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Hon. Benjamin P. Hursh
U.S. Bankruptcy Court
400 N. Main St. Second Floor
Butte, MT 59701
(406) 497-1240

Grant Kelly
Ugrin Alexander Zadick, PC
#2 Railroad Square, Ste. B
Great Falls, MT 59401
(406) 771-0007

Disposition of Real Property in Bankruptcy for Title Agents

INTRODUCTION: This presentation considers how bankruptcy may affect interests in real property including, lien avoidance, sale of real property that is property of the estate, sale of real property post confirmation pursuant to a confirmed plan and abandoned property.

Introduction

- Sales of real property during bankruptcy, pursuant to a confirmed plan, and lien avoidance are critical features of bankruptcy that impact title.

Why People file Bankruptcy

- Policy and purpose of bankruptcy

Bankruptcy Basics for Title Agents

- Liquidation, Reorganization concepts

- Case Administration

- Post petition to Discharge or Confirmation

Sale of real property

- Pursuant to 11 U.S.C. § 363, (b) & (f)

- Pursuant to a confirmed plan

Lien Avoidance pursuant to 11 U.S.C. § 522(f)

Abandoned property

Questions