P. O. DRAWER 15110, DAYTONA BEACH, FL 32115; AND DOUGLAS NEWAY, TRUSTEE, P O BOX 4308, JACKSONVILLE, FL 32201

/s/ Allison D. Thompson

Law Offices of Daniel C. Consuegra, P.L.

X Allison D. Thompson/Florida Bar #36981

Kevin A. Comer/Florida Bar #55553

Steve D. Tran/Florida Bar #14822

Ashley L. Sigrist/Florida Bar #95068

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Attorney for Creditor