



Testing of Bankruptcy Periodic Statement Forms for Mortgage Servicing

February 2016



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1.0 Introduction

1.1 Purpose of Testing

In July 2010, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act). Section 1420 of the Dodd-Frank Act amended the Truth in Lending Act (TILA) to require that a creditor, assignee, or servicer of any residential mortgage loan—a closed-end credit transaction secured by a dwelling—provide a periodic statement to the borrower for each billing cycle. The Dodd-Frank Act required the Federal Reserve Board and, subsequently, the Consumer Financial Protection Bureau (the CFPB or Bureau), to prescribe standard form(s) for the required disclosure, taking into account that the statements might be transmitted in writing or electronically.¹

On January 17, 2013, the CFPB issued amendments to Regulation Z, TILA’s implementing regulation, to implement the periodic statement requirements and related exemptions.² The CFPB prescribed three sample periodic statement forms,³ developed and validated through, among other things, three rounds of consumer testing.⁴ On October 15, 2013, the CFPB amended Regulation Z to create an exemption from the periodic statement requirement when any borrower on a mortgage loan is in bankruptcy or has discharged personal liability for a mortgage loan through bankruptcy.⁵

On November 20, 2014, the CFPB issued a Notice of Proposed Rulemaking (NPRM) in which it proposed to revise Regulation Z’s bankruptcy exemption from providing periodic statements. The NPRM proposed that, with certain exceptions, a creditor, assignee, or servicer would be required to provide periodic statements to mortgage loan borrowers who are in bankruptcy or who have discharged personal liability for a mortgage loan through bankruptcy. The NPRM included two proposed sample periodic statement forms for such borrowers: one tailored to borrowers who are debtors in Chapters 7 or 11 of the Bankruptcy Code (or who have discharged personal liability for a mortgage loan), and one tailored to borrowers who are debtors in Chapters 12 or 13 of the Bankruptcy Code. For simplicity, this report refers to these as the Chapter 7 and Chapter 13 forms, respectively. The proposed Chapter 7 and Chapter 13 forms’ initial design, statements, and language were informed by (and in some aspects were identical to) the CFPB’s existing sample periodic statement

¹ The Board’s authority to develop standard forms and its responsibility for implementing TILA transferred to CFPB on July 21, 2011. See Dodd-Frank Act, secs. 1061(b)(1), 1420.

² See 78 FR 10695 (Feb. 14, 2013); see also 12 CFR 1026.41.

³ See Regulation Z, Appendix H-30(A) through (C).

⁴ The CFPB published a report summary of the findings of the consumer testing. ICF Int’l, Inc., *Summary of Findings: Design and Testing of Mortgage Servicing Disclosures* (Aug. 2012), available at <http://www.regulations.gov/#!documentDetail;D=CFPB-2012-0033-0003>.

⁵ See 78 FR 62993 (Oct. 13, 2013); see also 12 CFR 1026.41(e)(5).

forms, which were developed and tested in 2012. The proposed forms also included some modified or new disclosures to account for the borrower’s bankruptcy status. In the 2014 NPRM, the CFPB stated that it would conduct consumer testing on the proposed Chapter 7 and Chapter 13 forms before issuing the final rule.

Following publication of the NPRM, the CFPB contracted with Fors Marsh Group (FMG) to assist in the development and testing of bankruptcy-specific periodic statement forms, including exploring consumers’ perceptions and comprehension of bankruptcy-specific disclosures. Bankruptcy-specific forms were tested through three rounds of in-depth cognitive consumer interviews. The first round tested the proposed Chapter 7 and Chapter 13 forms as well as revised forms that were modified in response to public comments the CFPB received on the NPRM. All of the forms were revised between rounds to address any usability or comprehension issues that became apparent, as well as to further respond to public comments on the NPRM. The testing was designed to ensure that the forms used plain language comprehensible to consumers, contained clear format and design, and effectively communicated information to the consumer, while preserving most elements of the existing, previously tested sample periodic statement forms.

1.2 Methodology

FMG conducted 51 one-on-one interviews across three groups: (1) 28 individuals with Chapter 7 bankruptcy experience; (2) 18 individuals with Chapter 13 bankruptcy experience; (3) one individual with Chapter 11 bankruptcy experience; and (4) four individuals with no prior bankruptcy experience.⁶ Each interview lasted approximately 60 minutes and was based on an interview guide developed collaboratively between FMG and CFPB staff. Each interview began with a series of introductory questions about the participant’s experiences with mortgages and bankruptcy. Participants who had filed for Chapter 7 bankruptcy were generally asked to review the Chapter 7 forms, while participants who had filed for Chapter 13 bankruptcy were asked to review the Chapter 13 forms.⁷ Participants were asked to review the forms just as they would have had they received them in the mail. During this portion of the interview, the interviewer asked participants to “think aloud” as they reviewed the forms and to comment on any information that stood out to them or that seemed confusing or unclear.

⁶ One Round 1 Chapter 13 participant reported filing for both Chapters 7 and 13, with the Chapter 13 filing being more recent. Another Round 1 Chapter 13 participant initially filed for Chapter 13, but the case converted to Chapter 7. Both of these individuals are counted among those with Chapter 13 experience in the above totals.

⁷ In the case that participants had experience with more than one chapter of bankruptcy, preference was given to their Chapter 13 experience. One participant who had never filed for bankruptcy reviewed the Chapter 7 statements, while the remaining three participants with no bankruptcy experience reviewed the Chapter 13 statements.

After participants reviewed the forms, they were asked a series of questions to measure their understanding of the content. At the end of each interview, the interviewer consulted with CFPB and FMG observers to identify any useful follow-up questions.

Interviews took place in three locations: Arlington, Virginia, during the week of May 26, 2015; Fort Lauderdale, Florida, during the week of July 13, 2015; and Chicago, Illinois, during the week of August 3, 2015. Seventeen interviews were completed at each location, with a total of 26 participants reviewing the Chapter 7 forms (“Chapter 7 Participants”) and 25 participants reviewing the Chapter 13 forms (“Chapter 13 Participants”). See Table 1 for a more specific breakdown.

Table 1. Number and types of interviews at each location.

Testing Round	Location	Chapter 7 Participants	Chapter 13 Participants
1	Arlington	9	8
2	Fort Lauderdale	10	7
3	Chicago	7	10

Participants were recruited via social media, panel lists, and public bankruptcy records. Potential participants completed a screener, either on the internet or over the phone, which gathered general background information regarding their bankruptcy and mortgage experiences. Preference was given to those respondents who had filed for bankruptcy, who have or had a mortgage (preferably when they filed for bankruptcy), and who had trouble making mortgage payments within the past two years. To increase the potential sample, participants meeting one or more, but not all, of the criteria were also included. Among respondents who did not meet all screening criteria, preference was given to those who had bankruptcy experience, even if they had not previously had a mortgage. As such, participants were chosen primarily based on their experiences in bankruptcy and mortgages, and secondarily to ensure demographic variation. Ultimately, 47 of 51 participants had filed for bankruptcy (40 of those individuals had a mortgage when they filed), and 42 of the 51 participants reported that they had had trouble making mortgage payments within the last two years.

One major limitation of this research was that the context in which these forms were tested differed meaningfully from the context in which they were used. Participants were placed in a hypothetical scenario of having a mortgage while undergoing a specific chapter of bankruptcy. In some cases, this led to confusion because, unlike a consumer who is familiar with the terms of his or her mortgage and how it is treated under the bankruptcy plan, (1) participants were inferring information from the form about *both* the mortgage and their bankruptcy case; (2) not all participants had a mortgage while in bankruptcy; (3) not all

participants were delinquent on their mortgages when they filed for bankruptcy; and (4) not all participants had bankruptcy experience. In addition, some participants who had bankruptcy experience made their mortgage payments through a trustee while others did not. Outside of testing, however, borrowers receiving these forms may be aware of the specifics of their bankruptcy case and mortgage status. Thus, the results presented are on form comprehension under a hypothetical situation. This type of limitation exists in any similar testing, and the results of testing were interpreted with this in mind.

Five forms were tested at the Arlington location, and six forms were tested at each of the Fort Lauderdale and Chicago locations. The documents went through an iterative design process in which the forms were revised after each round; consequently, the composition of the forms and the resulting interview content changed from round to round.

Forms were tested for comprehension, perceived utility, and attitudinal reactions. Copies of all of the forms tested can be found in Appendices A, B, and C.

1.3 Forms

The Chapter 7 and Chapter 13 forms tested were designed to be given to consumers each billing cycle, providing information about their loans. Each form was printed on a single, legal-sized page. Among other pieces of information, the forms included:

- A “Bankruptcy Notice” or similar disclosure, consisting of a narrative statement acknowledging the consumer’s status as a debtor in bankruptcy or the discharged nature of the mortgage loan and advising that the periodic statement was being sent for informational purposes only;
- A summary of general account information, such as the principal obligation, interest rate, and whether there is a prepayment penalty;
- The amount of and due date for the next payment;
- A breakdown of current and past payments by principal, interest, escrow, and fees;
- A description of recent transaction activity, including payments received and the itemization of fees and charges;
- An Important Messages box;⁸ and
- A payment coupon that consumers could return with a payment by mail.

⁸ The Chapter 13 forms tested in Round 1 did not include an Important Messages box. All of the other forms tested in Rounds 1 through 3 did include an Important Messages box.

The Chapter 7 forms also included a listing of recent, unpaid periodic payments and a reference to mortgage counseling assistance, which would be included for consumers who are delinquent on their mortgage loans. The Chapter 13 forms generally set forth the current balance of any arrearage that existed on the mortgage loan before the consumer filed for bankruptcy (the “pre-petition arrearage”), as well as recent payments that reduced the arrearage.

The information on the forms was organized by grouping-related concepts and information together into boxes, each of which had a short but descriptive heading (e.g., “Account Information” or “Explanation of Payment Amount”).

1.3.1 Generalized Differences Across Forms

Within each round, the forms varied primarily in the content and presentation of information about the loan’s bankruptcy status, the amount due, and the application of payments. Detailed differences between rounds are described in subsequent sections of this report.

1.4 Report Structure

This report discusses chronologically the findings and issues encountered during testing. Section 2.0 covers Round 1; Section 4.0 covers Round 2; and Section 6.0 covers Round 3. Section 3.0 diagrams the changes between Rounds 1 and 2 while Section 5.0 diagrams the changes between Rounds 2 and 3. Findings for each aspect of the forms are presented separately. The discussion of each round of testing includes detailed graphics cataloging the differences in the forms specific to that round.

2.0 Round 1

2.1 Forms and Methodology

Round 1 was held in Arlington, Virginia. The Chapter 7 forms presented a scenario in which the consumer was behind on mortgage payments. The consumer had made a partial payment during the prior billing cycle and had been charged a late fee for not making the full payment by the end of the grace period. The consumer also had been charged a property inspection fee.

Two Chapter 7 forms were tested: the Proposed Form from the NPRM and a Current Pay Form. (The forms can be found in Appendix A.) As shown in the figures in Section 2.2, major differences between the forms included:

- 1) The presentation and content of the Bankruptcy Notices varied. On the Proposed Form, the Bankruptcy Notice was displayed within a box, whereas the Current Pay

Form did not have a box. The Current Pay Form changed the order and precise wording of the information in the Bankruptcy Notice.

- 2) The Payment Amount on the Proposed Form included all outstanding amounts (i.e., the regular monthly payment due, all fees, and past unpaid amounts). The Payment Amount on the Current Pay Form included only the amount of the regular monthly payment and fees due (but not past unpaid amounts). This reduced Payment Amount was used primarily to determine whether participants reading this disclosure would still understand that they were behind on the mortgage and the amount they believe they should pay. The Current Pay Form had an additional disclaimer under the Payment Amount at the top of the form, noting that the Payment Amount did not include any past due amounts.
- 3) The Proposed and Currency Pay Forms used different language in the disclaimer on the payment coupon at the bottom of the form.

The Chapter 7 forms presented a scenario in which the consumer was behind on mortgage payments. The consumer had made a partial payment during the prior billing cycle and had been charged a late fee for not making the full payment by the end of the grace period. The consumer also had been charged a property inspection fee. As discussed above, the forms presented the payment amount differently and also differed in the presentation and wording of the Bankruptcy Notice and disclaimer on the payment coupon.

Three Chapter 13 forms were included in Round 1: the Proposed Form, a Revised Form, and a Principal and Interest (P&I) Form (See Appendix A). As shown in the figures in Section 2.3, major differences between the forms included:

- 1) The Bankruptcy Notice in the Proposed Form had a box around it, whereas the Revised Form did not have a box.
- 2) The Bankruptcy Notice statement, the disclaimer in the Payment Amount box, and the disclaimer on the payment coupon were all worded slightly differently in the Revised Form than they were in the P&I and Proposed Forms.
- 3) The forms referenced the pre-petition arrearage in different ways, with the Proposed Form referring to this section as “Pre-Petition Arrearage” and the Revised Form and the P&I Form referring to it as “Pre-Bankruptcy Debt (Arrearage).”

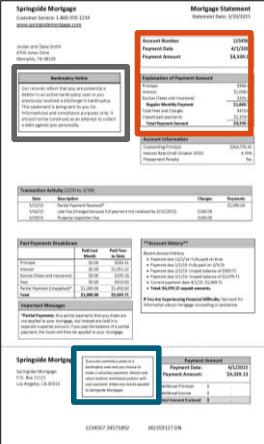
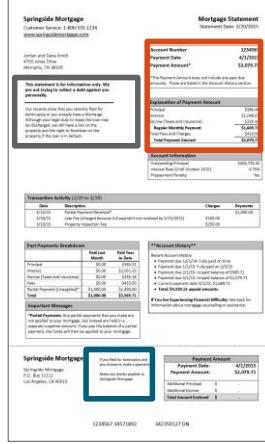
The P&I Form was not tested directly but was instead involved in a separate activity. It was identical to the Revised Form except that it reflected the mortgage loan account information that would be disclosed on a statement provided to the borrower the following month.

The Chapter 13 forms presented a scenario in which the consumer was behind on mortgage payments when the consumer filed for bankruptcy. The forms showed two payments from the previous month: one to pay the pre-petition arrearage and one to pay the regular periodic payment due under the mortgage loan (i.e., the “post-petition payment”). In Round

1, Chapter 13 Participants also engaged in an activity in which they compared a form reflecting the account information as of April 2015 to a second form reflecting the account information as of May 2015. Participants were asked if they noticed any differences between the principal-interest breakdown of the payment due on the April 2015 form with how that payment was applied the following month.

2.2 Form Difference Overview: Chapter 7

Form Difference Overview

 <p>Proposed Form</p>	 <p>Current Pay Form</p>
<p>1 Message format and content changed</p> <p>2 Payment Amount changed</p> <p>3 Coupon disclaimer content changed</p>	

1 Message format and content changed

<p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>Bankruptcy Notice</p> <p>Our records reflect that you are presently a debtor in an active bankruptcy case or you previously received a discharge in bankruptcy. This statement is being sent to you for informational and compliance purposes only. It should not be construed as an attempt to collect a debt against you personally.</p> </div>	<p>Account Number Payment Date Payment Amount</p> <p>1234567 4/1/2015 \$4,339.13</p> <p>Explanation of Payment Amount</p> <table border="1" style="margin-top: 10px;"> <tr><td>Principal</td><td>\$386.46</td></tr> <tr><td>Interest</td><td>\$1,048.07</td></tr> <tr><td>Escrow (Taxes and Insurance)</td><td>\$235.18</td></tr> <tr><td>Regular Monthly Payment</td><td>\$1,669.71</td></tr> <tr><td>Total Fees and Charges</td><td>\$410.00</td></tr> <tr><td>Unpaid past payments</td><td>\$2,259.42</td></tr> <tr><td>Total Payment Amount</td><td>\$4,339.13</td></tr> </table> <p>Account Information</p> <table border="1" style="margin-top: 10px;"> <tr><td>Outstanding Principal</td><td>\$264,776.43</td></tr> <tr><td>Interest Rate (Until October 2015)</td><td>4.75%</td></tr> <tr><td>Prepayment Penalty</td><td>Yes</td></tr> </table>	Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$410.00	Unpaid past payments	\$2,259.42	Total Payment Amount	\$4,339.13	Outstanding Principal	\$264,776.43	Interest Rate (Until October 2015)	4.75%	Prepayment Penalty	Yes
Principal	\$386.46																				
Interest	\$1,048.07																				
Escrow (Taxes and Insurance)	\$235.18																				
Regular Monthly Payment	\$1,669.71																				
Total Fees and Charges	\$410.00																				
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Total Payment Amount	\$4,339.13																				
Outstanding Principal	\$264,776.43																				
Interest Rate (Until October 2015)	4.75%																				
Prepayment Penalty	Yes																				

The Bankruptcy Notice in the Proposed Form was all non-bolded and contained in a box (top), whereas in the Current Pay Form, the *for information only* statement was bolded and the box was removed (bottom). Additionally, the Current Pay Form changed the order and precise wording of the information in the Bankruptcy Notice.

<p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>This statement is for information only. We are not trying to collect a debt against you personally.</p> <hr/> <p>Our records show that you recently filed for bankruptcy or you already have a discharge. Although your legal duty to repay the loan may be discharged, we still have a lien on the property and the right to foreclose on the property if the loan is in default.</p> </div>	<p>Account Number Payment Date Payment Amount*</p> <p>1234567 4/1/2015 \$2,079.71</p> <p>*The Payment Amount does not include any past due amounts. Those are listed in the Account History section.</p> <p>Explanation of Payment Amount</p> <table border="1" style="margin-top: 10px;"> <tr><td>Principal</td><td>\$386.46</td></tr> <tr><td>Interest</td><td>\$1,048.07</td></tr> <tr><td>Escrow (Taxes and Insurance)</td><td>\$235.18</td></tr> <tr><td>Regular Monthly Payment</td><td>\$1,669.71</td></tr> <tr><td>Total Fees and Charges</td><td>\$410.00</td></tr> <tr><td>Total Payment Amount</td><td>\$2,079.71</td></tr> </table> <p>Account Information</p> <table border="1" style="margin-top: 10px;"> <tr><td>Outstanding Principal</td><td>\$264,776.43</td></tr> <tr><td>Interest Rate (Until October 2015)</td><td>4.75%</td></tr> <tr><td>Prepayment Penalty</td><td>Yes</td></tr> </table>	Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$410.00	Total Payment Amount	\$2,079.71	Outstanding Principal	\$264,776.43	Interest Rate (Until October 2015)	4.75%	Prepayment Penalty	Yes
Principal	\$386.46																		
Interest	\$1,048.07																		
Escrow (Taxes and Insurance)	\$235.18																		
Regular Monthly Payment	\$1,669.71																		
Total Fees and Charges	\$410.00																		
Total Payment Amount	\$2,079.71																		
Outstanding Principal	\$264,776.43																		
Interest Rate (Until October 2015)	4.75%																		
Prepayment Penalty	Yes																		

2 Payment Amount changed

Account Number	1234567
Payment Date	4/1/2015
Payment Amount	\$4,339.13

Explanation of Payment Amount

Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$410.00
Unpaid past payments	\$2,259.42
Total Payment Amount	\$4,339.13

Account Number	1234567
Payment Date	4/1/2015
Payment Amount*	\$2,079.71

*The Payment Amount does not include any past due amounts. Those are listed in the Account History section.

The Payment Amount on the Proposed Form (left) included all outstanding amounts, while the Payment Amount on the Current Pay Form (right) included only the regular monthly payment due and fees. The Current Pay Form also featured a disclaimer explaining that the Payment Amount did not include past unpaid amounts.

3 Coupon disclaimer content changed

Springside Mortgage Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010	<i>If you are currently a party in a bankruptcy case and you choose to make a voluntary payment, detach and return bottom remittance portion with your payment. Make any checks payable to Springside Mortgage.</i>	Payment Amount Payment Date: 4/1/2015 Payment Amount: \$4,339.13 Additional Principal \$. Additional Escrow \$. Total Amount Enclosed \$.
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Springside Mortgage Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010	<i>If you filed for bankruptcy and you choose to make a payment: Make any checks payable to Springside Mortgage.</i>	Payment Amount Payment Date: 4/1/2015 Payment Amount: \$2,079.71 Additional Principal \$. Additional Escrow \$. Total Amount Enclosed \$.
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The coupon disclaimer on the Proposed Form was displayed in only one paragraph (top), while the Current Pay Form had two paragraphs (bottom). Additionally, the Current Pay Form used different, more concise language in the coupon disclaimer.

2.3 Form Difference Overview: Chapter 13

Form Difference Overview

The Proposed Form Mortgage Statement includes a 'Bankruptcy Notice' box at the top left. The notice states: "Our records reflect that you are presently a debtor in an active bankruptcy case or you previously received a discharge in bankruptcy. This statement is being sent to you for informational and compliance purposes only. It should not be construed as an attempt to collect a debt against you personally." Below this, there is a 'Payment Amount' section with fields for 'Post-Petition Payment Date' (4/1/2015) and 'Post-Petition Payment Amount' (\$1,939.94). A 'Transaction Activity' table shows transaction details. A 'Post-Petition Payments Breakdown' table provides a breakdown of payments. At the bottom, there is a 'Springside Mortgage' logo and contact information.

Proposed Form

The Current Pay Form Mortgage Statement includes a 'Bankruptcy Notice' box at the top left. The notice states: "This statement is for information only. We are not trying to collect a debt against you personally." Below this, there is a 'Payment Amount' section with fields for 'Post-Petition Payment Date' (4/1/2015) and 'Post-Petition Payment Amount' (\$1,939.94). A 'Transaction Activity' table shows transaction details. A 'Post-Payments Summary' table provides a breakdown of payments. At the bottom, there is a 'Springside Mortgage' logo and contact information.

Current Pay Form

1 Message format and content changed

2 Payment Amount disclaimer content changed

3 Payment coupon disclaimer content changed

4 Pre-Petition header and content changed

1 Message format and content changed

The Proposed Form Bankruptcy Notice box contains the following text: "Our records reflect that you are presently a debtor in an active bankruptcy case or you previously received a discharge in bankruptcy. This statement is being sent to you for informational and compliance purposes only. It should not be construed as an attempt to collect a debt against you personally." Below this, there is a 'Payment Amount' section with fields for 'Post-Petition Payment Date' (4/1/2015) and 'Post-Petition Payment Amount' (\$1,939.94). A 'Transaction Activity' table shows transaction details. A 'Post-Petition Payments Breakdown' table provides a breakdown of payments. At the bottom, there is a 'Springside Mortgage' logo and contact information.

The Current Pay Form Bankruptcy Notice box contains the following text: "This statement is for information only. We are not trying to collect a debt against you personally." Below this, there is a 'Payment Amount' section with fields for 'Post-Petition Payment Date' (4/1/2015) and 'Post-Petition Payment Amount' (\$1,939.94). A 'Transaction Activity' table shows transaction details. A 'Post-Payments Summary' table provides a breakdown of payments. At the bottom, there is a 'Springside Mortgage' logo and contact information.

The Proposed Form Bankruptcy Notice box contains the following text: "Our records show that you recently filed for bankruptcy or you already have a discharge. Although your legal duty to repay the loan may be discharged, we still have a lien on the property and the right to foreclose on the property if the loan is in default. You should know that the information on this statement may not be up to date. For instance, it may not show payments you already made to the Trustee. If you have any questions about your payments, contact the Trustee or your attorney."

The Current Pay Form Bankruptcy Notice box contains the following text: "Your records show that you recently filed for bankruptcy or you already have a discharge. Although your legal duty to repay the loan may be discharged, we still have a lien on the property and the right to foreclose on the property if the loan is in default. You should know that the information on this statement may not be up to date. For instance, it may not show payments you already made to the Trustee. If you have any questions about your payments, contact the Trustee or your attorney."

The Bankruptcy Notice in the Proposed Form was non-bolded and contained in a box (top), whereas in the Current Pay Form, the *informational purposes* statement was bolded and the box was removed (bottom). Additionally, the Current Pay Form split the content into more paragraphs than the Proposed Form and rearranged some of the content.

2 Payment Amount disclaimer content changed

Account Number	1234567
Post-Petition Payment Date	4/1/2015
Post-Petition Payment Amount	\$1,939.94
Under your bankruptcy plan, the Trustee may be making payments on your mortgage and other debts. You should contact the Trustee or your attorney if you have any questions about who is responsible for your mortgage payments.	
Account Number	1234567
Payment Date	4/1/2015
Payment Amount	\$1,939.94
Your bankruptcy plan may require you to send your mortgage payments to a Trustee instead of to us. If you have questions about where to send your payment, contact the Trustee or your attorney.	

The disclaimers on the Proposed Form (left) and Revised Form (right) both stated essentially the same information, but they used different wording.

3 Payment coupon disclaimer content changed

Springside Mortgage Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010	If your bankruptcy plan requires you to make your ongoing post-petition mortgage payments directly to a bankruptcy Trustee, then do not send your payment to us. Rather, send your payment to the Trustee as directed in your bankruptcy plan.	Payment Amount Post-Petition Payment Date: 4/1/2015 Post-Petition Payment Amount: \$1,939.94 Additional Principal \$. Additional Escrow \$. Total Amount Enclosed \$.
Springside Mortgage Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010	If your bankruptcy plan requires you to send your mortgage payments to a Trustee, then DO NOT send your payment to us. Instead, send your payment to the Trustee. Make any checks payable to Springside Mortgage.	Payment Amount Payment Date: 4/1/2015 Payment Amount: \$1,939.94 Additional Principal \$. Additional Escrow \$. Total Amount Enclosed \$.

The payment coupon disclaimer on the Proposed Form was displayed in only one paragraph (top), while the Revised Form had two paragraphs (bottom). Additionally, the Revised Form also informed borrowers how to make checks payable.

4 Pre-Petition header and content changed

Pre-Petition Arrearage Payments		
Paid Last Month	Paid Year to Date	Current Balance of Pre-Petition Arrearage
\$336.43	\$1,009.29	\$10,093.00

Pre-Bankruptcy Debt (Arrearage)		
Paid Last Month	Total Paid During Bankruptcy	Current Balance of Pre-Bankruptcy Debt (Arrearage)
\$336.43	\$2,018.60	\$10,093.00

The Proposed Form referred to the “Pre-Petition Arrearage” whereas the Revised Form referred to the “Pre-Bankruptcy Debt.” The Proposed Form also informed users of how much they had paid towards this debt year-to-date, while the Revised Form informed users of how much they had paid towards this debt during the entire bankruptcy case.

2.4 Participants' Experience with Mortgages and Bankruptcy

As discussed in the Methodology section above, the vast majority of participants had experience with having a mortgage while in bankruptcy. In Round 1, 14 of 17 participants reported that they had a mortgage when they filed for bankruptcy. Eight of those participants said that they gave up the house while in (or near) bankruptcy, while six participants kept their homes through the bankruptcy process.

Participants generally expressed positive sentiments towards receiving these forms, particularly if they were trying to keep their homes. Some examples of positive comments included:

- “I don’t know why anybody would *not* want to receive these notices.” — Chapter 7
- “I would want to know how I could recover. If I wasn’t keeping the home, it wouldn’t matter.” — Chapter 7
- “I would rather get this. It would help. I would be able to keep up with it a lot more. . . It would alleviate me calling my trustee a lot.” — Chapter 13
- “This would be wonderful. I see some of the things I was trying to avoid with foreclosure. This would help a lot.” — Chapter 13

However, some participants had an immediate negative reaction to the forms that could stem from a distrust or suspicion of mortgage companies and creditors (four participants directly mentioned this point). This distrust or suspicion seemed to contribute to some participants finding that the forms were not consumer-friendly. Some participants said:

- “I don’t trust any mortgage company.” — Chapter 7
- “Nothing tells you that you filed on a particular day, paid on a particular day. This is not consumer-friendly. People will not understand this.” — Chapter 13
- “The words the banks use [are] too confusing. The statements are not user-friendly and they are harassing.” — Chapter 13

2.5 Bankruptcy Notice

Almost all participants in the first round of testing said the form was for informational purposes rather than attempting to collect a debt, and they could correctly identify that the borrower was in bankruptcy. For example, one Chapter 7 Participant said, “The purpose is to inform the client about their payments they’ve received, the amount that is still owed on the mortgage. It’s just like a regular mortgage statement they would send you regardless [sic] of if you were in bankruptcy or not.” Although the majority of participants thought the form was primarily informational, two Chapter 7 Participants and one Chapter 13 Participant did express some confusion about what the document was and why they would be receiving it. As one of the Chapter 7 Participants said, “If this is for information only, then why are they

sending you a bill that is terrifying? . . . If it's informational, what is the intent? I don't get it at all."

The Proposed Forms stated at the top that they were "for informational and compliance purposes only." The Chapter 7 Current Pay Form also stated on the payment coupon that recipients could "choose to make a payment," but it looked in many respects like a normal mortgage statement requesting payment. This confused some participants, with some interpreting the form to be presenting an account history rather than as an actual mortgage statement, while some still viewed it as a request for payment. The participants who expressed confusion about this language made comments such as:

- "This is organized but still feels like there's a lot of confusing information on there. Starting with 'This is for your informational purposes only,' and 'This is a debt,' so I don't understand that part. Language is kind of confusing; to me there's a lot of conflicting information." — Chapter 7
- "[The purpose of the notice] is to tell me if I am in bankruptcy, but they're still sending me a bill. You shouldn't get a bill when you're in bankruptcy. So why am I still getting a bill?" — Chapter 13
- "[It] seems like there is a double message here: 'information only,' but they're also showing you a payment amount and a choice to pay it. It's confusing. . . this is very deceptive, I don't get it." — Chapter 7

Similarly, the phrase "collect a debt against you personally" caused some confusion, as a few participants said that the form looked like it was trying to collect a debt, or that it was requesting a payment. These participants made comments such as:

- "'Not trying to collect a debt?' I thought they were. Maybe they're saying we're not associating you with the debt yet. Obviously the unpaid payments are a debt." — Chapter 7
- "The voluntary payment thing, I don't understand." — Chapter 7

A few other participants expressed confusion specifically about the word "personally," saying:

- "There is a debt; I owe the debt; so when they say we're not trying to collect against you 'personally,' that sounds squirmy to me." — Chapter 7
- "I'm thrown that they're not 'collecting a debt against you personally.'" — Chapter 7

Three participants mentioned preferring when the phrase—"This statement is for information only. We are not trying to collect a debt against you personally."—was bolded at the top of the unboxed disclaimer, as it drew their attention to the important information that the form was not a bill of any kind.

The forms differed in whether the Bankruptcy Notice was in a box or unboxed. Participants generally preferred seeing the Bankruptcy Notice in a box as opposed to unboxed, with eight of 11 participants mentioning a preference for the box (six of nine Chapter 7 Participants; two of two Chapter 13 Participants [only two of eight Chapter 13 Participants were asked about the box specifically]).

The Bankruptcy Notice on the Current Pay Form (Chapter 7) and Revised Form (Chapter 13) stated that the mortgage company still had a lien on the property and the right to foreclose if the loan was in default. This language was considered harsh or threatening by one Chapter 13 Participant, who said, “We have the right to foreclose.’ This is really harsh wording. This is really kind of strong. I don’t like the wording at all. Makes me feel discouraged.”

When asked where they should send a payment, Chapter 13 Participants had varying answers. Four indicated that they would send it to the servicer, identified on the form as Springside Mortgage; two said that it would depend on whether they had been instructed to send it to a trustee; and the remaining two responded that they did not know. When asked whom they would contact if they had questions about where to send their payment, six participants said they would contact the servicer, Springside Mortgage, with several referencing the customer service number provided on the form. The remaining participants mentioned contacting an attorney or their trustee.

Part of the Bankruptcy Notice disclaimer led many participants to indicate that Chapter 13 Revised and P&I Forms were not trustworthy. Specifically, the sentence, “You should know that the information on this statement may not be up to date” caused participants to express less trust for the forms. Participants said:

- “If it’s not up to date, then why would they send it to you in the first place?”
- “This is telling me right now that this information might not even be accurate. I did not get that sense from the other one.”

Participants seemed to prefer the softer language on the Chapter 13 Proposed Form: “The information disclosed on the periodic statement may not reflect payments you have made to the trustee and may not be consistent with the trustee’s records.” This statement clarified why the form might not be up to date, which appeared to ease participants’ concerns about the form’s accuracy. For example, one participant said “This doesn’t reflect payments that the trustee may have received so it might not be consistent with their records. Usually, the trustee will send you a statement with all of your payments.”

2.6 General Account Information

All participants who were asked (15) correctly identified the interest rate as 4.75%. Similarly, all participants who were asked (14) correctly identified the outstanding principal of the

mortgage. A majority (eight of 14) correctly said that they would be charged a pre-payment penalty for paying down their mortgage early.

2.7 Current Payment Due and Due Date

The term “Payment Date” confused some participants. When asked when their next payment was due, a few participants were unable to determine that the payment was due on April 1st. Five of 17 participants (three of nine Chapter 7 Participants; two of eight Chapter 13 Participants) expressed some confusion or hesitation about the due date, explaining that the phrase “Payment Date” did not explicitly indicate that the payment was “due” on that date. Some participants were confused about whether “Payment Date” referred to when the next payment would be due, or when the previous payment was made. Participants who could not readily identify the Payment Date made comments such as:

- “It’s probably due the first, but I don’t think that’s clear. It doesn’t say ‘Due.’ Should say ‘Payment Due Date.’” — Chapter 7
- “I don’t see a due date. What grabs my attention is the unpaid amounts.”
— Chapter 7

Some of this confusion might have stemmed from the fact that the Payment Date (4/1/2015) on the tested form was before the testing date (May 2015), while a mortgage statement would normally list a due date in the future.

The Chapter 7 Proposed Form listed the payment amount as \$4,339.13 (see Figure 2.7.1, Left). This amount reflected the borrower’s regular monthly payment, total fees and charges, and unpaid past payments. Seven of nine participants responded with this amount when asked what they were being asked to pay this month. By contrast, the Current Pay Form listed only \$2,079.71 (see Figure 2.7.1, Right) as the payment amount, reflecting only the regular monthly payment and the total fees and charges (i.e., unpaid past amounts were not included in the payment amount on this form). The total amount owed (\$4,339.13) was shown only in the Account History section of the Current Pay Form and was not displayed in either the Payment Amount box or the Explanation of Payment Amount box. Participants generally preferred having the full amount owed in the Payment Amount box, broken out in a manner similar to the Proposed Form. Four participants expressed confusion regarding whether the \$4,339.13 on the Current Pay Form included the \$2,079.71 they were being asked to pay. Providing the full \$4,339.13 but stating that \$2,259.42 came from unpaid past payments seemed to be the clearest for participants. As one participant said, “[The Proposed Form] is easier to understand. Only difference numerically is the explanation of payment amount; it adds in the unpaid past payments and makes that very clear what your regular monthly payment is and what it would have been.”

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Account Number</td><td>1234567</td></tr> <tr><td>Payment Date</td><td>4/1/2015</td></tr> <tr><td>Payment Amount</td><td>\$4,339.13</td></tr> <tr><td colspan="2"> </td></tr> <tr> <td colspan="2" style="background-color: #cccccc; padding: 2px;">Explanation of Payment Amount</td> </tr> <tr> <td>Principal</td><td>\$386.46</td> </tr> <tr> <td>Interest</td><td>\$1,048.07</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td><td>\$235.18</td> </tr> <tr> <td style="text-align: right;">Regular Monthly Payment</td><td style="border-top: none;">\$1,669.71</td> </tr> <tr> <td>Total Fees and Charges</td><td>\$410.00</td> </tr> <tr> <td>Unpaid past payments</td><td>\$2,259.42</td> </tr> <tr> <td style="text-align: right;">Total Payment Amount</td><td style="border-top: none;">\$4,339.13</td> </tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,339.13	 		Explanation of Payment Amount		Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$410.00	Unpaid past payments	\$2,259.42	Total Payment Amount	\$4,339.13	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Account Number</td><td>1234567</td></tr> <tr><td>Payment Date</td><td>4/1/2015</td></tr> <tr><td>Payment Amount*</td><td>\$2,079.71</td></tr> <tr><td colspan="2"> </td></tr> <tr> <td colspan="2" style="background-color: #cccccc; padding: 2px;">*The Payment Amount does not include any past due amounts. Those are listed in the Account History section.</td> </tr> <tr><td colspan="2"> </td></tr> <tr> <td colspan="2" style="background-color: #cccccc; padding: 2px;">Explanation of Payment Amount</td> </tr> <tr> <td>Principal</td><td>\$386.46</td> </tr> <tr> <td>Interest</td><td>\$1,048.07</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td><td>\$235.18</td> </tr> <tr> <td style="text-align: right;">Regular Monthly Payment</td><td style="border-top: none;">\$1,669.71</td> </tr> <tr> <td>Total Fees and Charges</td><td>\$410.00</td> </tr> <tr> <td style="text-align: right;">Total Payment Amount</td><td style="border-top: none;">\$2,079.71</td> </tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount*	\$2,079.71	 		*The Payment Amount does not include any past due amounts. Those are listed in the Account History section.		 		Explanation of Payment Amount		Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$410.00	Total Payment Amount	\$2,079.71
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Figure 2.7.1. Differences in the Chapter 7 Explanation of Payment Amount Boxes.

Left: Proposed Form Explanation of Payment Amount Boxes.

Right: Current Pay Form Explanation of Payment Amount Boxes.

Chapter 7 and Chapter 13 Participants generally were able to explain the components of the Total Payment Amount when asked why the form was asking them to pay that amount. Most understood the Total Payment Amount consisted of the regular monthly payment, fees and charges, and (if applicable) any past due amount. However, some expressed confusion over exactly how the past due amount was calculated, not realizing that adding the Unpaid Past Payments to the Total Fees and Charges in the Explanation of Payment Amount box would equal the same amount as adding the Unpaid Balances from 2/1/2015 and 3/1/2015 in the Account History box. This limited confusion did not affect these participants' overall understanding of how much they were being asked to pay.

Payment Coupon. Several participants expressed confusion over the Chapter 7 Current Pay Form's payment coupon wording that began, "If you filed for bankruptcy and you choose to make a payment . . ." Because the Current Pay Form otherwise indicated that the servicer was aware of the bankruptcy status, these participants were confused by the uncertainty in the phrase, "if you filed for bankruptcy." Some participants requested that the language be changed to explicitly state that they filed for bankruptcy and that they have a choice in whether they make a payment. The participants who expressed this confusion made comments such as:

- "[I] just think there should be more information. If they're truly concerned about the consumer, why don't they include a true and honest statement that says, 'You filed for bankruptcy; you are not obligated to pay. If you choose to keep your house, then you must pay on time or we can foreclose. The payment is voluntary because you may choose to vacate your house and we will foreclose on it.' This is just stressful, the message is not clear."
- "Why did they say, 'our records show you have recently filed for bankruptcy' and then here they say, 'if you filed for bankruptcy. . .' Obviously they know you did file for bankruptcy."

However, participants did not express the same concerns over the language on the Proposed Form's payment coupon, even though it also included conditional language stating, "If you are currently a party in a bankruptcy case. . ." Participants responded favorably to the Proposed Form's statement that the borrower could "choose to make a voluntary payment." The word "voluntary" appeared to help convey that the notice was not asking participants to make a payment. When responding to the Proposed Form, participants said:

- "They're willing to accept voluntary payment. Absolutely helpful. If you want to keep your house, then you can make a payment."
- "This is more detailed, says why they're sending it to you and says that the payments are completely voluntary."
- "I like that it explicitly says that it is a voluntary payment; the first doesn't tell you that. If it's voluntary, that gives me the indication that I don't have to make that payment."

While most Chapter 13 Participants understood and preferred the language on the Chapter 13 Proposed Form, one potential exception was for the notice under the Payment Amount, which directed participants to see their bankruptcy plan for detail about who is responsible for making their mortgage payments. Some participants seemed confused about the trustee making payments on the mortgage "and other debts." Participants found clearer the Chapter 13 Revised Form's more simple language, though most participants generally understood what was being communicated by this statement on both forms.

2.8 Transaction Activity and Past Payments

Overall, both Chapter 7 and Chapter 13 Participants were able to use the Transaction Activity and Past Payments Breakdown sections on the forms to locate information on fees and past payments.

Chapter 7 Participants were able to identify whether they had been charged fees, the reason for the fees, and the amount of interest paid year-to-date. Seven of eight Chapter 7 Participants (the ninth was not asked) were also able to locate and correctly interpret the partial payment disclaimer, which informed participants that partial payments are not applied to the mortgage balance, but are instead held in a separate suspense account. Some participants noted that they would like more information about the suspense account, such as how much they have to pay to get their partial payments applied to their mortgage balance, how much is currently in the suspense account, and what would happen to that money if they chose to not make any further payments.

On the Chapter 13 forms, six of eight participants were correctly able to identify that no fees had been charged (on the Chapter 13 forms, the Explanation of Payment Amount box

disclosed that zero fees were charged). All of the Chapter 13 Participants were able to use the Transaction Activity section of the forms to correctly identify the amounts and dates of previous payments that had been made. And seven of the eight Chapter 13 Participants were able to use the Past Payments/Post-Petition Payments Breakdown section of the form to correctly answer questions about how much interest had been paid in the year to date.

2.9 Account History [Chapter 7 Only]

All of the Chapter 7 Participants in Round 1 were able to refer to the Account History box on the Current Pay and Proposed Forms in order to answer questions about whether and how they knew they were currently behind on their mortgage. Many participants specifically referenced the “unpaid amounts” information provided in the Account History portion of the forms.

2.10 Mortgage Counseling and Assistance [Chapter 7 Only]

All of the Chapter 7 forms tested included language in the Account History box stating, “If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.” Seven of the Chapter 7 Participants were asked what they would do if they were having trouble paying their mortgage. Four of them noted the statement on the form saying that more information is provided on the back of the form, while two participants indicated that they would contact the mortgage company’s customer service department. One participant indicated that he would do both.

2.11 Contact Information for the Mortgage Company

All participants were able to find the customer service number and some said that they would call this number if they needed more information or had any questions, though many noted that they would also investigate what information was provided online. Many said they would usually call their attorney or trustee, instead of or as well, to get more information on the form and their responsibilities.

2.12 Pre-Petition Arrearage [Chapter 13 Only]

Chapter 13 Participants generally understood that the information presented in the Pre-Petition Arrearage box reflected payments that they were making to the amount that was past due when they filed for bankruptcy. Chapter 13 Participants were generally more comfortable with the Proposed Form’s technical language (e.g., “pre-petition arrearage” and “post-petition payment”) than the Revised Form’s plain language (e.g., “pre-bankruptcy debt” and “payment amount”) and expressed a preference for this technical language.⁹

⁹ One participant without bankruptcy experience did not understand the technical language (i.e., “arrearage”). However, borrowers receiving this form would be in Chapter 13 bankruptcy and likely will have experience with this technical language, as suggested by these test results.

2.13 P&I Form Activity [Chapter 13 Only]

The Chapter 13 P&I Form was identical to the Revised Form except for one difference. The Revised Form showed a principal amount of \$501.63 due as part of the payment. The P&I Form, which was designed to reflect the following month's statement, showed the principal amount paid in the prior month to only be \$491.81, resulting in a difference of \$9.82 (i.e., the P&I Form showed that the borrower had paid less principal than he/she was scheduled to the prior month based on the Revised Form). Participants had mixed reactions and expressed varying levels of concern. While one participant understood why this difference occurred and expressed no concern, most participants did not immediately see the inconsistencies in the two months. However, most participants did note concern over where these differences were coming from once the moderator pointed it out to them. Examples of participant responses to the difference included:

- “[I] dont know if I would catch it. I might catch it. I’d think that it was odd and maybe wait until the next statement.”
- “I would have noticed the difference. Very important because the principal should keep going down as you’re paying.”
- “Relates to the Rule of 78. Sometimes you have to pay more interest upfront and then it declines later. . . I know this is how it works.”

When asked whom they would contact for an explanation, three participants indicated that they would contact the mortgage company and two said they would contact their trustee.

3.0 Form Changes: Round 1 to Round 2

3.1 Form Change Overview

After Round 1, changes were made to the Chapter 7 and Chapter 13 forms. Images shown in the figures in Sections 3.2 through 3.5 are of the Round 2 forms; Round 1 forms can be found in Appendix A.

As a result of Round 1 findings, some or all of the text of the Bankruptcy Notice was bolded on both the Chapter 7 and Chapter 13 forms to help participants notice it without being prompted. The wording of the message on all forms was also updated for clarity and comprehension of some additional information. The Chapter 7 Current Pay Form also featured an alternative layout where the Bankruptcy Notice stretched across the entire width of the notice, rather than being located in the left corner.

The Payment Amount on the Chapter 7 Current Pay and Chapter 13 Alternate Forms was termed the “Current Payment Amount,” consisting of the regular monthly payment plus fees and charges. An additional line was added to the Explanation of Payment Amount box to list the Current Payment Amount along with the Regular Monthly Payment and Total Unpaid Amounts. This was done to facilitate testing how participants would respond to being asked to pay an amount that did not include past due amounts. Payment amounts and disclaimers were removed from all payment coupons so that participants would rely only on the main portion of the forms to answer the Round 2 interview questions.

The Bankruptcy Notices were revised to some degree on all forms. Language advising that the periodic statement was not “an attempt to collect a debt against you personally” was replaced with language stating that it was “not an attempt to impose personal liability on you” to test whether consumers responded better to the new language. Additionally, an alternative Bankruptcy Notice stating that the form was required by law was tested to determine if this improved participants’ understanding of why they would be receiving the form.

Finally, the Important Messages box on the Chapter 13 Alternate Form was revised to include a narrative explanation of the pre-petition arrearage box and a message advising that the notice might not include all payments sent to a trustee.

The P&I Form was not used in Round 2 because participants engaged in a different activity involving a different presentation of principal and interest.

3.2 Chapter 7: Round 2 Current Pay Form Changes Compared to Round 1 Current Pay Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p>																																																																																		
<p>Bankruptcy Message</p> <p>This statement is for informational purposes only. It is not an attempt to impose personal liability on you.</p> <p>Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. As such, any payments you choose to make are voluntary. However, the mortgage loan contract may allow foreclosure if the contract's requirements are not met. Please write to us if you do not want to receive these statements anymore.</p>																																																																																			
<table border="1"> <tr> <td style="width: 30%;">Account Number</td> <td>1234567</td> <td style="width: 40%;">Explanation of Payment Amounts</td> </tr> <tr> <td>Payment Date</td> <td>4/1/2015</td> <td>Principal \$386.46</td> </tr> <tr> <td>Current Payment Amount</td> <td>\$1,829.71</td> <td>Interest \$1,048.07</td> </tr> <tr> <td colspan="3">(This amount includes only your regular monthly payment and any fees and charges. 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If you pay the balance of a partial payment, the funds will then be applied to your mortgage.</p> </td> </tr> <tr> <td colspan="3"> <p>**Account History**</p> <p>Recent Account History</p> <ul style="list-style-type: none"> • Payment due 12/1/14: Fully paid on time • Payment due 1/1/15: Fully paid on 2/3/15 • Payment due 2/1/15: Unpaid balance of \$589.71 • Payment due 3/1/15: Unpaid balance of \$1,829.71 • Current payment date 4/1/15: \$1,669.71 • Total: \$4,089.13 unpaid amounts. You would need to pay this amount to bring your loan current. <p>If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.</p> </td> </tr> <tr> <td colspan="3"> <p>Springside Mortgage</p> <p>Springside Mortgage P.O. 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If you pay the balance of a partial payment, the funds will then be applied to your mortgage.</p>			<p>**Account History**</p> <p>Recent Account History</p> <ul style="list-style-type: none"> • Payment due 12/1/14: Fully paid on time • Payment due 1/1/15: Fully paid on 2/3/15 • Payment due 2/1/15: Unpaid balance of \$589.71 • Payment due 3/1/15: Unpaid balance of \$1,829.71 • Current payment date 4/1/15: \$1,669.71 • Total: \$4,089.13 unpaid amounts. You would need to pay this amount to bring your loan current. <p>If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.</p>			<p>Springside Mortgage</p> <p>Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010</p>			<p>1234567 34571892 342359127 DN</p>		
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Chapter 7 Current Pay Form Changes: Round 1 to Round 2

1 Message realigned

Bankruptcy Message was realigned to stretch horizontally across the top of the form, instead of being located in the upper left corner.

2 Wording updated

"Collect a debt" was changed to "impose personal liability." "Any payments you choose to make are voluntary" language was added.

3 Current payment amount added

In addition to the Regular Monthly Payment and the Total Payment Amounts, the Current Payment Amount was added, which is comprised of the Regular Payment plus fees.

4 Payment coupon disclaimer removed

The payment coupon disclaimer "If you filed for bankruptcy and choose to make a payment: Make any checks payable to Springside Mortgage" was removed.

5 Payment Amount removed

Removed the payment amount from the payment coupon.

3.3 Chapter 7: Round 2 Total Pay Form Changes Compared to Round 1 Proposed Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <p>Bankruptcy Notice Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. This statement is for informational and compliance purposes only. By law, we must send it to you. You can choose to stop receiving statements by writing to us at our address below.</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p> <table border="1"> <tr> <td>Account Number</td> <td>1234567</td> </tr> <tr> <td>Payment Date</td> <td>4/1/2015</td> </tr> <tr> <td>Payment Amount</td> <td>\$4,089.13</td> </tr> </table> <p>Explanation of Payment Amount</p> <table border="1"> <tr> <td>Principal</td> <td>\$386.46</td> </tr> <tr> <td>Interest</td> <td>\$1,048.07</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$235.18</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,669.71</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$160.00</td> </tr> <tr> <td>Past Unpaid Amounts</td> <td>\$2,259.42</td> </tr> <tr> <td>Total Payment Amount</td> <td>\$4,089.13</td> </tr> </table> <p>Account Information</p> <table border="1"> <tr> <td>Outstanding Principal</td> <td>\$264,776.43</td> </tr> <tr> <td>Interest Rate (Until October 2015)</td> <td>4.75%</td> </tr> <tr> <td>Prepayment Penalty</td> <td>Yes</td> </tr> </table> <p>Transaction Activity (2/20 to 3/19)</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Description</th> <th>Charges</th> <th>Payments</th> </tr> </thead> <tbody> <tr> <td>3/13/15</td> <td>Partial Payment Received*</td> <td></td> <td>\$1,000.00</td> </tr> <tr> <td>3/16/15</td> <td>Late Fee (charged because full payment not received by 3/15/2015)</td> <td>\$160.00</td> <td></td> </tr> </tbody> </table> <p>Past Payments Breakdown</p> <table border="1"> <thead> <tr> <th></th> <th>Paid Last Month</th> <th>Paid Year to Date</th> </tr> </thead> <tbody> <tr> <td>Principal</td> <td>\$0.00</td> <td>\$383.31</td> </tr> <tr> <td>Interest</td> <td>\$0.00</td> <td>\$1,051.22</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$0.00</td> <td>\$235.18</td> </tr> <tr> <td>Fees</td> <td>\$0.00</td> <td>\$410.00</td> </tr> <tr> <td>Partial Payment (Unapplied)*</td> <td>\$1,000.00</td> <td>\$1,490.00</td> </tr> <tr> <td>Total</td> <td>\$1,000.00</td> <td>\$3,569.71</td> </tr> </tbody> </table> <p>Important Messages</p> <p>*Partial Payments: Any partial payments that you make are not applied to your mortgage, but instead are held in a separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage.</p>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,089.13	Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$160.00	Past Unpaid Amounts	\$2,259.42	Total Payment Amount	\$4,089.13	Outstanding Principal	\$264,776.43	Interest Rate (Until October 2015)	4.75%	Prepayment Penalty	Yes	Date	Description	Charges	Payments	3/13/15	Partial Payment Received*		\$1,000.00	3/16/15	Late Fee (charged because full payment not received by 3/15/2015)	\$160.00			Paid Last Month	Paid Year to Date	Principal	\$0.00	\$383.31	Interest	\$0.00	\$1,051.22	Escrow (Taxes and Insurance)	\$0.00	\$235.18	Fees	\$0.00	\$410.00	Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00	Total	\$1,000.00	\$3,569.71	<p>4</p> <p>Payment Amount</p> <table border="1"> <tr> <td>Payment Date:</td> <td>4/1/2015</td> </tr> <tr> <td>Additional Principal</td> <td>\$.</td> </tr> <tr> <td>Additional Escrow</td> <td>\$.</td> </tr> <tr> <td>Total Amount Enclosed</td> <td>\$.</td> </tr> </table>	Payment Date:	4/1/2015	Additional Principal	\$.	Additional Escrow	\$.	Total Amount Enclosed	\$.
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Chapter 7 Proposed Form Changes: Round 1 to Round 2

1 Bolded font

Bolded the font of the entire Bankruptcy Notice.

2 Wording updated

Added phrases "By law, we must send it to you," and "You can choose to stop receiving statements by writing to us at our address below."

3 Payment coupon disclaimer altered

Removed the payment coupon disclaimer "If you are currently a party in a bankruptcy case and you choose to make a voluntary payment, detach and return bottom remittance portion with your payment. Make any checks payable to Springside Mortgage."

4 Payment Amount removed

Removed the payment amount from the payment coupon.

3.4 Chapter 13: Round 2 Base Form Changes Compared to Round 1 Proposed Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <p>Bankruptcy Notice Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. This statement is being sent to you for informational and compliance purposes only. By law, we must send it to you. You can choose to stop receiving statements by writing to us at our address below.</p> <p>If your bankruptcy plan requires you to send your mortgage payments to the Trustee, you should pay the Trustee directly. 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It may not show payments you recently sent to the Trustee, and it may not be consistent with the Trustee's records. Please contact the Trustee or your attorney if you have questions. *Partial Payments: Any partial payments listed here are not applied to your mortgage, but instead are held in a separate suspense account. Once we receive enough funds to equal a full monthly payment, we will apply those funds to your mortgage.</p> <p>Springside Mortgage Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010</p>	Date	Description	Charges	Payments	3/10/15	Partial Payment Received			3/16/15	Late Fee (charged because full payment not received by 3/15/15)	\$190.00			Received Last Month	Received Year to Date	Principal	\$0.00	\$993.39	Interest	\$0.00	\$2,136.49	Escrow (Taxes and Insurance)	\$0.00	\$750.00	Fees	\$0.00	\$0.00	Partial Payment (Unapplied)*	\$336.43	\$1,009.29	Total	\$336.43	\$4,889.17	<p>Mortgage Statement Statement Date: 3/20/2015</p> <p>Account Number 1234567 Post-Petition Payment Date 4/1/2015 Post-Petition Payment Amount \$2,129.94 <i>This amount includes only your regular post-petition payments and any fees and charges. 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Prepayment Penalty	Yes																																																																									
Received from Trustee Last Month	Total Received During Bankruptcy	Current Balance of Pre-Petition Arrearage																																																																								
\$336.43	\$2,108.60	\$10,093.00																																																																								
Additional Principal	\$.																																																																									
Additional Escrow	\$.																																																																									
Total Amount Enclosed	\$.																																																																									

Chapter 13 Proposed Form Changes: Round 1 to Round 2

1 Changed top disclaimer

The top disclaimer was altered to inform users that the top amount does not include past unpaid amounts or pre-petition arrearage debt. Trustee information that was here previously was relocated to the bottom (See Change 6).

2 Bolded Font

Bolded the font of part of the Bankruptcy Notice.

3 Wording updated

Disclaimer about how to stop receiving notices was added. Statement about how the form may not be up to date was relocated to the bottom (See Change 6).

4 Post-petition language added

Post-petition language was added to the top box to clarify what these payment amounts mean.

5 Late fee added

Added late fee for testing purposes.

6 Important Messages added

An Important Messages box was added to consolidate relevant pieces of information, such as the disclaimer about the bankruptcy plan (relocated from Changes 1 & 3), and an explanation of partial payments (new information; not present in Round 1).

7 Payment coupon disclaimer removed

Removed the payment coupon disclaimer, which stated that users should send payments to the trustee if their plan requires them to.

8 Payment amount removed

Removed the payment amount from the payment coupon.

3.5 Chapter 13: Round 2 Alternate Form Changes Compared to Round 1 Revised Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p> <table border="1" style="margin-top: 10px;"> <tr><td>Account Number</td><td>1234567</td></tr> <tr><td>Payment Date</td><td>4/1/2015</td></tr> <tr><td>Payment Amount</td><td>\$4,069.88</td></tr> <tr><td colspan="2"><i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i></td></tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,069.88	<i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i>	
Account Number	1234567								
Payment Date	4/1/2015								
Payment Amount	\$4,069.88								
<i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i>									
<p>1 Changed top disclaimer</p> <p>The top disclaimer was altered to inform users that the top amount does not include Pre-Bankruptcy Debt. The trustee information that was here in Round 1 was relocated to the Important Messages box (See Change 4).</p>									
<p>2 Box added</p> <p>A box was added around the Bankruptcy Notice.</p>									
<p>3 Wording updated</p> <p>Disclaimer about how to stop receiving notices was added. Statement about how the form may not be up to date was relocated to the Important Messages box (See Change 4).</p>									
<p>4 Important Messages added</p> <p>An Important Messages box was added to consolidate relevant pieces of information, such as the disclaimer about the bankruptcy plan (relocated from Change 1), the disclaimer about how the form may not be up to date (relocated from Change 3), and an explanation of the Past Payments Breakdown (new information; not present in Round 1).</p>									
<p>5 Payment coupon disclaimer removed</p> <p>Removed the payment coupon disclaimer, which stated that users should send payments to the trustee if their plan requires them to.</p>									
<p>6 Payment amount removed</p> <p>Removed the payment amount from the payment coupon.</p>									
<p>1234567 34571892 342359127 DN</p>									

Chapter 13 Alternate Form Changes: Round 1 to Round 2

4.0 Round 2

4.1 Forms and Methodology

Round 2 was held in Fort Lauderdale, Florida. As in Round 1, the Chapter 7 forms presented a scenario in which the consumer was behind on mortgage payments. The consumer had made a partial payment during the prior billing cycle and had been charged a late fee for not making the full payment by the end of the grace period. A series of blind recall questions were asked after the participants initially reviewed the form, asking them to recall the form's purpose, what they would do if they received this notice while in bankruptcy, and whether the form stated anything about their being in bankruptcy.

Three Chapter 7 forms were tested in this round: a Current Pay Form, a Total Pay Form, and a Combined P&I Form. The Current Pay Form was shown first, followed by the Total Pay Form and the Combined P&I Form. The forms can be found in Appendix B.

As shown in the figures in Section 4.2, the Round 2 Chapter 7 forms differed from each other in the following ways:

- 1) The Bankruptcy Notice on the Current Pay Form stretched across the top of the entire form, whereas the Total Pay Form and Combined P&I Form kept the notice confined to the upper-left corner. The text included in this notice differed across forms as well, with the Current Pay Form stating that “any payments you choose to make are voluntary,” and the Total Pay Form and Combined P&I Form stating that “this statement is for informational and compliance purposes only. By law, we must send it to you.”¹⁰
- 2) The Current Pay Form had a third dollar amount—the “Current Payment Amount”—in the Explanation of Payment Amount box that added the regular monthly payment to the total fees and charges.
- 3) As in Round 1, the Current Pay Form listed the Payment Amount as only the regular monthly payment plus fees and charges, whereas the Total Pay Form listed the Payment Amount as the total outstanding amount, including past due amounts.
- 4) The Combined P&I Form was identical to the Total Pay Form, except that principal and interest were combined in a single sum rather than listed as separate line items. Participants were asked a limited set of questions to determine whether the combined principal and interest disclosure changed their understanding of the form.

¹⁰ Due to a printing error, the first Chapter 7 participant received a Total Pay Form that included language on voluntary payments. The form was corrected for all subsequent participants.

In Round 2, the Chapter 13 forms presented a scenario in which the borrower had failed to make the prior month's periodic (post-petition) payment, resulting in a past due amount and a late fee. This scenario was used to test whether participants understood that they had a past due amount and, if so, whether that amount related solely to post-petition amounts due during the bankruptcy case. The Chapter 13 forms in this round showed that the borrower had continued to repay the pre-petition arrearage through the trustee. A series of blind recall questions were asked after the participants initially reviewed the form, asking them to recall the form's purpose, what they would do if they received this notice while in bankruptcy, and whether the form stated anything about their being in bankruptcy.

Three Chapter 13 forms were tested in this round: a Base Form, an Alternate Form, and a Combined P&I Form. The Base Form was shown first, followed by the Alternate Form and the Combined P&I Form. The forms can be found in Appendix B.

As shown in the figures in Section 4.3, the Round 2 Chapter 13 forms differed from each other in the following ways:

- 1) The Base Form had a third dollar amount—the “Post-Petition Payment Amount”—in the Explanation of Payment Amount box that added the regular monthly payment to the total fees and charges.
- 2) The Base Form listed the Payment Amount as only the regular monthly payment plus fees, whereas the Alternate Form listed the Payment Amount as the total amount owed post-petition, including past due amounts. As such, the Base Form contained a different disclaimer under the payment amount than the Alternate Form. Again, these differences tested whether participants would still understand that they were behind on the mortgage and the amounts they thought they should pay.
- 3) The forms referenced the pre-petition arrearage in different ways, with the Base Form referring to this section as “Pre-Petition Arrearage” and the Alternate Form referring to it as “Pre-Bankruptcy Debt (Arrearage).”
- 4) The Alternate Form included a third section in the Important Messages box describing what information was shown in the Pre-Bankruptcy Debt section.
- 5) The Combined P&I Form was identical to the Alternate Form, with the exception that principal and interest were combined in a single sum rather than listed as separate line items.

4.2 Form Difference Overview: Chapter 7

Form Difference Overview

Current Pay Form

Total Pay Form

P&I Form

1 Message format and location changed

2 Third subtotal added

3 Payment amount differed

4 Principal and Interest combined

1 Message format and location changed

Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38103	Mortgage Statement Statement Date: 3/20/2015 Bankruptcy Message This statement is for informational purposes only. It is not an attempt to impose personal liability on you. Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. As such, any payments you choose to make are voluntary. However, the mortgage loan contract may allow foreclosure if the contract's requirements are not met. Please write to us if you do not want to receive these statements anymore.
Account Number 1234567 Payment Date 4/1/2015 Current Payment Amount \$1,829.71 <i>(This amount includes only your regular monthly payment and any fees and charges. It does not include past due amounts.)</i>	Explanation of Payment Amounts Principal \$386.46 Interest \$1,048.07 Escrow (Taxes and Insurance) \$235.18 Regular Monthly Payment \$1,669.71 Total Fees and Charges \$160.00 Current Payment Amount \$1,829.71 Unpaid Past Payments \$2,759.42

The Bankruptcy Notice on the Current Pay Form (top) was a box that extended all the way across the top of the form, and the Payment Amount box was located below the Bankruptcy Message. On the Total Pay Form (bottom), the Bankruptcy Notice was on the left side of the form.

Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38103	Mortgage Statement Statement Date: 3/20/2015 Bankruptcy Notice Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. This statement is for informational and compliance purposes only. By law, we must send it to you. You can choose to stop receiving statements by writing to us at our address below.
Account Number 1234567 Payment Date 4/1/2015 Payment Amount \$4,089.13	Explanation of Payment Amount Principal \$386.46 Interest \$1,048.07 Escrow (Taxes and Insurance) \$235.18 Regular Monthly Payment \$1,669.71 Total Fees and Charges \$160.00 Past Unpaid Amounts \$2,259.42 Total Payment Amount \$4,089.13
Account Information	

2 Third subtotal added

Explanation of Payment Amounts	
Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Current Payment Amount	\$1,829.71
Unpaid Past Payments	\$2,259.42
Total Amount Owed	\$4,089.13

Explanation of Payment Amount	
Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Past Unpaid Amounts	\$2,259.42
Total Payment Amount	\$4,089.13

The Current Pay Form listed three subtotal amounts (regular monthly payment, current payment amount, and total amount owed; left) in the Explanation of Payment Amounts box. The Total Pay Form (right) did not include the current payment amount subtotal, which consisted of the regular monthly payment plus fees and charges.

3 Payment amount differed

<table border="1"> <tr> <td>Account Number</td><td>1234567</td></tr> <tr> <td>Payment Date</td><td>4/1/2015</td></tr> <tr> <td>Current Payment Amount</td><td>\$1,829.71</td></tr> <tr> <td colspan="2"><i>(This amount includes only your regular monthly payment and any fees and charges. It does not include past due amounts.)</i></td></tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Current Payment Amount	\$1,829.71	<i>(This amount includes only your regular monthly payment and any fees and charges. It does not include past due amounts.)</i>		<table border="1"> <thead> <tr> <th colspan="2">Explanation of Payment Amounts</th></tr> </thead> <tbody> <tr> <td>Principal</td><td>\$386.46</td></tr> <tr> <td>Interest</td><td>\$1,048.07</td></tr> <tr> <td>Escrow (Taxes and Insurance)</td><td>\$235.18</td></tr> <tr> <td>Regular Monthly Payment</td><td>\$1,669.71</td></tr> <tr> <td>Total Fees and Charges</td><td>\$160.00</td></tr> <tr> <td>Current Payment Amount</td><td>\$1,829.71</td></tr> <tr> <td>Unpaid Past Payments</td><td>\$2,259.42</td></tr> <tr> <td>Total Amount Owed</td><td>\$4,089.13</td></tr> </tbody> </table>	Explanation of Payment Amounts		Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$160.00	Current Payment Amount	\$1,829.71	Unpaid Past Payments	\$2,259.42	Total Amount Owed	\$4,089.13
Account Number	1234567																										
Payment Date	4/1/2015																										
Current Payment Amount	\$1,829.71																										
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Unpaid Past Payments	\$2,259.42																										
Total Amount Owed	\$4,089.13																										

<table border="1"> <tr> <td>Account Number</td><td>1234567</td></tr> <tr> <td>Payment Date</td><td>4/1/2015</td></tr> <tr> <td>Payment Amount</td><td>\$4,089.13</td></tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,089.13	<table border="1"> <thead> <tr> <th colspan="2">Explanation of Payment Amount</th></tr> </thead> <tbody> <tr> <td>Principal</td><td>\$386.46</td></tr> <tr> <td>Interest</td><td>\$1,048.07</td></tr> <tr> <td>Escrow (Taxes and Insurance)</td><td>\$235.18</td></tr> <tr> <td>Regular Monthly Payment</td><td>\$1,669.71</td></tr> <tr> <td>Total Fees and Charges</td><td>\$160.00</td></tr> <tr> <td>Past Unpaid Amounts</td><td>\$2,259.42</td></tr> <tr> <td>Total Payment Amount</td><td>\$4,089.13</td></tr> </tbody> </table>	Explanation of Payment Amount		Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$160.00	Past Unpaid Amounts	\$2,259.42	Total Payment Amount	\$4,089.13
Account Number	1234567																						
Payment Date	4/1/2015																						
Payment Amount	\$4,089.13																						
Explanation of Payment Amount																							
Principal	\$386.46																						
Interest	\$1,048.07																						
Escrow (Taxes and Insurance)	\$235.18																						
Regular Monthly Payment	\$1,669.71																						
Total Fees and Charges	\$160.00																						
Past Unpaid Amounts	\$2,259.42																						
Total Payment Amount	\$4,089.13																						

The Current Pay Form asked participants only for the current payment amount, which consisted only of the regular monthly payment plus the fees and charges, and did not include past unpaid amounts (top).

The Total Pay Form asked participants to pay the full \$4,089.13 due, which was inclusive of their regular monthly payment, total fees and charges, and past unpaid amounts (bottom).

4

Principal and interest combined

Explanation of Payment Amounts	
Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Current Payment Amount	\$1,829.71
Unpaid Past Payments	\$2,259.42
Total Amount Owed	\$4,089.13

Explanation of Payment Amount	
Principal and Interest	\$1,434.53
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Past Unpaid Amounts	\$2,259.42
Total Payment Amount	\$4,089.13

The Current Pay Form (and Total Pay Form) showed a principal amount of \$386.46 and an interest amount of \$1,048.07 (left). The P&I Form showed a combined amount of \$1,434.53 instead of showing the principal and interest separately (right).

4.3 Form Difference Overview: Chapter 13

Form Difference Overview

The figure displays three screenshots of Springside Mortgage statements, each highlighting a different form difference:

- Base Form:** Shows the original statement with a detailed explanation of post-petition payments.
- Alternate Form:** Shows a simplified version where the explanation is removed.
- P&I Form:** Shows a statement with a third subtotal added.

On the right, six numbered circles correspond to these differences:

- Post-petition payment explanation differed
- Third subtotal added
- Payment amount differed
- Pre-Petition Arrearage header differed
- Principal and interest combined
- Important Message box content differed

1 Post-petition payment explanation differed

Base Form	Alternate Form
Account Number 1234567 Post-Petition Payment Date 4/1/2015 Post-Petition Payment Amount \$2,129.94 <small>This amount includes only your regular post-petition payments and any fees and charges. It does not include any past unpaid amounts or Pre-Petition Arrearage.</small>	Account Number 1234567 Payment Date 4/1/2015 Payment Amount \$4,069.88 <small>This amount does not include Pre-Bankruptcy Debt (Arrearage)</small>

The Base Form (left) contained a longer explanation of the pre-petition arrearage than the Alternate Form (right); it also explained the payment amount as excluding “pre-petition arrearage” instead of “pre-bankruptcy debt.”

2 Third subtotal added

Base Form	Alternate Form																														
Explanation of Post-Petition Payment Amounts <table border="1"> <tr> <td>Principal</td> <td>\$501.63</td> </tr> <tr> <td>Interest</td> <td>\$1,063.31</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$375.00</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$190.00</td> </tr> <tr> <td>Post-Petition Payment Amount</td> <td>\$2,129.94</td> </tr> <tr> <td>Past Unpaid Post-Petition Amounts</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Amount Owed Post-Petition</td> <td>\$4,069.88</td> </tr> </table>	Principal	\$501.63	Interest	\$1,063.31	Escrow (Taxes and Insurance)	\$375.00	Regular Monthly Payment	\$1,939.94	Total Fees and Charges	\$190.00	Post-Petition Payment Amount	\$2,129.94	Past Unpaid Post-Petition Amounts	\$1,939.94	Total Amount Owed Post-Petition	\$4,069.88	Explanation of Payment Amount <table border="1"> <tr> <td>Principal</td> <td>\$501.63</td> </tr> <tr> <td>Interest</td> <td>\$1,063.31</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$375.00</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$190.00</td> </tr> <tr> <td>Past Unpaid Amounts (not including arrearage)</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Payment Amount</td> <td>\$4,069.88</td> </tr> </table>	Principal	\$501.63	Interest	\$1,063.31	Escrow (Taxes and Insurance)	\$375.00	Regular Monthly Payment	\$1,939.94	Total Fees and Charges	\$190.00	Past Unpaid Amounts (not including arrearage)	\$1,939.94	Total Payment Amount	\$4,069.88
Principal	\$501.63																														
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Total Fees and Charges	\$190.00																														
Past Unpaid Amounts (not including arrearage)	\$1,939.94																														
Total Payment Amount	\$4,069.88																														

The Base Form had three subtotals in the Explanation of Payment Amount box (left). In the Alternate Form, the post-petition payment amount was removed (right).

3 Payment amount differed

<table border="1"><tr><td>Account Number</td><td>1234567</td></tr><tr><td>Post-Petition Payment Date</td><td>4/1/2015</td></tr><tr><td>Post-Petition Payment Amount</td><td>\$2,129.94</td></tr></table> <p><i>This amount includes only your regular post-petition payments and any fees and charges. It does not include any past unpaid amounts or Pre-Petition Arrearage.</i></p>	Account Number	1234567	Post-Petition Payment Date	4/1/2015	Post-Petition Payment Amount	\$2,129.94	<table border="1"><tr><td>Account Number</td><td>1234567</td></tr><tr><td>Payment Date</td><td>4/1/2015</td></tr><tr><td>Payment Amount</td><td>\$4,069.88</td></tr></table> <p><i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i></p>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,069.88
Account Number	1234567												
Post-Petition Payment Date	4/1/2015												
Post-Petition Payment Amount	\$2,129.94												
Account Number	1234567												
Payment Date	4/1/2015												
Payment Amount	\$4,069.88												

The Base Form asked participants to pay the post-petition payment amount of \$2,129.94, which consisted only of the regular monthly payment plus the fees and charges (left). The Alternate Form asked participants to pay \$4,069.88, which was inclusive of their regular monthly payment, total fees and charges, and past unpaid amounts (left).

4 Pre-Petition Arrearage header differed

<table border="1"><thead><tr><th colspan="3">Pre-Petition Arrearage Payments</th></tr><tr><th>Received from Trustee Last Month</th><th>Total Received During Bankruptcy</th><th>Current Balance of Pre-Petition Arrearage</th></tr></thead><tbody><tr><td>\$336.43</td><td>\$2,108.60</td><td>\$10,093.00</td></tr></tbody></table>	Pre-Petition Arrearage Payments			Received from Trustee Last Month	Total Received During Bankruptcy	Current Balance of Pre-Petition Arrearage	\$336.43	\$2,108.60	\$10,093.00	<p>The pre-petition arrearage section was referred to as “Pre-Petition Arrearage Payments:” in the Base Form (top), while the Alternate Form referred to the pre-petition arrearage section as “Pre-Bankruptcy Debt (Arrearage).”</p>
Pre-Petition Arrearage Payments										
Received from Trustee Last Month	Total Received During Bankruptcy	Current Balance of Pre-Petition Arrearage								
\$336.43	\$2,108.60	\$10,093.00								
<table border="1"><thead><tr><th colspan="3">Pre-Bankruptcy Debt (Arrearage)</th></tr><tr><th>Paid Last Month</th><th>Total Paid During Bankruptcy</th><th>Current Balance of Pre-Bankruptcy Debt</th></tr></thead><tbody><tr><td>\$336.43</td><td>\$2,108.60</td><td>\$10,093.00</td></tr></tbody></table>	Pre-Bankruptcy Debt (Arrearage)			Paid Last Month	Total Paid During Bankruptcy	Current Balance of Pre-Bankruptcy Debt	\$336.43	\$2,108.60	\$10,093.00	
Pre-Bankruptcy Debt (Arrearage)										
Paid Last Month	Total Paid During Bankruptcy	Current Balance of Pre-Bankruptcy Debt								
\$336.43	\$2,108.60	\$10,093.00								

5 Principal and interest combined

<table border="1"><thead><tr><th colspan="2">Explanation of Payment Amount</th></tr></thead><tbody><tr><td>Principal</td><td>\$501.63</td></tr><tr><td>Interest</td><td>\$1,063.31</td></tr><tr><td>Escrow (Taxes and Insurance)</td><td>\$375.00</td></tr><tr><td>Regular Monthly Payment</td><td>\$1,939.94</td></tr><tr><td>Total Fees and Charges</td><td>\$190.00</td></tr><tr><td>Past Unpaid Amounts (not including arrearage)</td><td>\$1,939.94</td></tr><tr><td>Total Payment Amount</td><td>\$4,069.88</td></tr></tbody></table>	Explanation of Payment Amount		Principal	\$501.63	Interest	\$1,063.31	Escrow (Taxes and Insurance)	\$375.00	Regular Monthly Payment	\$1,939.94	Total Fees and Charges	\$190.00	Past Unpaid Amounts (not including arrearage)	\$1,939.94	Total Payment Amount	\$4,069.88	<table border="1"><thead><tr><th colspan="2">Explanation of Payment Amount</th></tr></thead><tbody><tr><td>Principal and Interest</td><td>\$1,564.94</td></tr><tr><td>Escrow (Taxes and Insurance)</td><td>\$375.00</td></tr><tr><td>Regular Monthly Payment</td><td>\$1,939.94</td></tr><tr><td>Total Fees and Charges</td><td>\$190.00</td></tr><tr><td>Past Unpaid Amounts (not including arrearage)</td><td>\$1,939.94</td></tr><tr><td>Total Payment Amount</td><td>\$4,069.88</td></tr></tbody></table>	Explanation of Payment Amount		Principal and Interest	\$1,564.94	Escrow (Taxes and Insurance)	\$375.00	Regular Monthly Payment	\$1,939.94	Total Fees and Charges	\$190.00	Past Unpaid Amounts (not including arrearage)	\$1,939.94	Total Payment Amount	\$4,069.88
Explanation of Payment Amount																															
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Total Payment Amount	\$4,069.88																														

The Base Form (and Alternate Form) showed a principal amount of \$501.63 and an interest amount of \$1,063.31 (left). The P&I form showed a combined amount of \$1,564.94 instead of showing the principal and interest separately (right).

6

Important Messages box content differed

Important Messages
This statement shows payments we've received from you and the Trustee. It may not show payments you recently sent to the Trustee, and it may not be consistent with the Trustee's records. Please contact the Trustee or your attorney if you have questions.
*Partial Payments: Any partial payments listed here are not applied to your mortgage, but instead are held in a separate suspense account. Once we receive enough funds to equal a full monthly payment, we will apply those funds to your mortgage.

Important Messages
This statement shows payments we've received from you and the Trustee. It may not show payments you recently sent to the Trustee, and it may not be consistent with the Trustee's records. Please contact the Trustee or your attorney if you have questions.
"Past Payments Breakdown" shows how we applied all funds we've received from you or the Trustee to your mortgage. Any partial payments listed here are not applied to your mortgage, but instead are held in a separate suspense account. Once we receive enough funds to equal a full monthly payment, we will apply those funds to your mortgage.
"Pre-Bankruptcy Debt (Arrearage)" shows the payments we've received from the Trustee that are reducing the amount of your pre-petition or pre-bankruptcy debt (arrearage), and the current outstanding balance of that debt.

The Base Form only had two messages in the Important Messages box (top). The Alternate Form added a second message explaining more about what the content in the pre-bankruptcy debt box means.

4.4 Participants' Experience with Mortgages and Bankruptcy

In Round 2, 14 of 17 participants reported that they had a mortgage when they filed for bankruptcy. Two of those participants said that they gave up the house while in (or near) bankruptcy, while 12 participants kept their homes through the bankruptcy process.

As in Round 1, many participants expressed positive sentiments towards receiving these forms, particularly if they were trying to keep their homes. Some examples of positive comments made by respondents included:

- “Had I gotten a form like this when I was going through it, I would have felt better about my bank. They were taking an interest to try to show me something to try to help me. I found that the banks want to work with you but don’t always do a good job communicating that to you. This is a step in the right direction.” — Chapter 7
- “I wish I would have received something like that when I was going through this process, that’s for sure.” — Chapter 7
- “I don’t find the notice to be threatening. Going through bankruptcy is a traumatic experience. To get a notice that is not threatening or demanding helps a lot. It’s pertinent information that is presented not in a threatening way.” — Chapter 13

4.5 Bankruptcy Notice

Nine of the 16 participants (three of nine Chapter 7 Participants; six of seven Chapter 13 Participants¹¹) who were asked about the forms' purpose said that it was to provide people a snapshot or overview of their mortgage status. Fourteen of 17 participants described the form as more informational in nature, rather than primarily a request for payment.

However, participants had difficulty reconciling the Chapter 7 Current Pay and Chapter 13 P&I Forms' language, indicating that the form was for "informational purposes only" and was "not an attempt to impose personal liability" with the fact that the form otherwise looked like a standard mortgage statement (which would typically request a payment). The majority of participants said that they had a choice whether to make a payment, but that there would be consequences (i.e., potential foreclosure) if they did not pay. Participants appeared to draw this conclusion from a mix of past experiences and form information. For example, the Chapter 7 Current Pay Form included a statement that the mortgage loan contract may allow foreclosure if the contract's requirements were not met. But even those Chapter 7 Participants who were not able to find this statement on the form still articulated the consequences of failing to pay.

In addition, several Chapter 13 Participants had a negative reaction to the forms' foreclosure language. For example, one participant said, "If I'm in bankruptcy, I'm trying to help myself and get my finances together. And if I'm going to stay current on my loan, stop threatening me with foreclosure."

During the blind recall questions, some participants did not recall seeing anything about the form stating they were in bankruptcy; they were also not sure if the form referenced it. Participants did not find any iteration of the bankruptcy message threatening, and all understood what would happen if they failed to make a payment. When asked if they had a choice about making a payment, many said that one always has a choice but the choices are to either make a payment or face foreclosure. These participants said:

- "It doesn't dissolve your responsibility on your mortgage. Helpful information." — Chapter 7
- "Always have a choice to not pay. The consequence would be that they'd foreclose if contract requirements aren't met. That part is pretty clear. It gives you a choice and tells you the consequences." — Chapter 7
- "I can... continue paying whether the property was included in the bankruptcy or not. They're voluntary but they still have the ability to foreclose if I don't meet their requirements....They're saying you can pay, or not." — Chapter 7

¹¹ One Chapter 7 Participant was not asked about the form's purpose.

- “They can decide that they will let their house go back or make the payment. It’s their choice as to whether or not they would keep their house. If they do not make payments, they would foreclose on their home.” — Chapter 13

Only a few participants indicated a preference for the Chapter 7 Total Pay and Chapter 13 Base Forms’ bankruptcy message (which stated that the servicer must send the statement “by law”). Some noted that the wording “Bankruptcy Message” on the Chapter 7 Current Pay Form (which did not include the “by law” language) was friendlier than “Bankruptcy Notice” on the Total Pay Form. A few participants noted that the content of the Chapter 13 Base Form’s “by law” language sounded like a required legal disclaimer and that this version of the notice failed to explicitly mention that payments were voluntary.

All participants were asked what they could do if they wanted to stop receiving the statements. Five of the seven Chapter 7 Participants who responded to the question indicated that they would write to the servicer, Springside Mortgage; the remaining two said that they would contact Springside but did not specify that they would do so in writing. However, Chapter 13 Participants provided a much wider range of answers to this question. Two Chapter 13 Participants said they would call their attorney; one said there was nothing that they could do; one responded that the notice did not say what could be done; one said they would want the statements; one did not know what they would do; and only one indicated that they would write to Springside.

When asked where they should send a payment, five Chapter 13 Participants responded that they would send it to Springside Mortgage, and two said they would send it to the trustee. When asked who they would contact if they had questions about where to send their payment, five participants said they would contact Springside Mortgage, and the remaining participants said they would contact an attorney or their trustee, or search online for more information.

4.6 General Account Information

All 10 Chapter 7 Participants correctly identified the interest rate as 4.75% and correctly identified the outstanding principal of the mortgage. Nine of 10 correctly identified the fact that they would be charged a pre-payment penalty for paying down their mortgage early. Chapter 13 Participants were not asked these questions due to time constraints and the fact that participants in Round 1 and the 2012 testing readily understood these disclosures.

4.7 Current Payment Due and Due Date

In this round, Chapter 7 Participants largely looked to the Explanation of Payment Amount box to figure out how much they owed in a particular month, although at least a few participants began by looking at the payment stub and then had to look elsewhere when they saw that the stub was blank. A few participants noted confusion over how many subtotals were listed on the first (Current Pay) form (i.e., regular, current, and total). Some

assumed that these were different payment options and had questions about the impact of paying each dollar amount on their loan status. When reviewing the Current Pay Form, most Chapter 7 Participants said they would pay \$1,829.71 (the amount listed in the Payment Amount box), but others said they would pay \$1,669.71 (the regular monthly payment), and one would pay \$4,089.13 (the total outstanding amount). However, despite the different subtotals, some participants noted that having all of these dollar amounts listed was beneficial because they thought it offered them guidance in determining what payment amount might work for the mortgage company and keep them in their homes longer. It is also possible that the horizontal alignment of the Bankruptcy Message caused participants to miss the payment amount in the Payment Amount box, which might be why they referred to the Explanation of Payment Amounts box.¹² When Chapter 7 Participants were shown the second (Total Pay) form, which labeled \$4,089.13 as both the “Payment Amount” and “Total Payment Amount” (as opposed to the Alternate form, which labeled this number as “Total Amount Owed”), all 10 participants indicated that they were being asked to pay \$4,089.13 this month.

Chapter 13 Participants had lower comprehension for the Explanation of Payment Amounts, with some stating that Springside was asking them to pay the full \$4,069.88, and one believing that the form was asking for a payment of \$336.43 (the amount of the partial payment Springside received during the previous month). This might ultimately stem from overall confusion regarding the difference between pre-petition and post-petition payments. Additionally, some noted confusion over the disclaimer (that this amount did not include pre-bankruptcy debt), which also might have been due to participants not understanding the difference between how the forms presented the pre- and post-bankruptcy debts.

Similar to Chapter 7 Participants, Chapter 13 Participants also noted that there were many different subtotals on the form that could be interpreted as how much they owe to Springside (regular monthly post-petition, current monthly post-petition, total amount post-petition, amount received from trustee last month, and current balance of pre-petition arrearage). One participant thought that the “Past Unpaid Amounts (not including arrearage)” was confusing because arrearage in fact means past unpaid amounts.

As noted above, the Round 2 forms left the payment amount off of the payment coupon. The blank payment coupon confused a number of Chapter 7 Participants, as some looked to the coupon to determine how much they owed. The missing information, in conjunction with

¹² Many participants in this round noted that the Current Pay Form’s format was a bit confusing and they found themselves having to look through multiple places on the form to find the information they needed. They expressed a preference for forms with information that read left-to-right and, therefore, the adjusted alignment of the form might have caused increased confusion on how the separate pieces of information related to one another.

confusion surrounding the voluntary nature of payments, led some to believe that they were not required to pay anything at this time and others to be confused about what their amount due was.

Chapter 13 Participants did not raise the payment coupon as a major issue of confusion; the Chapter 13 forms contained more information than the Chapter 7 forms did, and the Chapter 13 interviews spent more time focused on other aspects of the notice.

As in Round 1, a few Chapter 7 and Chapter 13 Participants hesitated or expressed confusion when asked when their next payment was due. As discussed above, some of this confusion may have stemmed from the fact that the Payment Date (4/1/2015) on the tested forms was before the testing date (July 2015), while a mortgage statement would normally list a due date in the future.

4.8 Transaction Activity and Past Payments

Overall, all participants were able to use the Transaction Activity and Past Payments Breakdown sections of the forms to locate information on fees and past payments.

All Chapter 7 Participants who were asked about fees were able to correctly identify fees they had been charged and the reason for the charge. Specific questions on the partial payment disclaimer (“Any partial payments listed here are not applied to your mortgage, but instead are held in a separate suspense account.”) were only asked of consumers regarding the first form they saw during the session, the Current Pay Form. Seven of the 10 Chapter 7 Participants were able to locate and correctly interpret the partial payment disclaimer, which informed participants that partial payments are not applied to the mortgage balance, but are instead held in a separate suspense account. Two of the 10 participants located and read the statement, but expressed confusion about the meaning of the disclaimer. The remaining Chapter 7 Participant did not appear to locate the disclaimer or understand that the payment was being held in suspense.

On the Chapter 13 forms, five of seven participants were correctly able to identify the fees they had been charged and the reason for the charge. Six of the seven Chapter 13 Participants were able to use the Transaction Activity section of the forms to correctly identify the amounts and dates of previous payments that had been made.

Although the Chapter 13 Alternate Form had the same information about partial payments as the Base Form, participants had a harder time finding it on the Alternate Form because it was not prominently displayed in the Important Messages box but was instead included at the end of a narrative statement explaining the Past Payments Breakdown. Nonetheless, of the participants who were able to locate it, most were able to understand its content.

4.9 Account History [Chapter 7 Only]

Nine of the 10 Chapter 7 Participants in Round 2 were able to correctly identify that they were behind on their mortgage and that, in order to bring their account entirely up to date, they would need to pay \$4,089.13 (one did not respond to the question). It is difficult to determine whether they used specific information in the Account History box to answer these questions; three of the participants specifically referenced the “unpaid amounts” language found in the Account History box, but others indicated that they calculated these answers or used the Explanation of Payments box to respond. However, this information as a whole was successfully communicated to the participants by the form.

4.10 Information on Mortgage Counseling and Assistance [Chapter 7 Only]

All of the Chapter 7 forms tested included language in the Account History box stating, “If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.” Eight of the 10 Chapter 7 Participants were asked what they would do if they were having trouble paying their mortgage, and seven noted the statement on the form saying that more information on this was provided on the back of the form. The remaining participants described looking for other information online.

4.11 Pre-Petition Arrearage [Chapter 13 Only]

Comprehension for all pre-petition arrearage information was low across versions of the Chapter 13 forms, largely stemming from the arrearage language on all forms. Many participants were unsure what the term “arrearage” meant, or did not understand that pre- and post-petition meant before and after they filed for bankruptcy. Some participants incorrectly read arrearage as an arrangement and inferred that these payments reflected a negotiated, arranged payment plan with the servicer under their bankruptcy plan. As such, comprehension of the content provided in the pre-petition arrearage box was low—only a few participants were able to articulate what this information was and that it did not relate to the payment amount included in the Explanation of Payment Amount box at the top of the form.

It is worth noting that the Chapter 13 forms tested in Round 2 presented a more complex payment history than the Round 1 forms. For example, the Round 1 forms showed that the hypothetical borrower made both a full pre-petition and a full post-petition payment the prior month, while the Round 2 forms showed the borrower as delinquent on post-petition payments but having made a timely pre-petition payment. This scenario might have made it difficult for the Round 2 participants to distinguish between the two categories of payments.

4.12 Important Messages [Chapter 13 Only]

The Chapter 13 forms also included a message that the statement showed payments received from the debtor and the trustee, that it might not show payments recently sent to the trustee, and that it therefore might not be consistent with the trustee’s records. This

statement was generally well-received and understood. Comments from participants on this section included:

- “By looking at the statement, the payment you may have sent yesterday may not have been updated yet. Their records are different from the trustee’s. That’s very helpful. It allows you to know that the statement comes out in a timely manner but you will not be able to see everything on there because the time that the statement was sent out.”
- “If you made a recent payment, they may not have gotten it so that record may not be current so the balance could be lower.”
- “This statement may not include payments that you’ve sent to the trustee lately. As long as I know I’ve got a trustee dealing with it, I wouldn’t worry about it.”
- “Yes, this is helpful. Once I get this statement, I’m going to compare to what my records show and to what the trustee shows and hopefully it all balances out. If not, it’ll provide room for discussion.”
- “This is helpful; it lets me know to look over it and [if] I don’t agree with what is there to contact the trustee.”

4.13 Contact Information for the Mortgage Company

When Chapter 7 Participants were asked what they would do if they wanted more information on the mortgage, nine of the 10 said they would contact the servicer, Springside Mortgage, with many of them referencing the customer service number listed on the form. When Chapter 13 Participants were asked what they would do if they had questions on where to send payments, or if they believed they had made all their payments, most indicated that they would contact Springside Mortgage as well. Overall, no participants expressed concern about contacting the mortgage servicer with questions or indicated that they would not be able to find contact information.

4.14 Combined Principal and Interest Disclosure

Chapter 7 and Chapter 13 Participants reviewed a version of the form that combined principal and interest into a single, lump sum figure in the Payment Amount and Past Payment Breakdown sections. Fourteen of 17 participants (eight of 10 Chapter 7 Participants, six of seven Chapter 13 Participants) preferred to see principal and interest as separate figures. Some felt the combined information was streamlined, and very few inferred that the mortgage company was intentionally withholding information from them. Nonetheless, participants said that the combined amount did not allow them to determine how they were progressing on their principal repayments and many said that it would lead individuals to believe that the bulk (or at least half) of their payments were going to principal, when in this testing scenario the vast majority of the monthly payment would go

toward interest. This appeared to be important information for participants, as a few directly said that they currently look to see how much they're paying in interest and toward their principal when they look at their actual monthly statements. Further, combining the principal and interest into one figure led a number of participants to say that they would have to call the mortgage company to find out more details. Participants made comments such as:

- “I personally prefer it to be split out. Combined is less useful. It makes you think that [the principal amount] is more than you should when it's combined.” — Chapter 7
- “I always like separate. Now you're seeing that you're paying more in interest than in principal—you're paying nothing towards your house. Yes, that makes a difference. [Combined], you have no clue.” — Chapter 7
- “They're being more informational by giving a better explanation. If they're lumped together, you might think that they're putting \$1,000 down to the principal. You wouldn't know. It's not nefarious, as long as they show you a statement at the end of the year that shows you everything, but I would like to see a running total each month.” — Chapter 7
- “[I] like it broken out. On the combined one, it has it together. If I don't know what my principal is, how do I know how much I pay in interest?” — Chapter 13
- “[I] prefer it separated. The separated one would make it so you don't have to call and see what each one is individually.” — Chapter 13

5.0 Form Changes: Round 2 to Round 3

5.1 Form Change Overview

After Round 2, changes were made to the Chapter 7 and Chapter 13 forms. Images shown in the figures in Sections 5.2 through 5.4 are of the Round 3 forms; Round 2 forms can be found in Appendix B.

As a result of Round 2 findings, some of the text of the Bankruptcy Notice was unbolted on both the Chapter 7 and Chapter 13 forms in hopes of distinguishing some key information from the remainder of the message. The horizontal layout of the Bankruptcy Message on the Chapter 7 Current Pay Form was eliminated in part because blind recall for the bankruptcy message when it was at the top was lower than expected. The wording of the message on all forms was further updated to test for clarity and comprehension of some additional information.

The arrearage box on the Chapter 13 forms was removed from the first form tested, and then added at the bottom of the form in the second and third forms tested along with

additional explanatory text. Additionally, all Chapter 13 forms added a parenthetical in the Explanation of Payment Amount box disclosing the date (8/1/2015) on which the borrower became delinquent on post-petition payments. Only one round-over-round comparison is being presented for Chapter 13. This is because most of the Round 3 testing focused on differences between the Round 3 Chapter 13 forms.

5.2 Chapter 7: Round 3 Total Pay Form Changes Compared to Round 2 Total Pay Form*

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <p>Bankruptcy Message Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to impose personal liability on you. If you want to stop receiving statements, write to us.</p>	<p>Mortgage Statement Statement Date: 8/20/2015</p> <table border="1"> <tr><td>Account Number</td><td>1234567</td></tr> <tr><td>Payment Date</td><td>9/1/2015</td></tr> <tr><td>Payment Amount</td><td>\$3,839.13</td></tr> </table> <table border="1"> <thead> <tr><th colspan="2">Explanation of Payment Amount</th></tr> </thead> <tbody> <tr><td>Principal</td><td>\$386.46</td></tr> <tr><td>Interest</td><td>\$1,048.07</td></tr> <tr><td>Escrow (Taxes and Insurance)</td><td>\$235.18</td></tr> <tr><td>Regular Monthly Payment</td><td>\$1,669.71</td></tr> <tr><td>Total Fees and Charges</td><td>\$160.00</td></tr> <tr><td>Past Unpaid Amounts</td><td>\$2,009.42</td></tr> <tr><td>Total Payment Amount</td><td>\$3,839.13</td></tr> </tbody> </table> <table border="1"> <thead> <tr><th colspan="2">Account Information</th></tr> </thead> <tbody> <tr><td>Outstanding Principal</td><td>\$265,544.78</td></tr> <tr><td>Interest Rate (Until October 2015)</td><td>4.75%</td></tr> <tr><td>Prepayment Penalty</td><td>Yes</td></tr> </tbody> </table> <p>Transaction Activity (7/20 to 8/19)</p> <table border="1"> <thead> <tr><th>Date</th><th>Description</th><th>Charges</th><th>Payments</th></tr> </thead> <tbody> <tr><td>8/13/15</td><td>Partial Payment Received*</td><td></td><td>\$1,000.00</td></tr> <tr><td>8/16/15</td><td>Late Fee (charged because full payment not received by 8/15/2015)</td><td>\$160.00</td><td></td></tr> </tbody> </table> <p>Past Payments Breakdown</p> <table border="1"> <thead> <tr><th></th><th>Paid Last Month</th><th>Paid Year to Date</th></tr> </thead> <tbody> <tr><td>Principal</td><td>\$0.00</td><td>\$2,268.95</td></tr> <tr><td>Interest</td><td>\$0.00</td><td>\$6,338.23</td></tr> <tr><td>Escrow (Taxes and Insurance)</td><td>\$0.00</td><td>\$1,411.08</td></tr> <tr><td>Fees</td><td>\$0.00</td><td>\$160.00</td></tr> <tr><td>Partial Payment (Unapplied)*</td><td>\$1,000.00</td><td>\$1,490.00</td></tr> <tr><td>Total</td><td>\$1,000.00</td><td>\$11,508.26</td></tr> </tbody> </table> <p>Important Messages</p> <p>*Partial Payments: Any partial payments that you make are not applied to your mortgage, but instead are held in a separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage.</p> <p>**Account History**</p> <p>Recent Account History</p> <ul style="list-style-type: none"> Payment due 5/1/15: Fully paid on time Payment due 6/1/15: Fully paid on 7/3/15 Payment due 7/1/15: Unpaid balance of \$339.71 Payment due 8/1/15: Unpaid balance of \$1829.71 Current payment date 9/1/15: \$1,669.71 <p>Total: \$3,839.13 unpaid amount that, if paid, would bring your loan current.</p> <p>If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.</p>	Account Number	1234567	Payment Date	9/1/2015	Payment Amount	\$3,839.13	Explanation of Payment Amount		Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$160.00	Past Unpaid Amounts	\$2,009.42	Total Payment Amount	\$3,839.13	Account Information		Outstanding Principal	\$265,544.78	Interest Rate (Until October 2015)	4.75%	Prepayment Penalty	Yes	Date	Description	Charges	Payments	8/13/15	Partial Payment Received*		\$1,000.00	8/16/15	Late Fee (charged because full payment not received by 8/15/2015)	\$160.00			Paid Last Month	Paid Year to Date	Principal	\$0.00	\$2,268.95	Interest	\$0.00	\$6,338.23	Escrow (Taxes and Insurance)	\$0.00	\$1,411.08	Fees	\$0.00	\$160.00	Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00	Total	\$1,000.00	\$11,508.26
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Chapter 7 Total Pay Form Changes: Round 2 to Round 3

1 Changed payment date

The payment date was altered to better reflect the dates of testing.

2 Formatting altered

Parts of the message were unbolted. The message was also split into three separate paragraphs instead of just one.

3 Liability clause added

The "personal liability" clause that was on the alternate version of the Round 2 forms was added to the Round 3 Total Pay form.

4 Account History wording changed

The wording of the final bullet in the Account History box was altered slightly. It contains the same information, but in Round 3 is one sentence.

5 Payment amount added

Added the payment amount back to the payment coupon.

***NOTE:** Only two round-over-round comparisons are being presented for Round 3, even though Round 3 included a third form, the Delinquency Disclosure Form. This is because the Delinquency Disclosure Form was the same as the Round 3 Total Pay Form, except that it included additional delinquency information.

5.3 Chapter 7: Round 3 Current Pay Form Changes Compared to Round 2 Current Pay Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 8/20/2015</p> <table border="1" style="margin-top: 20px;"> <tr><td>Account Number</td><td>1234567</td></tr> <tr><td>Payment Date</td><td>9/1/2015</td></tr> <tr><td>Regular Monthly Payment</td><td>\$1,669.71</td></tr> </table>	Account Number	1234567	Payment Date	9/1/2015	Regular Monthly Payment	\$1,669.71																	
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<p>1 Bankruptcy Message Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to collect a debt against you. Any payments you choose to make are voluntary. If you want to stop receiving statements, write to us.</p>																								
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Chapter 7 Current Pay Form Changes: Round 2 to Round 3

1 Message realigned

Bankruptcy Message was realigned to its original position instead of being stretched horizontally across the top of the form.

2 Payment explanation added

An explanation of the total balance was added to help explain what was included in that number.

3 Account History wording changed

The wording of the final bullet in the Account History box was altered slightly. It contains the same information, but in Round 3 is one sentence.

4 Payment coupon disclosure added

The payment disclosure was re-added to the payment coupon.

5.4 Chapter 13: Round 3 Form Changes*

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <p>Bankruptcy Message Our records show that you are a debtor in bankruptcy. This statement is being sent to you for informational and compliance purposes only. It is not an attempt to impose personal liability on you. If your bankruptcy plan requires you to send your regular monthly mortgage payments to the Trustee, you should pay the Trustee instead of us. Please contact your attorney or the Trustee if you have questions. If you want to stop receiving statements, write to us.</p>	<p>Mortgage Statement Statement Date: 8/20/2015</p> <table border="1"> <tr> <td>Account Number</td> <td>1234567</td> </tr> <tr> <td>Payment Date</td> <td>9/1/2015</td> </tr> <tr> <td>Payment Amount</td> <td>\$3,569.88</td> </tr> </table> <p>Explanation of Payment Amount (Post-Petition Payment)</p> <table border="1"> <tr> <td>Principal</td> <td>\$511.63</td> </tr> <tr> <td>Interest</td> <td>\$1,053.31</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$375.00</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,939.84</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$190.00</td> </tr> <tr> <td>Unpaid Amount (past due since 08/01)</td> <td>\$1,439.94</td> </tr> <tr> <td>Total Payment Amount</td> <td>\$3,569.88</td> </tr> </table> <p>The Payment Amount does not include any amount that was past due before you filed for bankruptcy.</p> <p>Account Information</p> <table border="1"> <tr> <td>Outstanding Principal</td> <td>\$269,126.91</td> </tr> <tr> <td>Interest Rate (Until October 2015)</td> <td>4.75%</td> </tr> <tr> <td>Prepayment Penalty</td> <td>Yes</td> </tr> </table> <p>Transaction Activity (7/20 to 8/19)</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Description</th> <th>Charges</th> <th>Payments</th> </tr> </thead> <tbody> <tr> <td>8/10/15</td> <td>Partial Payment Received*</td> <td>\$336.43</td> <td></td> </tr> <tr> <td>8/13/15</td> <td>Partial Payment Received*</td> <td>\$500.00</td> <td></td> </tr> <tr> <td>8/16/15</td> <td>Late Fee (charged because full payment not received by 8/15/15)</td> <td>\$190.00</td> <td></td> </tr> </tbody> </table> <p>Breakdown of Past Payments</p> <table border="1"> <thead> <tr> <th></th> <th>Paid Last Month</th> <th>Paid Year to Date</th> </tr> </thead> <tbody> <tr> <td>Principal</td> <td>\$0.00</td> <td>\$3,926.91</td> </tr> <tr> <td>Interest</td> <td>\$0.00</td> <td>\$8,592.62</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$0.00</td> <td>\$3,000.00</td> </tr> <tr> <td>Fees</td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>Partial Payment (Unapplied)*</td> <td>\$836.43</td> <td>\$1,251.53</td> </tr> <tr> <td>Total</td> <td>\$836.43</td> <td>\$16,771.06</td> </tr> </tbody> </table> <p>Important Messages This statement may not show recent payments you sent to the Trustee that the Trustee has not yet forwarded to us. Please contact your attorney or the Trustee if you have questions.</p> <p>*Partial Payments: Any partial payments listed here are not applied to your mortgage, but instead are held in one or more separate suspense accounts. Once we receive funds equal to a full monthly payment, we will apply those funds to your mortgage.</p> <p>Summary of Amounts Past Due Before Bankruptcy Filing (Pre-Petition Arrearage)</p> <table border="1"> <tr> <td>Total Claim Amount</td> <td>\$12,111.60</td> <td>This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts. 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Chapter 13 Form Changes: Round 2 Base to Round 3 Arrearage

1 Moved top disclaimer

The top disclaimer about the payment amount not including pre-bankruptcy debt was relocated to the Post-Petition Payment box to better facilitate understanding.

2 Formatting altered

The statement about how to stop receiving notices was moved to its own paragraph at the end.

3 Boxes realigned

The Important Messages and the Pre-Petition Arrearage box were switched to allow inclusion of more information and to better facilitate understanding by separating the Pre-Petition Arrearage information from the other information about past payments.

4 Header changed

The Pre-Petition header was changed to include more explanatory information.

5 Total Claim Amount added

A fourth amount was added to the Pre-Petition Payment box.

6 Explanation added

Explanatory text was added to the Pre-Petition Arrearage box to explain more about those payments.

7 Payment coupon disclosure added

The payment disclosure was re-added to the payment coupon.

***NOTE:** Only one round-over-round comparison is being presented for Round 3. This is because most of the Round 3 testing focused on differences between the Round 3 Chapter 13 forms; not as much interest was given in comparing Round 2 to Round 3 forms. The comparison given is between the Round 2 Base Form (the first form tested in that round) and the Round 3 Arrearage Form (the second form tested in that round).

6.0 Round 3

6.1 Forms and Methodology

Round 3 was held in Chicago, Illinois. As in Rounds 1 and 2, the Chapter 7 forms presented a scenario in which the consumer was behind on mortgage payments. The consumer had made a partial payment during the prior billing cycle and had been charged a late fee for not making the full payment by the end of the grace period. A series of blind recall questions were asked after the participants initially reviewed the form, asking them to recall the form's purpose, what they would do if they received this notice while in bankruptcy, and whether the form stated anything about their being in bankruptcy.

Three Chapter 7 forms were tested: a Total Pay Form, a Current Pay Form, and a Delinquency Disclosure form. The Total Pay Form was shown first, followed by the Current Pay Form and the Delinquency Disclosure form. The forms can be found in Appendix C.

As shown in the figures in Section 6.2, the Round 3 Chapter 7 forms differed from each other in the following ways:

- 1) The Total Pay Form listed the Payment Amount as the total amount outstanding (including past due amounts), while the Current Pay Form listed the Payment Amount as only the regular monthly payment. Similar to Rounds 1 and 2, the Current Pay Form tested whether participants understood that they were behind on the mortgage even if the Payment Amount included only the regular monthly payment, but not any past unpaid amounts.
- 2) The Current Pay Form added a statement about payments being voluntary to the Bankruptcy Message that the Total Pay Form did not have.
- 3) The Explanation of Payment amount box on the Current Pay Form referred to the Total Payment Amount as the Total Balance and also added a parenthetical specifying what that amount included (Regular + Fees + Past Unpaid).
- 4) The Total Pay Form had a payment amount on the payment coupon while the Current Pay Form did not.
- 5) The Delinquency Disclosure form was similar to the Total Pay Form, but also had the following additional information:
 - a. A disclaimer about when payments had to be received to avoid a late fee, and how much this late fee would be, was included at the top of the form. The same disclaimer was also added to the payment coupon.
 - b. The word "due" was added to the top so that the Payment Date became "Payment Due Date" and the Payment Amount became "Amount Due."
 - c. The Account History section was renamed to Delinquency Information.

- d. The Delinquency Information section had additional information, such as how many days the borrower has been delinquent and what could happen if they did not bring their loan current (e.g., fees and foreclosure).

In Round 3, eye-tracking glasses were used to capture participants' eye movements when interacting with the Chapter 7 forms. Eye movement data provides an additional level of insight into participants' experience with the forms. Eye movements consist of fixations, which occur when the eye is relatively still, and saccades, which are the rapid movements between the fixations; a fixation is very short, typically 0.1 to 0.5 seconds in duration. Gaze plots are then used to visualize the eye-movement fixations captured by the glasses. Gaze plots visualize fixations from individual participants. The numbers on the gaze plot circles correspond to the order in which the fixations occurred. The size of the circle on a gaze plot corresponds to the length of the fixation duration; larger circles represent fixations with longer durations. The lines on a gaze plot connect the order in which the fixations occurred; longer lines between fixations typically signify a participant who scanned, while shorter lines typically signify a participant who read the material closely. Chapter 7 form eye tracking data for Round 3 can be found in Appendix E.

The Chapter 13 forms presented a scenario in which the borrower made a partial payment of \$500 on the prior month's periodic (post-petition) payment, thus resulting in a past due amount and a late fee. Additionally, the first form tested (the No Arrearage Form) did not include any pre-petition arrearage box and so did not disclose the arrearage's starting or current balance. This scenario was used to test whether participants understood that they had a past due amount and, if so, whether that amount related solely to post-petition amounts due during the bankruptcy case. This also allowed us to examine whether participants' confusion regarding the Chapter 13 forms in previous rounds was at least in part caused by the inclusion of any pre-petition arrearage information (a scenario not all participants had personal experience with) or other aspects of the form. The Chapter 13 forms in this round showed that the borrower had continued to repay the pre-petition arrearage through the trustee. A series of blind recall questions were asked after the participants initially reviewed the form, asking them to recall the form's purpose, what they would do if they received this notice while in bankruptcy, and whether the form stated anything about their being in bankruptcy.

Three Chapter 13 forms were tested in this round: a No Arrearage Form, an Arrearage Form, and an Alternate Arrearage Form. The No Arrearage Form was shown first, followed by the Arrearage Form and the Alternate Arrearage Form. The forms can be found in Appendix C.

As shown in the figures in Section 6.3, the Round 3 Chapter 13 forms differed from each other in the following ways:

- 1) The No Arrearage Form did not have any information about the pre-bankruptcy debt (the amount the recipient was behind on their mortgage before filing). The Arrearage Form added an arrearage box, called “Summary of Amounts Past Due before Bankruptcy Filing,” which contained information about the pre-bankruptcy debt, including the total claim amount, the amount paid in the previous month, the total paid so far since filing for bankruptcy, and the current balance still due on the pre-bankruptcy debt. It also included a narrative explanation of the pre-petition arrearage, stating that the pre-petition arrearage box showed amounts that were past due when the individual filed for bankruptcy and might also include other allowed amounts.
- 2) The Alternate Arrearage Form was very similar to the original Arrearage Form, but it added a clause to the narrative explanation stating that the amounts in this box were separate from their regular monthly mortgage payments.

By Round 3 of testing, most overarching issues had been identified and at least partially addressed. Therefore, questions regarding certain disclosures that participants readily understood in the first two rounds (as well as in the 2012 testing), such as the general account information, were omitted to allow additional time to probe certain bankruptcy-specific form issues, such as the language of the Bankruptcy Notices and the placement and content of the arrearage box on the Chapter 13 form.

6.2 Form Difference Overview: Chapter 7

Form Difference Overview

Total Pay Form

Current Pay Form

Delinq. Disclosure Form

1 Payment amount differed

2 "Voluntary" statement added

3 Payment amount explanation added

4 Payment amount removed from payment coupon

5 Additional disclosures added

1 Payment amount differed

Account Number	1234567
Payment Date	9/1/2015
Payment Amount	\$3,839.13

Account Number	1234567
Payment Date	9/1/2015
Regular Monthly Payment	\$1,669.71

The Total Pay Form asked participants to pay the full \$3,839.13 due, which was inclusive of their regular monthly payment, total fees and charges, and past unpaid amounts (top). The Current Pay Form asked participants only for the regular monthly payment amount of \$1,669.71 (bottom).

2 Voluntary statement added

Bankruptcy Message
Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy.
We are sending this statement to you for informational and compliance purposes only. It is not an attempt to impose personal liability on you.
If you want to stop receiving statements, write to us.

Bankruptcy Message
Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy.
We are sending this statement to you for informational and compliance purposes only. It is not an attempt to collect a debt against you. Any payments you choose to make are voluntary.
If you want to stop receiving statements, write to us.

The Total Pay Form (left) stated that it was “not an attempt to impose personal liability,” while the Current Pay Form (right) stated that it was “not an attempt to collect a debt.” The Current Pay Form also contained the phrase “Any payments you choose to make are voluntary.”

3 Payment amount explanation added

Explanation of Payment Amount	
Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Past Unpaid Amounts	\$2,009.42
Total Payment Amount	\$3,839.13

Explanation of Payment Amount	
Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Past Unpaid Amounts	\$2,009.42
Total Balance (Regular + Fees + Past Unpaid)	\$3,839.13

The Current Pay Form (right) added a parenthetical statement explaining that the total balance is equal to the above listed regular payment, fees, and past unpaid amounts.

4 Payment amount removed from payment coupon

Payment Amount	
Payment Date:	9/1/2015
Payment Amount:	\$3,839.13
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

If you are making a payment, make your check

Payment Amount	
Payment Date:	9/1/2015
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

The payment amount was included on the payment coupon in the Total Pay Form (left), but not on the Current Pay Form (right).

5 Additional disclosures added

Account Number	1234567
Payment Due Date	9/1/2015
Amount Due	\$3,839.13
<i>If payment is received after 9/15/15, \$160 late fee will be charged.</i>	

The Delinquency Disclosure Form had a disclaimer at the top and on the payment coupon (not pictured) informing participants when a late fee would be incurred, and how much the fee would be.

Delinquency Information	a
You are late on your mortgage payments. Failure to bring your loan current may result in fees and foreclosure—the loss of your home. As of August 20, you are 51 days delinquent on your mortgage loan.	
Recent Account History <ul style="list-style-type: none"> • Payment due 5/1/15: Fully paid on time • Payment due 6/1/15: Fully paid on 7/3/15 • Payment due 7/1/15: Unpaid balance of \$339.71 • Payment due 8/1/15: Unpaid balance of \$1829.71 • Current payment date 9/1/15: \$1,669.71 • Total: \$3,839.13 due. You must pay this amount to bring your loan current. 	
If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.	

The Account History box was changed to a Delinquency Information box, which contained two pieces of additional information:

- That failure to bring their loan current could result in fees and foreclosure.
- They are 51 days delinquent on their mortgage loan.

6.3 Form Difference Overview: Chapter 13

Chapter 13 Round 3 Form Difference Overview

<p>No Arrearage Form</p>	<p>Arrearage Form</p>	<p>Alternate Arrearage Form</p>
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1 Arrearage box added

2 Arrearage box content altered

1 Arrearage box added

Summary of Amounts Past Due Before Bankruptcy Filing (Pre-Petition Arrearage)			
Total Claim Amount	\$12,111.60	This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts. The Trustee is sending us the payments shown here.	
Paid Last Month	\$336.43		
Total Paid During Bankruptcy	\$1,345.72		
Current Balance	\$10,765.88		

The No Arrearage Form did not contain any arrearage information or box. The Arrearage Form featured the addition of the arrearage information (above) that contained the total claim amount, what was paid last month, the total paid so far in bankruptcy, and the current balance. The box also contained some explanatory text.

2 Arrearage box content altered

Bankruptcy Filing (Pre-Petition Arrearage)	
This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts. The Trustee is sending us the payments shown here.	

The Alternate Arrearage Form (bottom) added a sentence stating, **"These are separate from your regular monthly mortgage payment."**

Bankruptcy (called Pre-Petition Arrearage)	
This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts on your mortgage loan. The Trustee is sending us the payments shown here. [These are separate from your regular monthly mortgage payment.]	

6.4 Participants' Experience with Mortgages and Bankruptcy

In Round 3, 12 participants reported that they had a mortgage when they filed for bankruptcy. Four of those participants said that they gave up the house while in (or near) their bankruptcy, while eight participants kept their homes through the bankruptcy process.

Virtually all participants, including both Chapter 7 Participants and Chapter 13 Participants, expressed positive sentiments towards receiving these forms, particularly if they were trying to keep their homes. Some examples of these positive comments included:

- “If you’re in bankruptcy, you’re probably trying to take yourself back to a place where you’re out of debt or out of a situation where you can’t make your payments. I would appreciate these statements and would want to know that even if I wasn’t current, I was aware of what was going on.” — Chapter 7
- “Definitely [would rather receive them]. You know what your bottom line is and you know what the amount due is and how to exercise your options.” — Chapter 13
- “[I would rather] receive them. This lets me know which way I’m heading.” — Chapter 13

Only a few participants indicated that they would rather not receive the forms themselves, or would not want to receive them frequently:

- “[I] don’t think they would need to see them every month; maybe on a quarterly level would be very helpful.” — Chapter 7
- “Send [the forms] to my attorney, make sure that there’s no confusion or miscommunication.” — Chapter 13

6.5 Bankruptcy Notice

Four of seven Chapter 7 Participants generally recalled (while the form was turned over) that the form included something about their being in bankruptcy; however, few remembered the specific details. Four of seven Chapter 7 Participants said that they preferred the Current Pay Form’s bankruptcy statement over the Total Pay Form’s statement when comparing the two side by side because of the plain language on the Current Pay Form indicating that the form was “not an attempt to collect a debt” and that any payments were “voluntary.”

Participants’ understanding of some forms’ language about “voluntary” payments evolved across the three rounds. In Round 3, three of seven Chapter 7 Participants reviewing the Current Pay Form interpreted the “voluntary” language as meaning that they could negotiate with the servicer for how much they could pay, or that they could make partial payments without penalty. Other participants interpreted the “voluntary” language to mean that the servicer was telling them they could pay extra funds if they would like to pay off their mortgage faster. Those who did understand the intended meaning of the “voluntary”

language—i.e., that the servicer could not compel a payment from the participant—were still confused as to how payments could be “voluntary” if they needed to make the payments to keep the home; these participants said that it seemed like a legal requirement to include this language on the notice. Participants’ responses to the “voluntary” language included:

- “We’re not demanding a payment. We hope you pay. This isn’t a final opportunity to save yourself; it softens the letter.”
- “You could ignore it if you wanted to stop making payments and start living in a tent.”

Participants’ differing reactions to the “voluntary” language appeared to affect which version of the Bankruptcy Message they preferred. Those who preferred the Current Pay Form’s Bankruptcy Message generally responded positively to its “voluntary” language. Conversely, those who preferred the Total Pay Form’s Bankruptcy Message—which did not reference “voluntary” payments—did so because they found the Current Pay Form’s “voluntary” language to be confusing. Overall, as in prior rounds, many participants had different interpretations of the “voluntary” language, and it swayed their preferences for a particular form’s Bankruptcy Message.

While some participants appeared to understand the “impose personal liability” language on the Total Pay Form, most still expressed some confusion over it. Participants experiencing confusion expressed uncertainty about its meaning, that it sounded too much like legalese, or that they thought other people would have problems with this statement. Examples of participants’ statements about this language include:

- “You’re not personally liable—the bankruptcy court would have final say in what’s going on.” — Chapter 7
- “This isn’t a shakedown, it’s just a personal way to understand what’s going on, but they want their money.” — Chapter 7
- “[The liability sentence] is kind of confusing. Not an attempt to say that I’m liable to pay down the loan.” — Chapter 7

Chapter 7 Participants generally comprehended the phrase “not an attempt to collect a debt,” offering more straightforward interpretations:

- “They can’t make you pay.” — Chapter 7
- “They’re not making me pay my debt.” — Chapter 7
- “They’re not looking for money, but they attached a payment stub anyways in case you wanted to pay them.” — Chapter 7

However, two participants did still express some confusion:

- “Not sure. They wouldn’t send it to you if they didn’t want a check in return. Maybe they don’t want you thinking that they’re sending you a ‘settle up’ amount in order to

avoid going to jail. It is an attempt to collect a debt, but they're not turning it over to a debt collector. This is not the final attempt to get the money from you. Just informational advisory.” — Chapter 7

- “It’s a monthly payment, but they’re not asking for the total amount. . . This one would almost be a second notice if I missed that payment.” — Chapter 7

For Chapter 13 Participants, the modified language about the bankruptcy plan (“If your bankruptcy plan requires you to send your regular monthly mortgage payment to the Trustee, you should pay the Trustee instead of us.”) helped comprehension of this form with five of six participants who were specifically asked recalling this information while the form was turned over. Participants said:

- “It says that if your plan requires you to send the payment to the trustee, then don’t send [it] to them. This means that you shouldn’t send it to Springside.”
- “It says that if your bankruptcy plan requires your payments to be sent to the trustee, then do that. If they told you to do it, then do it.”
- “I’d follow whatever the initial layout [of the plan] was, because that’s what was agreed to.”

6.6 General Account Information

Because of high comprehension related to general account information in Rounds 1 and 2, as well as in the 2012 testing, questions regarding the interest rate, outstanding principal, and prepayment penalty were omitted to allow additional time to probe certain bankruptcy-specific form issues, such as the language of the Bankruptcy Notices and the placement and content of the arrearage box on the Chapter 13 form.

6.7 Current Payment Due and Due Date

Nearly all (six out of seven) Chapter 7 Participants were able to identify the correct Payment Date on each of the forms when asked. Most Chapter 7 Participants correctly said that the Total Pay Form and Delinquency Disclosures Form were asking them to pay \$3,839.13. However, as in Round 1 and 2, participants had varying responses about how much the Current Pay Form was asking them to pay: two cited the \$1,669.71 amount listed in the Payment Amount box, two noted the \$3,839.13 amount listed under the Explanation of Payment Amount, and three said it was unclear to them how much they were being asked to pay that month.

The Chapter 7 Delinquency Disclosure Form used the phrases “Amount Due” and “Due Date” instead of “Payment Amount” and “Payment Date.” All seven Chapter 7 Participants expressed a preference for the language used in the Delinquency Disclosure Form (“Amount Due” and “Due Date” versus “Payment Date” and “Payment Amount”) because of the inclusion of the word “due.” Participants noted that “due” made it clearer that this was an

upcoming payment, not a historical one (this theme built on comments made in Round 1 of testing). Some noted that they usually scan documents quickly for the word “due,” so the word would be a helpful addition to them. These participants said:

- “I like having the due date; they highlight it on regular bills.”
- “Due means that I have to get it to them by that date. It’s more powerful. This is better because it must be in their hands by that date.”
- “The word due, when you’re paying people back, there’s a commonality in that word.”
- “Due date. It needs to be clear for me. It would pop out for me.”

Nearly all Chapter 13 Participants were able to identify the correct Payment Date on each of the Round 3 forms when asked. Most Chapter 13 Participants understood that they were being asked to pay \$3,569.88 on the No Arrearage Form. However, consistent with the findings regarding the Chapter 7 Current Pay Form, some Chapter 13 Participants expressed confusion regarding how much the Alternate Arrearage Form was asking them to pay: half the participants cited the \$1,939.94 amount listed in the Payment Amount box, while the other half said that they owed a total of \$3,469.88.

In addition, some Chapter 13 Participants wrongly concluded that their post-petition payments included amounts that were past due when they filed for bankruptcy. This seemed to be because they saw “unpaid amount” in the post-petition payments and forgot that those amounts in that box were only for post-petition payments. Most participants were able to discern the difference between the amount they were being asked to pay in the current month and the Pre-Petition Arrearage information at the bottom. Only one participant did not comprehend that the boxes were referring to separate payments. Any confusion about this point did not appear to interfere with most participants’ understanding of how much they should pay.

6.8 Transaction Activity and Past Payments

Overall, participants were able to use the Transaction Activity and Past Payments Breakdown sections of both versions of the Chapter 7 form to locate information on fees and past payments. All of the Chapter 7 Participants who were asked whether they had been charged fees and for what were able to correctly answer those questions.

All but one Chapter 7 Participant was also able to locate and correctly interpret the partial payment disclaimer, which informed participants that partial payments are not applied to the mortgage balance, but are instead held in a separate suspense account. The remaining participant did not notice this statement and, as a result, was unclear on how payments were being applied.

Some Chapter 13 Participants were asked whether the amount they were being requested to pay included any fees. The majority of these participants (all but one) identified that their

payment amount included past fees. When asked whether this amount included payments that were missed during the bankruptcy case, the majority correctly identified that the Payment Amount included unpaid amounts.

In this round, Chapter 13 Participants were also asked when they had failed to make a payment due during bankruptcy. Most participants correctly said that they had failed to make the full payment that was due on August 1. The different language describing this date on the No Arrearage Form (“past due since 08/01/2015”) and the Alternate Arrearage Form (“dating from 08/01/2015”) did not appear to affect participants’ understanding of when they failed to make a payment.

The Chapter 13 Alternate Arrearage Form separated the partial payments into separate suspense accounts (one for pre-petition and one for post-petition partial payments). Some participants easily understood why and this seemed to facilitate comprehension of the difference between the pre-petition and post-petition payments in the Transaction Activity box. However, some did not grasp that these were separate accounts. Some participants also seemed confused as to whether the money was paid before or after bankruptcy, or if it was going into pre- and post-bankruptcy debt suspense accounts. Overall, even with some confusion, participants understood that the amounts listed here were being held in suspense.

6.9 Account History [Chapter 7 Only]

Comprehension of the Account History information was high in Round 3, with the majority of participants correctly identifying the amount needed to bring their loan current and the fact that they missed previous payments (both presented in the Account History box).

Four of six participants expressed a preference for “Account History” over “Delinquency Information” and noted that they considered “Delinquency Information” more threatening because it focused on the fact that they were overdue. Additionally, at least one participant noted that the label “Delinquency Information” was incorrect because the box showed full payments in the transaction history section in addition to delinquent payment information. Examples of what participants said about this section included:

- “I know I’m delinquent, I don’t need to read it. I think that account history is not as threatening and it’s clearer.”
- “[I’d rather see] Account History, but you could add a delinquency notice to the Account History column.”

6.10 Late Fee and Delinquency-Specific Disclosures [Chapter 7 Only]

The third Chapter 7 form (the Delinquency Disclosures Form) introduced a number of additional disclosures, most of which were received positively. Participants immediately noticed and comprehended that the \$160 late fee would be assessed after 9/15/2015. Participants preferred having this late fee information on the form and did not find it threatening. However, their answers were mixed as to whether they found the information on how many days they were delinquent helpful. Participants understood the disclosure and generally found it useful, but it was not immediately clear to them why it was included or how they would use it. Most participants said that they would already have this information or know it since they were making the payments. Participants also understood the disclosure stating that failure to bring the loan current could result in fees and foreclosure. Although more participants found this disclosure threatening than found the other additional disclosures threatening, most participants still preferred having additional information about potential fees and foreclosure as it clarified the consequences of non-payment. In all, most participants expressed a preference for receiving the delinquency-specific disclosures if these disclosures applied to them, with six of seven preferring to receive the late fee disclosure, all seven preferring to see how many days delinquent they were, and five of seven preferring to receive the potential fees and foreclosure information.

6.11 Information on Mortgage Counseling and Assistance [Chapter 7 Only]

All of the Chapter 7 forms tested included language in the Account History box stating, “If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.” Five of the seven Chapter 7 Participants were asked what they would do if they were having trouble paying their mortgage, and four responded by noting the statement on the form stating that more information on this was provided on the back of the form. The remaining participant said that there was no information about this on the form, and that he would call customer service.

6.12 Pre-Petition Arrearage [Chapter 13 Only]

Participants immediately noticed the addition of the pre-petition arrearage box on the Arrearage Form and generally (and correctly) interpreted its purpose and contents. Nine of the 10 respondents were able to provide a description indicating that they understood that this displayed the amount they were behind when they filed for bankruptcy. However, participants’ interpretation of the box could be due to the fact that they were led to conclude that the form might differ from the first form, which did not include this information. Participants generally understood that the trustee was making these payments to the servicer. Participants also said that the pre-petition arrearage information was helpful, with some saying:

- “It shows the amounts that were past due when I filed. And then says that trustee is sending the payments shown here. The trustee doesn’t let you know. They just take the money and disperse it.”
- “You want to see that your payments are being paid. I think you only get a six-month or once-a-year statement from the trustee. I’m sure they’re paying it, but you’re always hoping.”

Most of the other participants, while not specifically referring to the trustee in this discussion, generally identified the trustee as the person making payments during the bankruptcy. As one of those participants said when asked who was making payments to Springside Mortgage, “The trustee did. That’s who I give my money to.”

Regarding the explanatory text, participants generally preferred the statement in the Alternate Arrearage Form because it indicated that “these are separate from your regular monthly mortgage payment.” Three of the 10 participants indicated that they did not know or were not sure what the label “pre-petition arrearage” meant, but were still able to understand what was being shown in that section, since it was defined earlier in the title of this section. A few participants noted that this label was redundant, but the redundancy did not interfere with their understanding of the information in this section.

6.13 Contact Information for the Mortgage Company

When Chapter 7 Participants were asked what they would do if they wanted more information on the mortgage, all seven said they would contact Springside Mortgage, with many of them referencing the customer service number listed on the form. Chapter 13 Participants were not specifically asked this question, but when asked whom they would contact if they believed they had made all their payments, six of the 10 respondents indicated that they would contact Springside Mortgage (the remaining participants indicated that they would contact their trustee or attorney). Overall, no participants expressed concern about contacting the mortgage company with questions or indicated that they would not be able to find contact information.

7.0 Conclusions

The CFPB sought to create and test periodic statement forms as part of its November 2014 NPRM, which included proposed amendments to Regulation Z’s periodic statement requirements regarding consumers in bankruptcy. The NPRM included proposed sample forms. Following the NPRM, the proposed sample forms, as well as modified versions of those forms, were tested in an iterative process to determine borrowers’ reactions to the

forms, whether they would comprehend the information included in these statements, and how to best present information in a user-friendly way. As such, comprehension, attitudinal reactions, and perceived utility of these forms were tested across three rounds. Cross-cutting themes across these rounds included:

- 1) Participants generally preferred to receive these statements, rather than not receive them, if they had a mortgage while in bankruptcy. This was particularly true if they wished to keep their house.
- 2) Participants generally preferred non-technical language, especially for the Chapter 13 forms (though some participants, particularly in Round 1, understood and preferred more technical language). Examples of technical language that led to some comprehension problems include statements about “impos[ing] personal liability,” “pre-petition payments,” and “post-petition arrearage.” Using plain language statements, such as “collect a debt” and “amounts due before bankruptcy,” conveyed the information while seeming to alleviate participants’ confusion.
- 3) Statements that the payments were “voluntary” were subject to varying interpretations by participants and did not facilitate comprehension as most participants already understood that they could choose not to make payments but that the consequence would be losing the home.
- 4) In addition to the Payment Amount box, participants looked to both the payment coupon and the Explanation of Payment Amount boxes to help understand how much they were being asked to pay in a particular month.
- 5) Clear information about consequences of non-payment—although this information can appear somewhat threatening—helped participants understand their various courses of action and what would happen if they did not take action. In fact, some participants wanted even clearer, more direct language about these consequences. This remained true for the delinquency information tested in Round 3: participants wanted to know exactly what the late fee was and when it would be assessed.
- 6) The distinction between post-petition payments and pre-petition arrearage payments was not always immediately clear to participants. Participants immediately noticed the distinction in Round 3, where the first form did not contain any information on pre-petition payments but the second form did. In other rounds, participants took longer to, or were sometimes unable to, comprehend the distinction. Overall, participants in Rounds 1 and 3 generally understood the pre-petition arrearage disclosures and that these disclosures represented a separate stream of payments from the post-petition payments, while participants in Round 2 struggled to comprehend the pre-petition arrearage information. However, this is one area where the context of testing is important to keep in mind. Participants undergoing bankruptcy might know whether they are behind on their payments before filing for bankruptcy and, as such, might be able to identify this information on a mortgage statement and interpret why it was there.

- 7) Similarly, the forms tested in this scenario included many things that would not necessarily appear on each borrower's statement (e.g., arrearages, late fees, etc.), and thus not all participants may have had experience with these situations. The forms also included standard pieces of information that would appear on each borrower's statement (payment amount, bankruptcy statement, etc.), and comprehension of this standard information was high.

Appendix A: Round 1 Forms

A.1 Chapter 7 Proposed Form

Springside Mortgage		Mortgage Statement																																	
Customer Service: 1-800-555-1234 www.springsidemortgage.com		Statement Date: 3/20/2015																																	
<p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>		<table border="1"> <tr><td>Account Number</td><td>1234567</td></tr> <tr><td>Payment Date</td><td>4/1/2015</td></tr> <tr><td>Payment Amount</td><td>\$4,339.13</td></tr> </table>		Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,339.13																										
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1234567 34571892 342359127 DN																																			

A.2 Chapter 7 Current Pay Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

This statement is for information only. We are not trying to collect a debt against you personally.

Our records show that you recently filed for bankruptcy or you already have a discharge. Although your legal duty to repay the loan may be discharged, we still have a lien on the property and the right to foreclose on the property if the loan is in default.

Mortgage Statement

Statement Date: 3/20/2015

Account Number	1234567
Payment Date	4/1/2015
Payment Amount*	\$2,079.71

*The Payment Amount does not include any past due amounts. Those are listed in the Account History section.

Explanation of Payment Amount

Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$410.00
Total Payment Amount	\$2,079.71

Account Information

Outstanding Principal	\$264,776.43
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (2/20 to 3/19)

Date	Description	Charges	Payments
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3/19/15	Property Inspection Fee	\$250.00	

Past Payments Breakdown

	Paid Last Month	Paid Year to Date
Principal	\$0.00	\$383.31
Interest	\$0.00	\$1,051.22
Escrow (Taxes and Insurance)	\$0.00	\$235.18
Fees	\$0.00	\$410.00
Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00
Total	\$1,000.00	\$3,569.71

Account History

Recent Account History

- Payment due 12/1/14: Fully paid on time
- Payment due 1/1/15: Fully paid on 2/3/15
- Payment due 2/1/15: Unpaid balance of \$589.71
- Payment due 3/1/15: Unpaid balance of \$2,079.71
- Current payment date 4/1/15: \$1,669.71
- **Total: \$4,339.13 unpaid amounts.**

If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.

Important Messages

***Partial Payments:** Any partial payments that you make are not applied to your mortgage, but instead are held in a separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage.

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

If you filed for bankruptcy and you choose to make a payment:

Make any checks payable to
Springside Mortgage.

Payment Amount	
Payment Date:	4/1/2015
Payment Amount:	\$2,079.71
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

1234567 34571892

342359127 DN

A.3 Chapter 13 Proposed Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p> <div style="border: 1px solid black; padding: 5px;"> <p>Bankruptcy Notice</p> <p>Our records reflect that you are presently a debtor in an active bankruptcy case or you previously received a discharge in bankruptcy. This statement is being sent to you for informational and compliance purposes only. It should not be construed as an attempt to collect a debt against you personally.</p> <p>The information disclosed on the periodic statement may not reflect payments you have made to the Trustee and may not be consistent with the Trustee's records. Please contact the Trustee or your attorney if you have any questions regarding this matter.</p> </div>	<p>Mortgage Statement Statement Date: 3/20/2015</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Account Number</td> <td style="width: 50%;">1234567</td> </tr> <tr> <td>Post-Petition Payment Date</td> <td>4/1/2015</td> </tr> <tr> <td>Post-Petition Payment Amount</td> <td>\$1,939.94</td> </tr> <tr> <td colspan="2">Under your bankruptcy plan, the Trustee may be making payments on your mortgage and other debts. You should contact the Trustee or your attorney if you have any questions about who is responsible for your mortgage payments.</td> </tr> <tr> <td colspan="2">Explanation of Payment Amount</td> </tr> <tr> <td>Principal</td> <td>\$501.63</td> </tr> <tr> <td>Interest</td> <td>\$1,063.31</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$375.00</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$0.00</td> </tr> <tr> <td>Unpaid post-petition payments</td> <td>\$0.00</td> </tr> <tr> <td>Total Post-Petition Payment Amount</td> <td>\$1,939.94</td> </tr> <tr> <td colspan="2">Account Information</td> </tr> <tr> <td>Outstanding Principal</td> <td>\$271,043.06</td> </tr> <tr> <td>Interest Rate (Until October 2015)</td> <td>4.75%</td> </tr> <tr> <td>Prepayment Penalty</td> <td>Yes</td> </tr> </table> <p>Transaction Activity (2/20 to 3/19)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Date</th> <th>Description</th> <th>Charges</th> <th>Payments</th> </tr> </thead> <tbody> <tr> <td>3/4/15</td> <td>Payment Received</td> <td></td> <td>\$1,939.94</td> </tr> <tr> <td>3/17/15</td> <td>Payment Received</td> <td></td> <td>\$336.43</td> </tr> </tbody> </table> <p>Post-Petition Payments Breakdown</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Paid Last Month</th> <th>Paid Year to Date</th> </tr> </thead> <tbody> <tr> <td>Principal</td> <td>\$499.65</td> <td>\$1,493.04</td> </tr> <tr> <td>Interest</td> <td>\$1,065.29</td> <td>\$3,201.78</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$375.00</td> <td>\$1,125.00</td> </tr> <tr> <td>Fees</td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>Partial Payment (Unapplied)</td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>Total</td> <td>\$1,939.94</td> <td>\$5,819.82</td> </tr> </tbody> </table> <p>Pre-Petition Arrearage Payments</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Paid Last Month</th> <th>Paid Year to Date</th> <th>Current Balance of Pre-Petition Arrearage</th> </tr> </thead> <tbody> <tr> <td>\$336.43</td> <td>\$1,009.29</td> <td>\$10,093.00</td> </tr> </tbody> </table>	Account Number	1234567	Post-Petition Payment Date	4/1/2015	Post-Petition Payment Amount	\$1,939.94	Under your bankruptcy plan, the Trustee may be making payments on your mortgage and other debts. You should contact the Trustee or your attorney if you have any questions about who is responsible for your mortgage payments.		Explanation of Payment Amount		Principal	\$501.63	Interest	\$1,063.31	Escrow (Taxes and Insurance)	\$375.00	Regular Monthly Payment	\$1,939.94	Total Fees and Charges	\$0.00	Unpaid post-petition payments	\$0.00	Total Post-Petition Payment Amount	\$1,939.94	Account Information		Outstanding Principal	\$271,043.06	Interest Rate (Until October 2015)	4.75%	Prepayment Penalty	Yes	Date	Description	Charges	Payments	3/4/15	Payment Received		\$1,939.94	3/17/15	Payment Received		\$336.43		Paid Last Month	Paid Year to Date	Principal	\$499.65	\$1,493.04	Interest	\$1,065.29	\$3,201.78	Escrow (Taxes and Insurance)	\$375.00	\$1,125.00	Fees	\$0.00	\$0.00	Partial Payment (Unapplied)	\$0.00	\$0.00	Total	\$1,939.94	\$5,819.82	Paid Last Month	Paid Year to Date	Current Balance of Pre-Petition Arrearage	\$336.43	\$1,009.29	\$10,093.00
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Springside Mortgage Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>If your bankruptcy plan requires you to make your ongoing post-petition mortgage payments directly to a bankruptcy Trustee, then do not send your payment to us. Rather, send your payment to the Trustee as directed in your bankruptcy plan.</p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Payment Amount</th> </tr> </thead> <tbody> <tr> <td>Post-Petition</td> <td>4/1/2015</td> </tr> <tr> <td>Payment Date:</td> <td></td> </tr> <tr> <td>Post-Petition</td> <td>\$1,939.94</td> </tr> <tr> <td>Payment Amount:</td> <td></td> </tr> <tr> <td>Additional Principal</td> <td>\$.</td> </tr> <tr> <td>Additional Escrow</td> <td>\$.</td> </tr> <tr> <td>Total Amount Enclosed</td> <td>\$.</td> </tr> </tbody> </table> </div>		Payment Amount		Post-Petition	4/1/2015	Payment Date:		Post-Petition	\$1,939.94	Payment Amount:		Additional Principal	\$.	Additional Escrow	\$.	Total Amount Enclosed	\$.																																																							
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1234567 34571892 342359127 DN																																																																								

A.4 Chapter 13 Revised Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

This statement is for information only. We are not trying to collect a debt against you personally.

Our records show that you recently filed for bankruptcy or you already have a discharge. Although your legal duty to repay the loan may be discharged, we still have a lien on the property and the right to foreclose on the property if the loan is in default.

You should know that the information on this statement may not be up to date. For instance, it may not show payments you already made to the Trustee.

If you have any questions about your payments, contact the Trustee or your attorney.

Mortgage Statement

Statement Date: 3/20/2015

Account Number	1234567
Payment Date	4/1/2015
Payment Amount	\$1,939.94

Your bankruptcy plan may require you to send your mortgage payments to a Trustee instead of to us. If you have questions about where to send your payment, contact the Trustee or your attorney.

Explanation of Payment Amount	
Principal	\$501.63
Interest	\$1,063.31
Escrow (Taxes and Insurance)	\$375.00
Regular Monthly Payment	\$1,939.94
Total Fees and Charges	\$0.00
Unpaid payments (not including arrearage)	\$0.00
Total Payment Amount	\$1,939.94

Account Information	
Outstanding Principal	\$271,105.88
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (2/20 to 3/19)

Date	Description	Charges	Payments
3/4/15	Payment Received		\$1,939.94
3/17/15	Payment Received		\$336.43

Past Payments Breakdown		
	Paid Last Month	Paid Year to Date
Principal	\$489.88	\$1,463.84
Interest	\$1,075.06	\$3,230.98
Escrow (Taxes and Insurance)	\$375.00	\$1,125.00
Fees	\$0.00	\$0.00
Partial Payment (Unapplied)	\$0.00	\$0.00
Total	\$1,939.94	\$5,819.82

Pre-Bankruptcy Debt (Arrearage)		
Paid Last Month	Total Paid During Bankruptcy	Current Balance of Pre-Bankruptcy Debt (Arrearage)
\$336.43	\$2,018.60	\$10,093.00

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

If your bankruptcy plan requires you to send your mortgage payments to a Trustee, then DO NOT send your payment to us. Instead, send your payment to the Trustee.

Make any checks payable to Springside Mortgage.

Payment Amount	
Payment Date:	4/1/2015
Payment Amount:	\$1,939.94
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

1234567 34571892

342359127 DN

A.5 Chapter 13 P&I Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

This statement is for information only. We are not trying to collect a debt against you personally.

Our records show that you recently filed for bankruptcy or you already have a discharge. Although your legal duty to repay the loan may be discharged, we still have a lien on the property and the right to foreclose on the property if the loan is in default.

You should know that the information on this statement may not be up to date. For instance, it may not show payments you already made to the Trustee.

If you have any questions about your payments, contact the Trustee or your attorney.

Mortgage Statement

Statement Date: 4/20/2015

Account Number	1234567
Payment Date	5/1/2015
Payment Amount	\$1,939.94
Your bankruptcy plan may require you to send your mortgage payments to a Trustee instead of to us. If you have questions about where to send your payment, contact the Trustee or your attorney.	

Explanation of Payment Amount	
Principal	\$503.61
Interest	\$1,061.33
Escrow (Taxes and Insurance)	\$375.00
Regular Monthly Payment	\$1,939.94
Total Fees and Charges	\$0.00
Unpaid payments (not including arrearage)	\$0.00
Total Payment Amount	\$1,939.94

Account Information	
Outstanding Principal	\$270,614.07
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (3/20 to 4/19)

Date	Description	Charges	Payments
4/4/15	Payment Received		\$1,939.94
4/17/15	Payment Received		\$336.43

Past Payments Breakdown		
	Paid Last Month	Paid Year to Date
Principal	\$491.81	\$1,955.65
Interest	\$1,073.13	\$4,304.11
Escrow (Taxes and Insurance)	\$375.00	\$1,125.00
Fees	\$0.00	\$0.00
Partial Payment (Unapplied)	\$0.00	\$0.00
Total	\$1,939.94	\$7,384.76

Pre-Bankruptcy Debt (Arrearage)		
Paid Last Month	Total Paid During Bankruptcy	Current Balance of Pre-Bankruptcy Debt (Arrearage)
\$336.43	\$2,355.03	\$9,756.57

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

If your bankruptcy plan requires you to send your mortgage payments to a Trustee, then DO NOT send your payment to us. Instead, send your payment to the Trustee.

Make any checks payable to Springside Mortgage.

Payment Amount	
Payment Date:	5/1/2015
Payment Amount:	\$1,939.94
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

1234567 34571892

342359127 DN

Appendix B: Round 2 Forms

B.1 Chapter 7 Current Pay Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p>																										
<p>Bankruptcy Message</p> <p>This statement is for informational purposes only. It is not an attempt to impose personal liability on you.</p> <p>Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. As such, any payments you choose to make are voluntary. However, the mortgage loan contract may allow foreclosure if the contract's requirements are not met. Please write to us if you do not want to receive these statements anymore.</p>																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Account Number</td> <td style="width: 70%;">1234567</td> </tr> <tr> <td>Payment Date</td> <td>4/1/2015</td> </tr> <tr> <td>Current Payment Amount</td> <td>\$1,829.71</td> </tr> <tr> <td colspan="2">(This amount includes only your regular monthly payment and any fees and charges. It does not include past due amounts.)</td> </tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Current Payment Amount	\$1,829.71	(This amount includes only your regular monthly payment and any fees and charges. It does not include past due amounts.)		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">Explanation of Payment Amounts</td> </tr> <tr> <td>Principal</td> <td>\$386.46</td> </tr> <tr> <td>Interest</td> <td>\$1,048.07</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$235.18</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,669.71</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$160.00</td> </tr> <tr> <td>Current Payment Amount</td> <td>\$1,829.71</td> </tr> <tr> <td>Unpaid Past Payments</td> <td>\$2,259.42</td> </tr> <tr> <td>Total Amount Owed</td> <td>\$4,089.13</td> </tr> </table>	Explanation of Payment Amounts		Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$235.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$160.00	Current Payment Amount	\$1,829.71	Unpaid Past Payments	\$2,259.42	Total Amount Owed	\$4,089.13
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B.2 Chapter 7 Total Pay Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

Mortgage Statement

Statement Date: 3/20/2015

Account Number	1234567
Payment Date	4/1/2015
Payment Amount	\$4,089.13

Bankruptcy Notice

Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. This statement is for informational and compliance purposes only. By law, we must send it to you. You can choose to stop receiving statements by writing to us at our address below.

Explanation of Payment Amount

Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Past Unpaid Amounts	\$2,259.42
Total Payment Amount	\$4,089.13

Account Information

Outstanding Principal	\$264,776.43
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (2/20 to 3/19)

Date	Description	Charges	Payments
3/13/15	Partial Payment Received*		\$1,000.00
3/16/15	Late Fee (charged because full payment not received by 3/15/2015)	\$160.00	

Past Payments Breakdown

	Paid Last Month	Paid Year to Date
Principal	\$0.00	\$383.31
Interest	\$0.00	\$1,051.22
Escrow (Taxes and Insurance)	\$0.00	\$235.18
Fees	\$0.00	\$410.00
Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00
Total	\$1,000.00	\$3,569.71

Account History

Recent Account History

- Payment due 12/1/14: Fully paid on time
- Payment due 1/1/15: Fully paid on 2/3/15
- Payment due 2/1/15: Unpaid balance of \$589.71
- Payment due 3/1/15: Unpaid balance of \$1,829.71
- Current payment date 4/1/15: \$1,669.71
- **Total: \$4,089.13 unpaid amounts. You would need to pay this amount to bring your loan current.**

If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.

Important Messages

***Partial Payments:** Any partial payments that you make are not applied to your mortgage, but instead are held in a separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage.

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

Payment Amount	
Payment Date:	4/1/2015
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

1234567 34571892

342359127 DN

B.3 Chapter 7 Combined P&I Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Account Number</td> <td style="width: 40%;">1234567</td> </tr> <tr> <td>Payment Date</td> <td>4/1/2015</td> </tr> <tr> <td>Payment Amount</td> <td>\$4,089.13</td> </tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,089.13																			
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1234567 34571892 342359127 DN																										

B.4 Chapter 13 Base Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

Mortgage Statement

Statement Date: 3/20/2015

Account Number	1234567
Post-Petition Payment Date	4/1/2015
Post-Petition Payment Amount	\$2,129.94
<i>This amount includes only your regular post-petition payments and any fees and charges. It does not include any past unpaid amounts or Pre-Petition Arrearage.</i>	

Bankruptcy Notice	
Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. This statement is being sent to you for informational and compliance purposes only. By law, we must send it to you. You can choose to stop receiving statements by writing to us at our address below.	
If your bankruptcy plan requires you to send your mortgage payments to the Trustee, you should pay the Trustee directly. Please contact the Trustee or your attorney if you have questions.	

Explanation of Post-Petition Payment Amounts	
Principal	\$501.63
Interest	\$1,063.31
Escrow (Taxes and Insurance)	\$375.00
Regular Monthly Payment	\$1,939.94
Total Fees and Charges	\$190.00
Post-Petition Payment Amount	\$2,129.94
Past Unpaid Post-Petition Amounts	\$1,939.94
Total Amount Owed Post-Petition	\$4,069.88

Account Information	
Outstanding Principal	\$271,532.94
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (2/20 to 3/19)			
Date	Description	Charges	Payments
3/10/15	Partial Payment Received		\$336.43
3/16/15	Late Fee (charged because full payment not received by 3/15/15)	\$190.00	

Past Payments Breakdown		Pre-Petition Arrearage Payments	
	Received Last Month	Received Year to Date	Received from Trustee Last Month
Principal	\$0.00	\$993.39	
Interest	\$0.00	\$2,136.49	
Escrow (Taxes and Insurance)	\$0.00	\$750.00	
Fees	\$0.00	\$0.00	
Partial Payment (Unapplied)*	\$336.43	\$1,009.29	
Total	\$336.43	\$4,889.17	

Important Messages	
This statement shows payments we've received from you and the Trustee. It may not show payments you recently sent to the Trustee, and it may not be consistent with the Trustee's records. Please contact the Trustee or your attorney if you have questions.	
*Partial Payments: Any partial payments listed here are not applied to your mortgage, but instead are held in a separate suspense account. Once we receive enough funds to equal a full monthly payment, we will apply those funds to your mortgage.	

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

Payment Amount		
Post-Petition Payment Date:	4/1/2015	
Additional Principal	\$.	
Additional Escrow	\$.	
Total Amount Enclosed	\$.	

If you are sending us a payment, make your check payable to *Springside Mortgage*.

1234567 34571892 342359127 DN

B.5 Chapter 13 Alternate Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p> <table border="1" style="margin-top: 10px;"> <tr> <td>Account Number</td> <td>1234567</td> </tr> <tr> <td>Payment Date</td> <td>4/1/2015</td> </tr> <tr> <td>Payment Amount</td> <td>\$4,069.88</td> </tr> <tr> <td colspan="2"><i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i></td> </tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,069.88	<i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i>																	
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B.6 Chapter 13 Combined P&I Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 3/20/2015</p> <table border="1" style="margin-top: 10px;"> <tr> <td>Account Number</td> <td>1234567</td> </tr> <tr> <td>Payment Date</td> <td>4/1/2015</td> </tr> <tr> <td>Payment Amount</td> <td>\$4,069.88</td> </tr> <tr> <td colspan="2"><i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i></td> </tr> </table> <table border="1" style="margin-top: 10px;"> <tr> <th colspan="2">Explanation of Payment Amount</th> </tr> <tr> <td>Principal and Interest</td> <td>\$1,564.94</td> </tr> <tr> <td>Escrow (Taxes and Insurance)</td> <td>\$375.00</td> </tr> <tr> <td>Regular Monthly Payment</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Fees and Charges</td> <td>\$190.00</td> </tr> <tr> <td>Past Unpaid Amounts (not including arrearage)</td> <td>\$1,939.94</td> </tr> <tr> <td>Total Payment Amount</td> <td>\$4,069.88</td> </tr> </table> <table border="1" style="margin-top: 10px;"> <tr> <th colspan="2">Account Information</th> </tr> <tr> <td>Outstanding Principal</td> <td>\$271,532.94</td> </tr> <tr> <td>Interest Rate (Until October 2015)</td> <td>4.75%</td> </tr> <tr> <td>Prepayment Penalty</td> <td>Yes</td> </tr> </table>	Account Number	1234567	Payment Date	4/1/2015	Payment Amount	\$4,069.88	<i>This amount does not include Pre-Bankruptcy Debt (Arrearage)</i>		Explanation of Payment Amount		Principal and Interest	\$1,564.94	Escrow (Taxes and Insurance)	\$375.00	Regular Monthly Payment	\$1,939.94	Total Fees and Charges	\$190.00	Past Unpaid Amounts (not including arrearage)	\$1,939.94	Total Payment Amount	\$4,069.88	Account Information		Outstanding Principal	\$271,532.94	Interest Rate (Until October 2015)	4.75%	Prepayment Penalty	Yes
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Appendix C: Round 3 Forms

C.1 Chapter 7 Total Pay Form

Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com		Mortgage Statement Statement Date: 8/20/2015																																																																												
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C.2 Chapter 7 Current Pay Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

Mortgage Statement

Statement Date: 8/20/2015

Account Number	1234567
Payment Date	9/1/2015
Regular Monthly Payment	\$1,669.71

Bankruptcy Message
Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to collect a debt against you. Any payments you choose to make are voluntary. If you want to stop receiving statements, write to us.

Explanation of Payment Amount	
Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Past Unpaid Amounts	\$2,009.42
Total Balance (Regular + Fees + Past Unpaid)	\$3,839.13

Account Information	
Outstanding Principal	\$265,544.78
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (7/20 to 8/19)			
Date	Description	Charges	Payments
8/13/15	Partial Payment Received*		\$1,000.00
8/16/15	Late Fee (charged because full payment not received by 8/15/2015)	\$160.00	

Past Payments Breakdown		
	Paid Last Month	Paid Year to Date
Principal	\$0.00	\$2,268.95
Interest	\$0.00	\$6,338.23
Escrow (Taxes and Insurance)	\$0.00	\$1,411.08
Fees	\$0.00	\$160.00
Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00
Total	\$1,000.00	\$11,508.26

Recent Account History

- Payment due 5/1/15: Fully paid on time
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- Payment due 8/1/15: Unpaid balance of \$1829.71
- Current payment date 9/1/15: \$1,669.71
- **Total: \$3,839.13 unpaid amount that, if paid, would bring your loan current.**

If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.

Important Messages
*Partial Payments: Any partial payments that you make are not applied to your mortgage, but instead are held in a separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage.

Payment Amount	
Payment Date:	9/1/2015
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

If you are making a payment, make your check payable to *Springside Mortgage*.

1234567 34571892 342359127 DN

C.3 Chapter 7 Delinquency Disclosure Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

Mortgage Statement

Statement Date: 8/20/2015

Account Number	1234567
Payment Due Date	9/1/2015
Amount Due	\$3,839.13

If payment is received after 9/15/15, \$160 late fee will be charged.

Bankruptcy Message

Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy.

We are sending this statement to you for informational and compliance purposes only. It is not an attempt to impose personal liability on you.

If you want to stop receiving statements, write to us.

Explanation of Amount Due

Principal	\$386.46
Interest	\$1,048.07
Escrow (Taxes and Insurance)	\$235.18
Regular Monthly Payment	\$1,669.71
Total Fees and Charges	\$160.00
Overdue Payment	\$2,009.42
Total Amount Due	\$3,839.13

Account Information

Outstanding Principal	\$265,544.78
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (7/20 to 8/19)

Date	Description	Charges	Payments
8/13/15	Partial Payment Received*		\$1,000.00
8/16/15	Late Fee (charged because full payment not received by 8/15/2015)	\$160.00	

Past Payments Breakdown

	Paid Last Month	Paid Year to Date
Principal	\$0.00	\$2,268.95
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Escrow (Taxes and Insurance)	\$0.00	\$1,411.08
Fees	\$0.00	\$160.00
Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00
Total	\$1,000.00	\$11,508.26

Delinquency Information

You are late on your mortgage payments. Failure to bring your loan current may result in fees and foreclosure—the loss of your home. As of August 20, you are 51 days delinquent on your mortgage loan.

Recent Account History

- Payment due 5/1/15: Fully paid on time
- Payment due 6/1/15: Fully paid on 7/3/15
- Payment due 7/1/15: Unpaid balance of \$339.71
- Payment due 8/1/15: Unpaid balance of \$1829.71
- Current payment date 9/1/15: \$1,669.71
- **Total: \$3,839.13 due. You must pay this amount to bring your loan current.**

If You Are Experiencing Financial Difficulty: See back for information about mortgage counseling or assistance.

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

Amount Due	
Due By 9/1/2015:	\$3,839.13
\$160 late fee will be charged after 9/15/15	
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

If you are making a payment, make your check payable to *Springside Mortgage*.

1234567 34571892

342359127 DN

C.4 Chapter 13 No Arrearage Box Form

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 8/20/2015</p>																									
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C.6 Chapter 13 Alternate Arrearage Form

Springside Mortgage

Customer Service: 1-800-555-1234
www.springsidemortgage.com

Jordan and Dana Smith
 4700 Jones Drive
 Memphis, TN 38109

Mortgage Statement

Statement Date: 8/20/2015

Account Number	1234567
Payment Date	9/1/2015
Regular Monthly Payment	\$1,939.94

Bankruptcy Message

Our records show that you are a debtor in bankruptcy. This statement is being sent to you for informational and compliance purposes only. It is not an attempt to collect a debt against you. Any payments you choose to make are voluntary.

If your bankruptcy plan requires you to send your regular monthly mortgage payments to the Trustee, you should pay the Trustee instead of us. Please contact your attorney or the Trustee if you have questions.

If you want to stop receiving statements, write to us.

Explanation of Payment Amounts (called Post-Petition Payments)

Principal	\$511.63
Interest	\$1,053.31
Escrow (Taxes and Insurance)	\$375.00
Regular Monthly Payment	\$1,939.94
Total Fees and Charges	\$190.00
Past Unpaid Amount (dating from 08/01/15)	\$1,339.94
Total (Regular + Fees + Past Unpaid)	\$3,469.88

The Payment Amount does not include any amounts that were past due before you filed for bankruptcy.

Account Information

Outstanding Principal	\$269,126.91
Interest Rate (Until October 2015)	4.75%
Prepayment Penalty	Yes

Transaction Activity (7/20 to 8/19)

Date	Description	Charges	Payments
8/03/15	Partial Payment Received*		\$100.00
8/10/15	Partial Payment Received*		\$336.43
8/13/15	Partial Payment Received*		\$500.00
8/16/15	Late Fee (charged because full payment not received by 8/15/15)	\$190.00	

Breakdown of Past Payments

	Paid Last Month	Paid Year to Date
Principal	\$0.00	\$3,926.91
Interest	\$0.00	\$8,592.62
Escrow (Taxes and Insurance)	\$0.00	\$3,000.00
Fees	\$0.00	\$0.00
Unapplied Funds (Pre-Petition)*	\$336.43	\$751.53
Unapplied Funds (Post-Petition)*	\$600.00	\$600.00
Total	\$936.43	\$16,871.06

Important Messages

This statement may not show recent payments you sent to the Trustee that the Trustee has not yet forwarded to us. Please contact your attorney or the Trustee if you have questions.

***Partial Payments:** Any partial payments listed here are not applied to your mortgage, but instead are held in one or more separate suspense accounts. Once we receive funds equal to a full monthly payment, we will apply the funds to your mortgage.

Status of Amounts Due Before Bankruptcy (called Pre-Petition Arrearage)

Total Claim Amount	\$12,111.60	This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts on your mortgage loan. The Trustee is sending us the payments shown here. These are separate from your regular monthly mortgage payment.
Paid Last Month	\$336.43	
Total Paid During Bankruptcy	\$1,682.17	
Current Balance	\$10,429.43	

Springside Mortgage

Springside Mortgage
 P.O. Box 11111
 Los Angeles, CA 90010

If your bankruptcy plan requires you to send your regular monthly mortgage payments to the Trustee, do not send your payment to us. Instead, you should send your payment to the Trustee.

Payment Amount

Payment Date:	9/1/2015
Additional Principal	\$.
Additional Escrow	\$.
Total Amount Enclosed	\$.

If you are sending us a payment, make your check payable to *Springside Mortgage*.

1234567 34571892

342359127 DN

Appendix D: Likert-Scale Ratings Summary

During each round of testing, participants were asked to complete four Likert scale questions about the first form they were shown, which allowed for the collection of data on their initial reactions. Participants rated the following form in each round:

- Round 1: Chapter 7 Participants—Proposed Form
Chapter 13 Participants—Proposed Form
- Round 2: Chapter 7 Participants—Current Pay Form
Chapter 13 Participants—Base Form
- Round 3: Chapter 7 Participants—Total Pay Form
Chapter 13 Participants—Base Form

D.1 Format Organization

Participants were asked how organized they found the form and were asked to rate it on a 5-point scale. Chapter 7 saw a steady increase from round to round of participants who rated it either a 4 (“very”) or a 5 (“extremely”) organized (Figure D1.1). Chapter 13 saw a somewhat opposite effect, with only half of Round 3 participants rating the form either “very” or “extremely” organized (Figure D1.2).

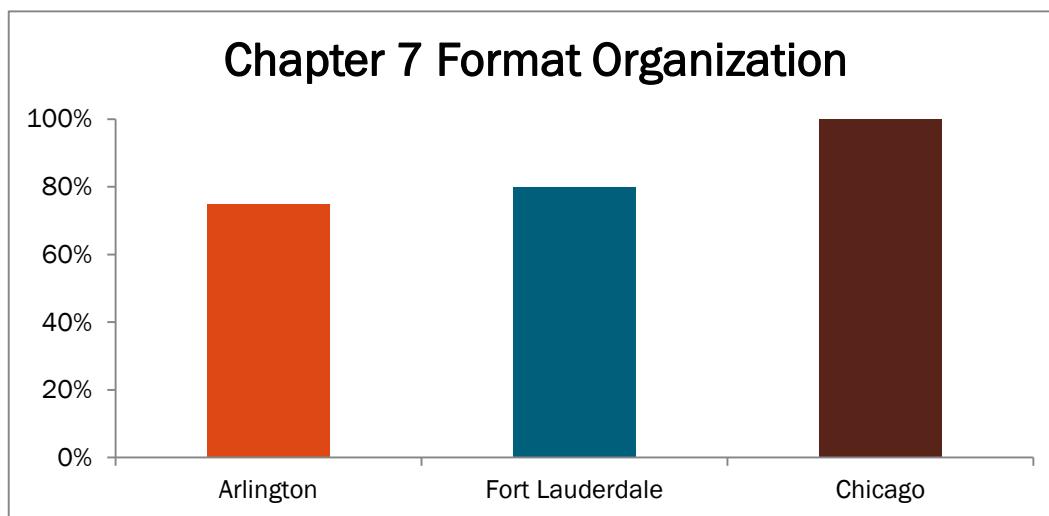


Figure D1.1: Percentage of participants in each round who rated the Chapter 7 form as “very” or “extremely” organized.

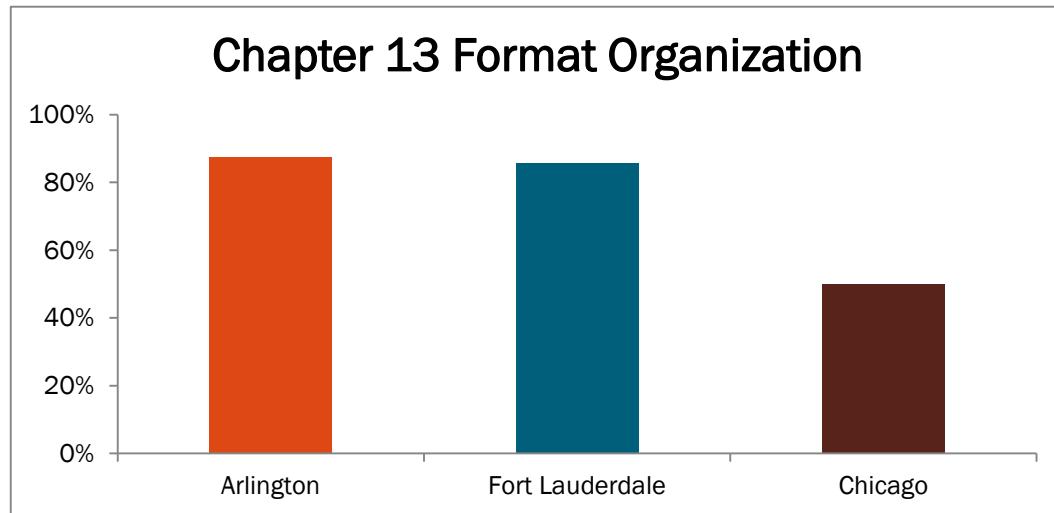


Figure D1.2: Percentage of participants in each round who rated the Chapter 13 form as “very” or “extremely” organized.

D.2 Language Clarity

Participants were asked how clear the language on the form was and were asked to rate it on a 5-point scale. Chapter 7 round-over-round ratings were mixed, with 72% of participants across all three rounds rating it either a 4 (“very”) or a 5 (“extremely”) clear (Figure D2.1). Chapter 13 saw a steady increase across rounds of participants, who rated the form either “very” or “extremely” clear (Figure D2.2).

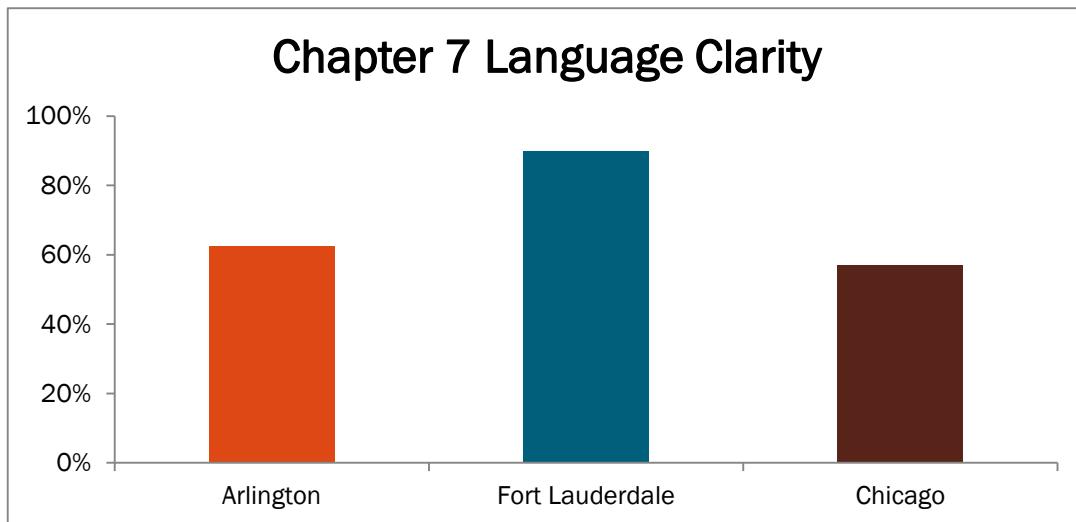


Figure D2.1: Percentage of participants in each round who rated the language of the Chapter 7 form as “very” or “extremely” clear.

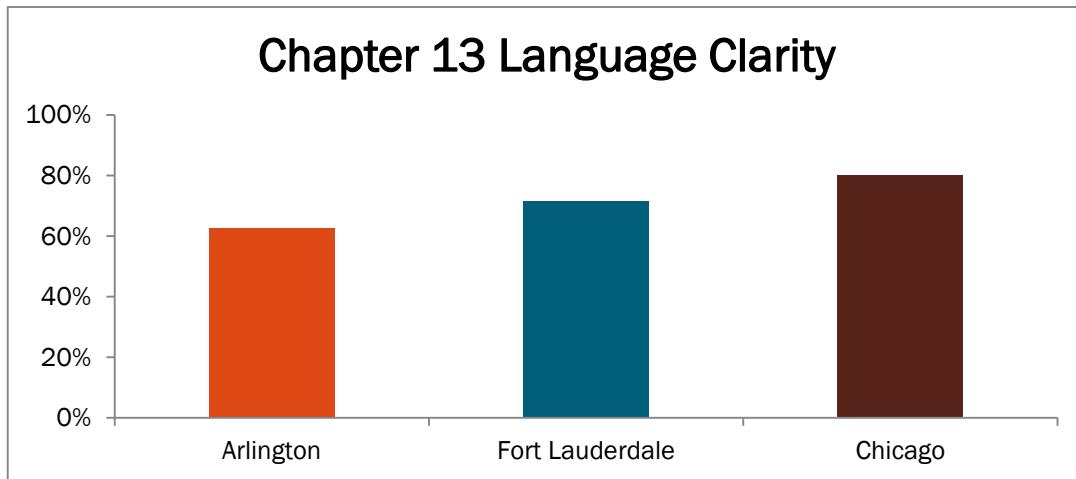


Figure D2.2: Percentage of participants in each round who rated the language of the Chapter 13 form as “very” or “extremely” clear.

D.3 Trustworthiness of Information

Participants were asked how trustworthy they thought the information on the form was and were asked to rate it on a 5-point scale. Trustworthiness ratings of the Chapter 7 form saw a steady round-over-round increase of participants rating it either a 4 (“very”) or a 5 (“extremely”) organized (Figure D3.1). Chapter 13 round-over-round ratings were rather steady, with 68% of participants across all three rounds rating the form either “very” or “extremely” trustworthy (Figure D3.2).

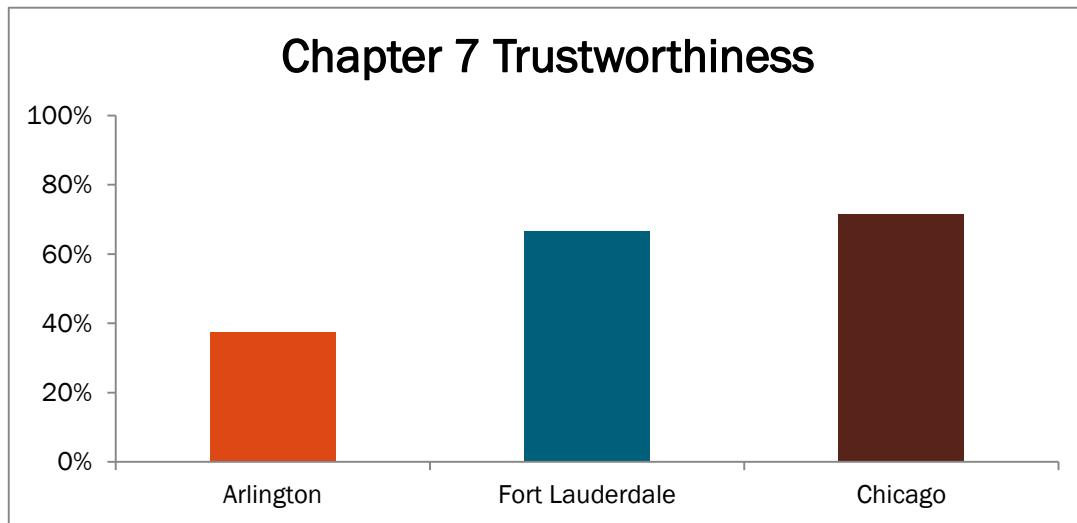


Figure D3.1: Percentage of participants in each round who rated the Chapter 7 form as “very” or “extremely” trustworthy.

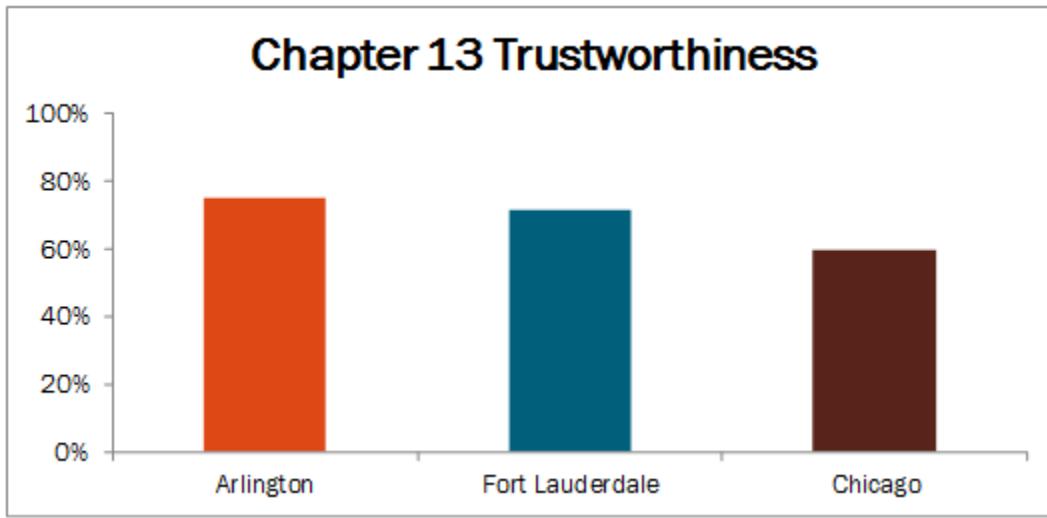


Figure D3.2: Percentage of participants in each round who rated the Chapter 13 form as “very” or “extremely” trustworthy.

D.4 Helpfulness

Participants were asked how helpful they thought the form would have been to them if they were paying their mortgage while in bankruptcy; they were asked to rate this on a 5-point scale. Helpfulness ratings of the Chapter 7 form saw a steady round-over-round increase of participants rating it either a 4 (“very”) or a 5 (“extremely”) helpful (Figure D4.1). Chapter 13 ratings were rather steady, with 65% of participants across all three rounds rating the form either “very” or “extremely” helpful (Figure D4.2).

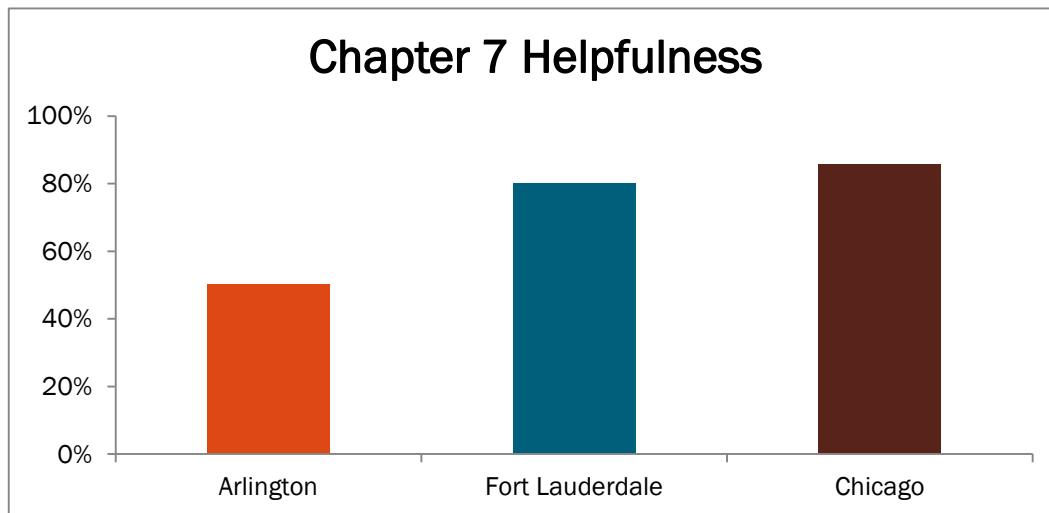


Figure D4.1: Percentage of participants in each round who rated the Chapter 7 form as “very” or “extremely” helpful.

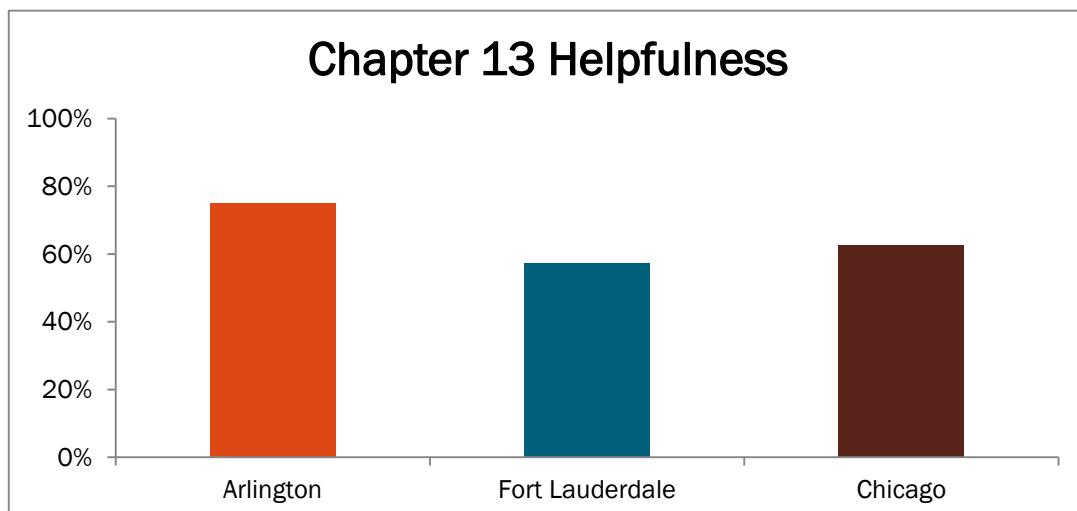


Figure D4.2: Percentage of participants in each round who rated the Chapter 13 form as “very” or “extremely” helpful.

Appendix E: Round 3 Chapter 7 Eye Tracking Findings

H.1 Introduction

In Round 3, eye-tracking glasses were used to capture participants' eye movements when interacting with the Chapter 7 Total Pay Form. Eye tracking is most informative and adds the most value when the product being tested is final or near-final. The team determined that the Chapter 7 Total Pay Form was sufficiently close to a final version to make valuable use of eye tracking.¹³ Five of the seven Chapter 7 participants in Round 3 calibrated properly,¹⁴ resulting in a final sample of five participants used in the eye tracking analyses.

Eye tracking data is inherently qualitative in nature and is used to gain insight into how some users might process a given stimulus. Results should be used to inform future form revisions, not necessarily to extrapolate that the general population will all interact with the forms in the same way that this set of participants did. Some analyses in this study have fewer than five participants included in the data set due to the participants answering questions while looking at the moderator and not at the form; again these findings are included as descriptive data on how these participants interacted with these materials, not to generalize to a large population.

Eye movement data provided an additional level of insight into participants' experience with the form. Eye movements consist of fixations, which occur when the eye is relatively still, and saccades, which are the rapid movements between the fixations. A fixation is very short, typically 0.1 to 0.5 seconds in duration. Heat maps and gaze plots are then used to visualize the eye-movement fixations that are captured by the glasses.

Heat maps visualize aggregated fixations from multiple participants. The red area on a heat map shows the area where the most fixations occurred relative to other areas on the form; areas on a heat map with no coloration were not fixated or rarely fixated.

Gaze plots visualize fixations from individual participants. The numbers on the gaze plot circles correspond to the order in which the fixations occurred. The size of the circle on a gaze plot corresponds to the length of the fixation duration; larger circles represent fixations with longer durations. The lines on a gaze plot connect the order in which the fixations occurred; longer lines between fixations typically signify a participant who scanned, while shorter lines typically signify a participant who closely read. Gaze plots do have a drawback

¹³ Properly calibrating the eye-tracking glasses to a particular participant takes several minutes at the outset of each session. Given the additional information on the Chapter 13 forms, the team determined to forego eye tracking during the Chapter 13 sessions in favor of asking additional questions about how the participants understood and would use the Chapter 13 forms.

¹⁴ Participants who wear corrective lenses were requested to either wear their contacts, or not wear their glasses during the session if they were able to still see the form. Although the majority of participants complied with this request, two participants did not wear contact lenses and needed their eyeglasses to see. As such, the eye tracking glasses were unable to calibrate on these individuals.

in that they cannot display data from large numbers of participants while still being interpretable; however, they allow the researcher to examine the order in which a participant processed the form, something that heat maps do not communicate.

H.2 Eye Tracking of the Initial Read-Through

Heat maps and gaze plots were generated from participants' eye movements to determine how attention was allocated to the Chapter 7 Total Pay Form during the initial read-through. Analysis of the heat map shows that the Explanation of Payment Amount and Bankruptcy Message sections had the highest number of fixations on the page (Figure H.2a). The Explanation of Payment Amount section functions as a numerical summary explaining why the form's recipient is being asked to pay a certain amount. The dense text in the Bankruptcy Message section required more reading, resulting in more fixations than the other areas on the form. The gaze plots demonstrated that most participants read the notice thoroughly (Figures H.2b-H.2f). Participants spent a total of anywhere from 35 to 79 seconds on their initial reviews of the form.

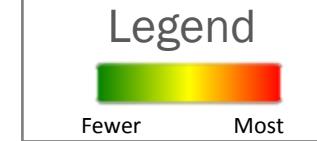
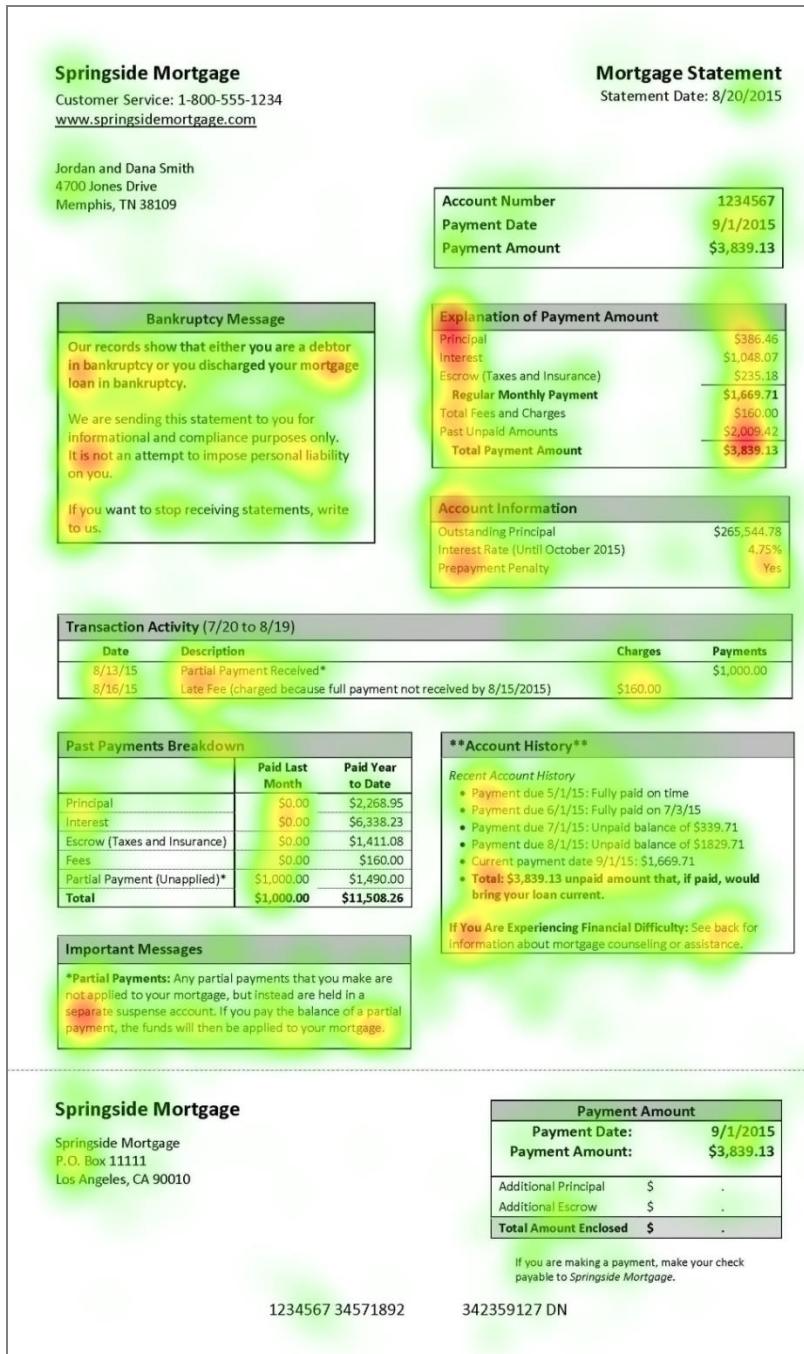


Figure H.2a. This heat map is a compilation of all eye fixations for all five participants that occurred during the participants' initial read-through of the Chapter 7 Total Pay Form.

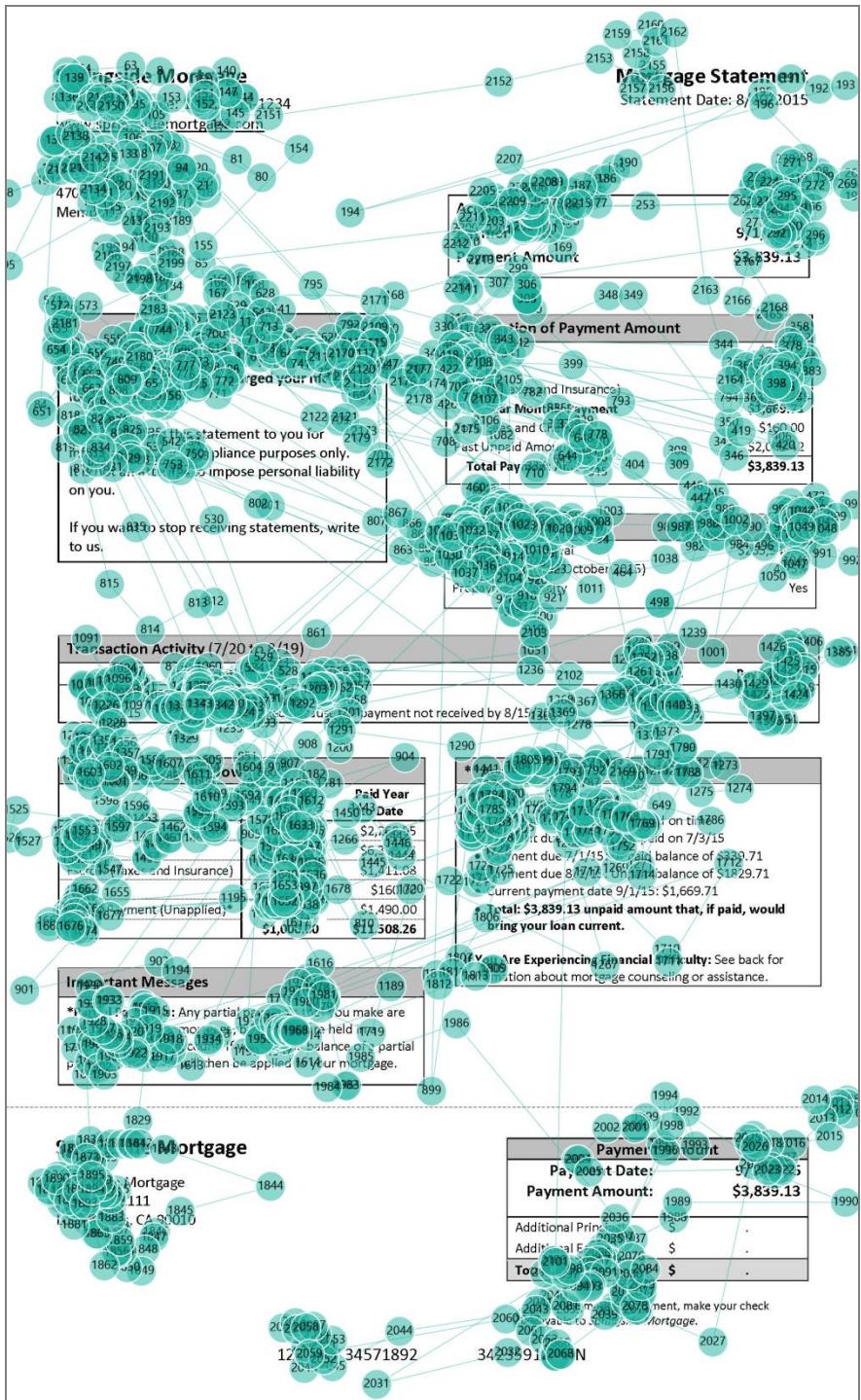


Figure H.2b. Gaze plot of 54 seconds of engagement from Participant 1, showing that he or she read all sections of the form fairly thoroughly during the initial read-through.

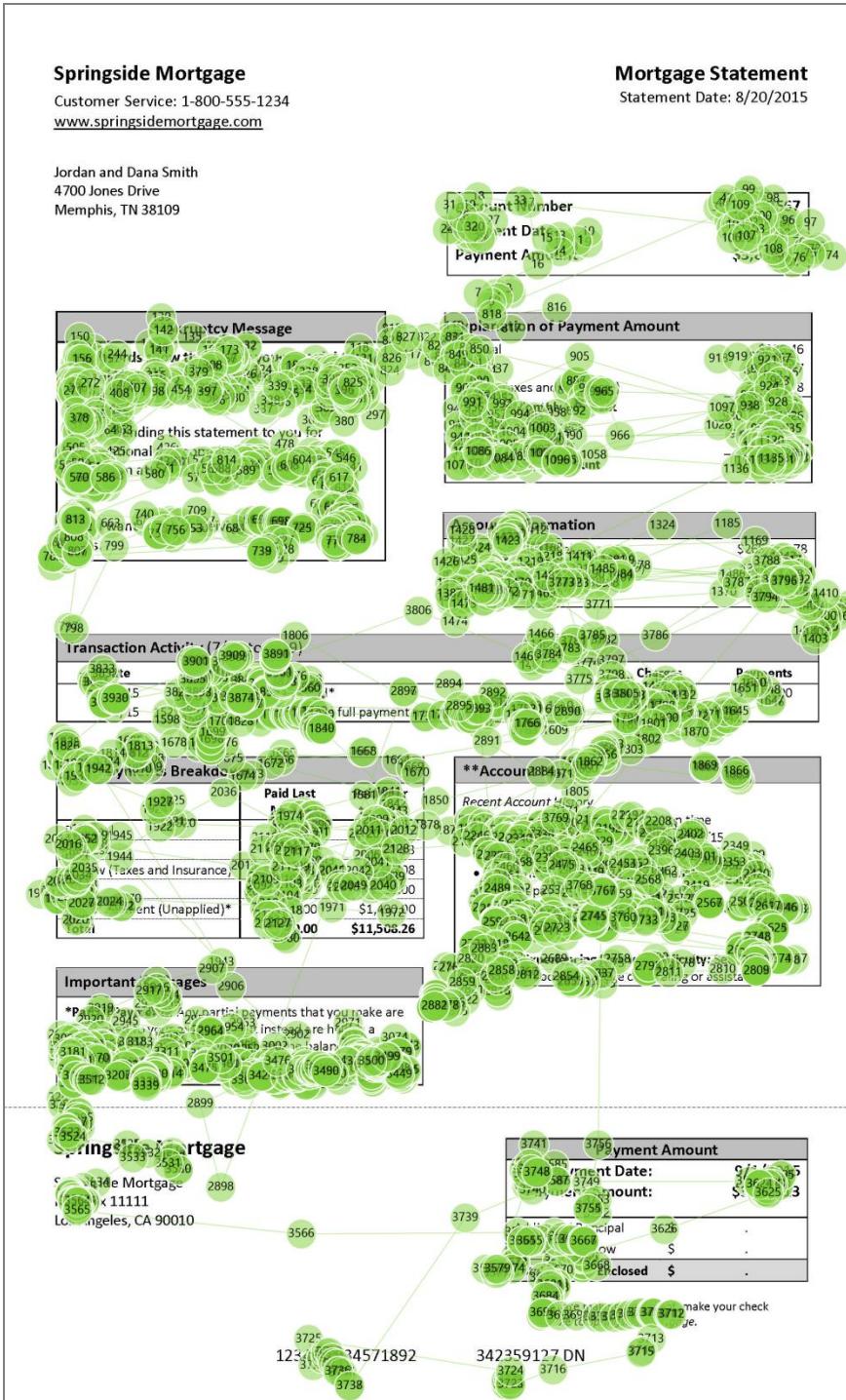


Figure H.2c. Gaze plot of 1 minute and 19 seconds of engagement from Participant 2, showing that he or she read most sections of the form fairly thoroughly during the initial read-through, but did not read the address information at the top-left side of the form.

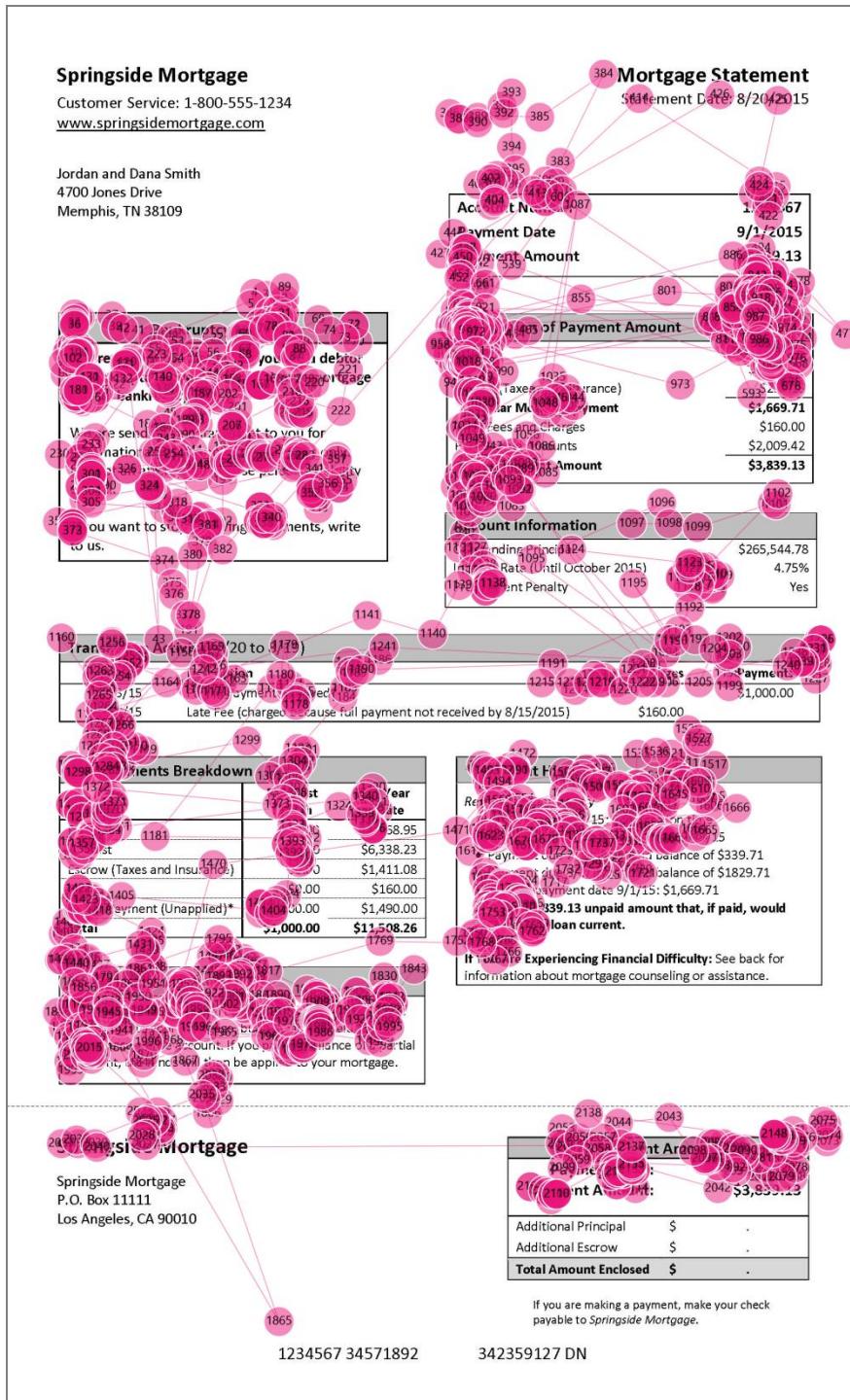


Figure H.2d. Gaze plot of 44 seconds of engagement from Participant 4, showing that he or she read most sections of the form fairly thoroughly during the initial read-through, but did not read the address information at the top-left side of the form.

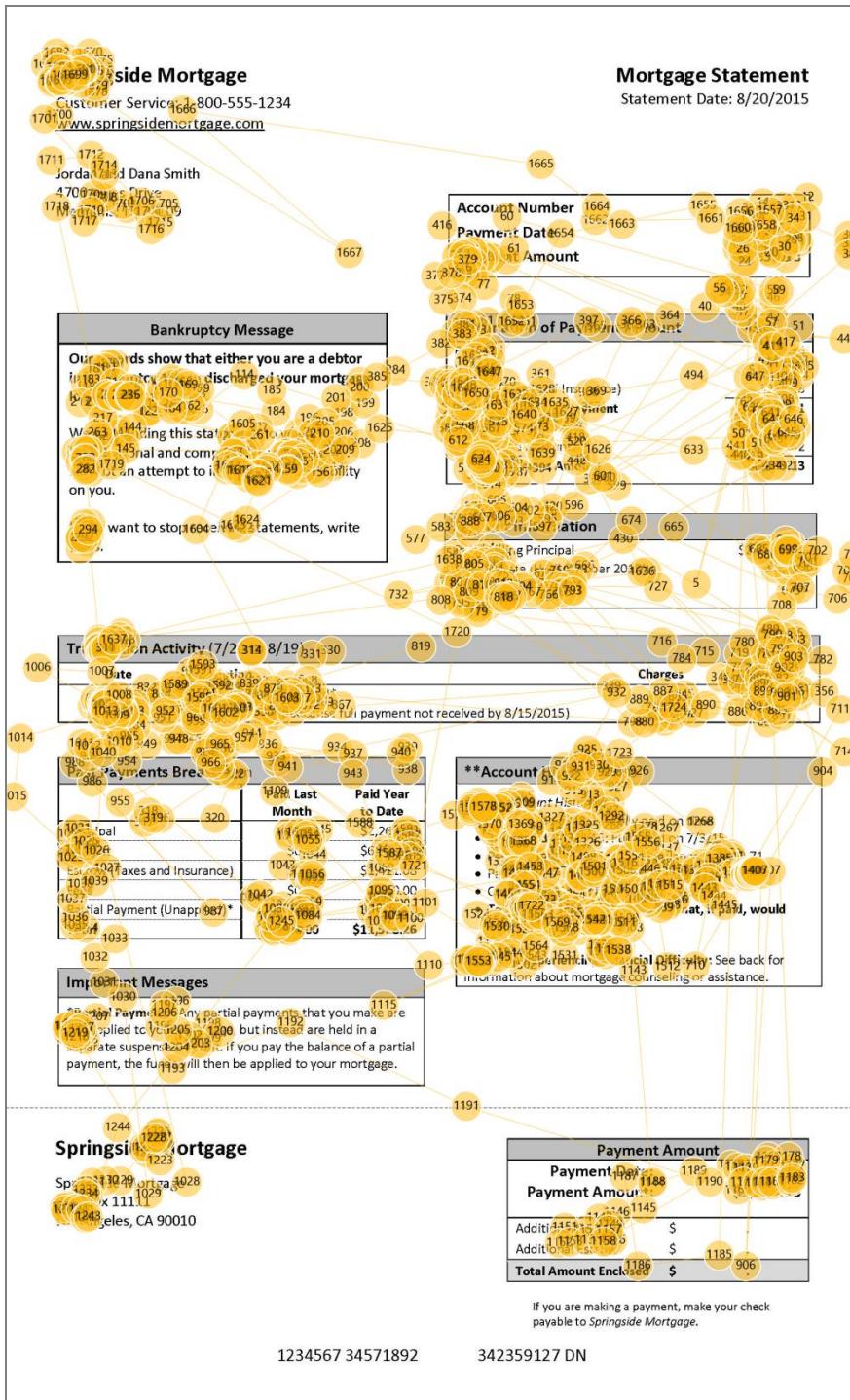


Figure H.2e. Gaze plot of 35 seconds of engagement from Participant 7, showing that he or she read most sections of the form fairly thoroughly during the initial read-through, but did not read the statement date at the top-right side of the form.

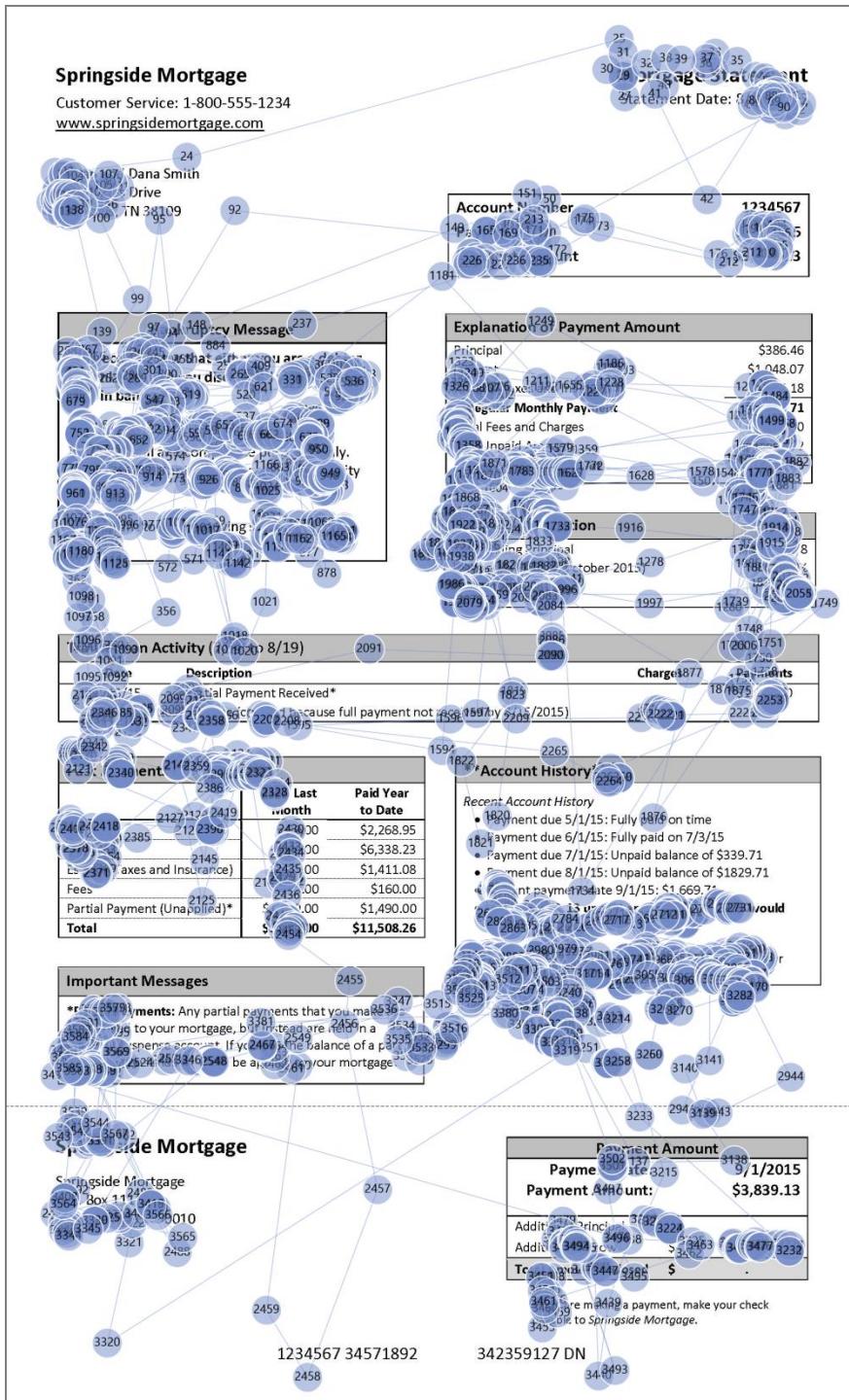


Figure H.2f. Gaze plot of 1 minute and 13 seconds of engagement from Participant 11, showing that he or she read most sections of the form fairly thoroughly during the initial read-through, but did not read the sender information at the top-left side of the form.

H.3 Looking for the Amount Due

Heat maps and gaze plots were generated from participants' eye movements to determine where participants looked when asked how much the form was telling them to pay this month. Analysis of the heat map shows that the Payment Amount at the top of the form and the Payment Amount section on the payment coupon at the bottom of the form had the highest number of fixations (Figure H.3a). Participants had already conducted an initial review, so they knew exactly how to locate the payment amount right away in all but one instance, as demonstrated in participants' gaze plots (Figure H.3b-H.3f).

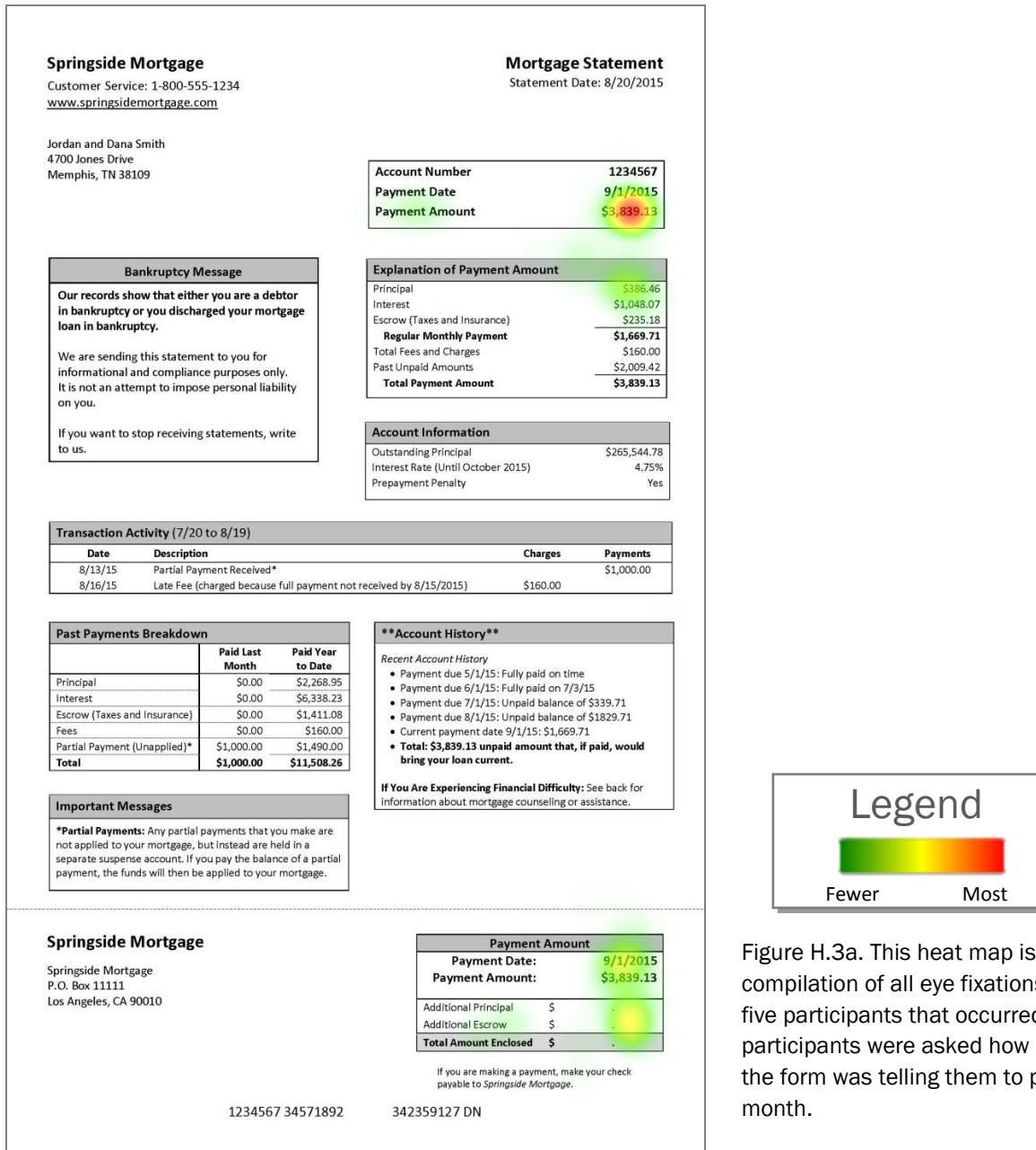
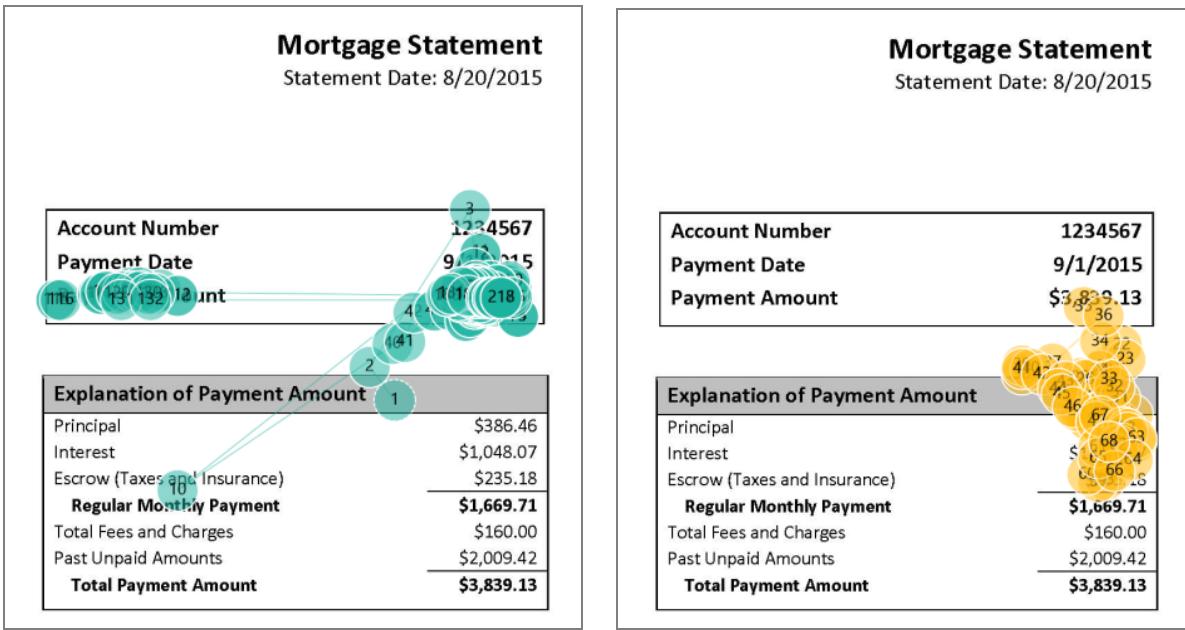
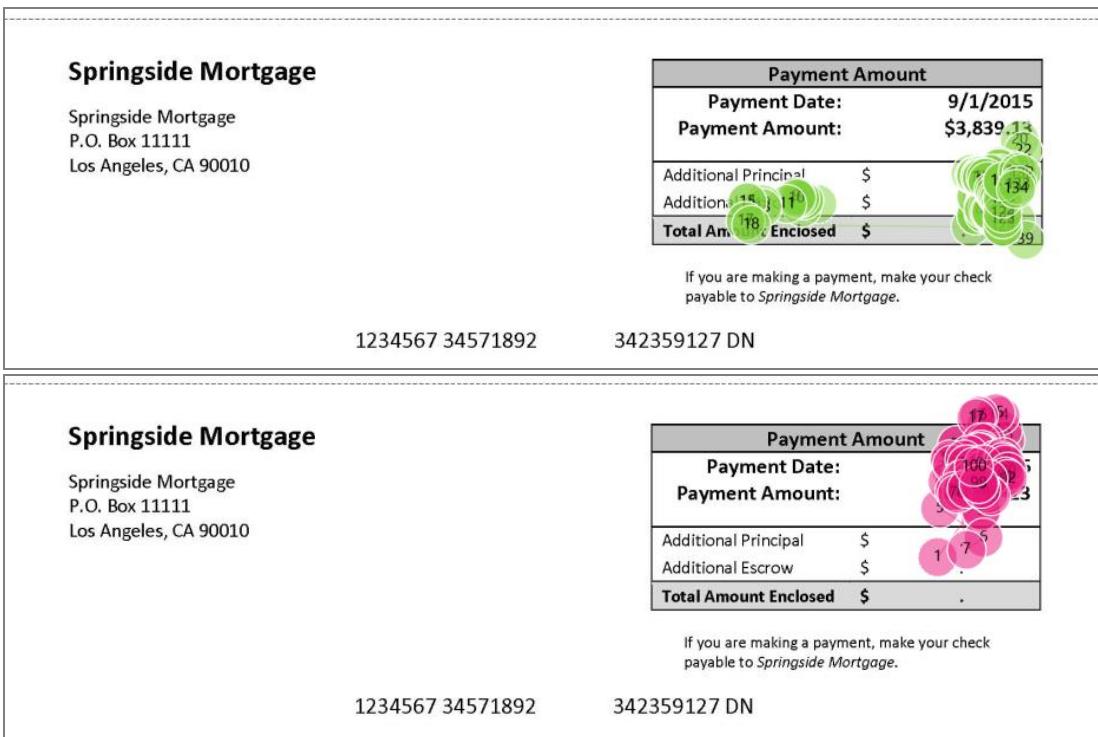


Figure H.3a. This heat map is a compilation of all eye fixations for all five participants that occurred when participants were asked how much the form was telling them to pay this month.



Figures H.3b-H.3c. Two gaze plots show two participants directing their eyes to the top-right side of the form to the Payment Amount and Explanation of Payment Amount boxes. These participants took between two and four seconds to identify a payment amount. Both participants got the answer correct.



Figures H.3d-H.3e. Two gaze plots show two participants directing their fixations to the bottom of the form to the Payment Amount box on the payment coupon. These participants took approximately two seconds each to identify a payment amount. Both participants got the answer correct.

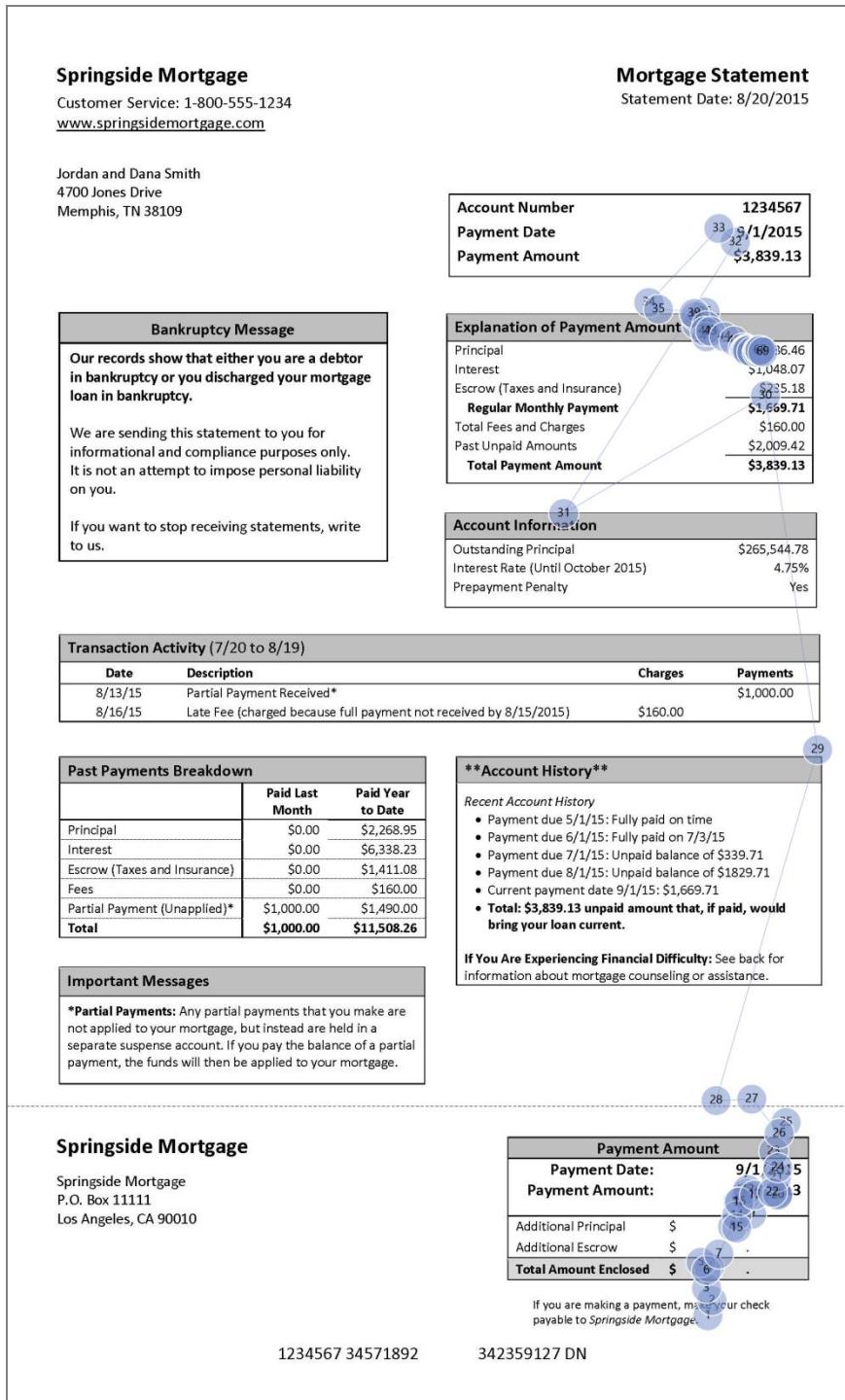


Figure H.3f. Gaze plot of one participant who looked in multiple places on the form to identify a payment amount. This participant took approximately two seconds to identify the correct payment amount.

H.4 Looking for Consequences of Nonpayment

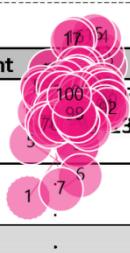
Gaze plots¹⁵ were generated from participants' eye movements to determine where participants looked when asked what could happen if they did not bring their accounts up to date. Only two participants properly tracked when asked this question, as three participants did not look at the form when answering (they instead directed their attention to the moderator). One participant directed his/her attention towards the payment coupon (Figure H.4a), while the other was rather unfocused when answering the question (Figure H.4b), implying that neither knew where to look to find text explaining what would happen.

Past Payments Breakdown			**Account History**	
	Paid Last Month	Paid Year to Date		
Principal	\$0.00	\$2,268.95		
Interest	\$0.00	\$6,338.23		
Escrow (Taxes and Insurance)	\$0.00	\$1,411.08		
Fees	\$0.00	\$160.00		
Partial Payment (Unapplied)*	\$1,000.00	\$1,490.00		
Total	\$1,000.00	\$11,508.26		

Important Messages	
<p>*Partial Payments: Any partial payments that you make are not applied to your mortgage, but instead are held in a separate suspense account. If you pay the balance of a partial payment, the funds will then be applied to your mortgage.</p>	

Springside Mortgage	
<p>Springside Mortgage P.O. Box 11111 Los Angeles, CA 90010</p>	

Payment Amount	
<p>Payment Date: _____</p>	
<p>Payment Amount: _____</p>	
<p>Additional Principal \$ _____</p>	
<p>Additional Escrow \$ _____</p>	
<p>Total Amount Enclosed \$ _____</p>	



If you are making a payment, make your check payable to *Springside Mortgage*.

1234567 34571892 342359127 DN

Figure H.4a. Gaze plot of one participant who looked at the payment coupon when looking for the consequences of non-payment. This participant only looked at the form for two seconds before giving an answer to the question.

¹⁵ A heat map was also generated for this analysis, but is not being reported due to low samples and biased data. Only two participants tracked for this item, one of whom took 26 seconds longer than the other participant to formulate an answer. Therefore, the heat map was biased toward the longer participant to such a degree that individual gaze plots were determined to be more useful for this analysis.

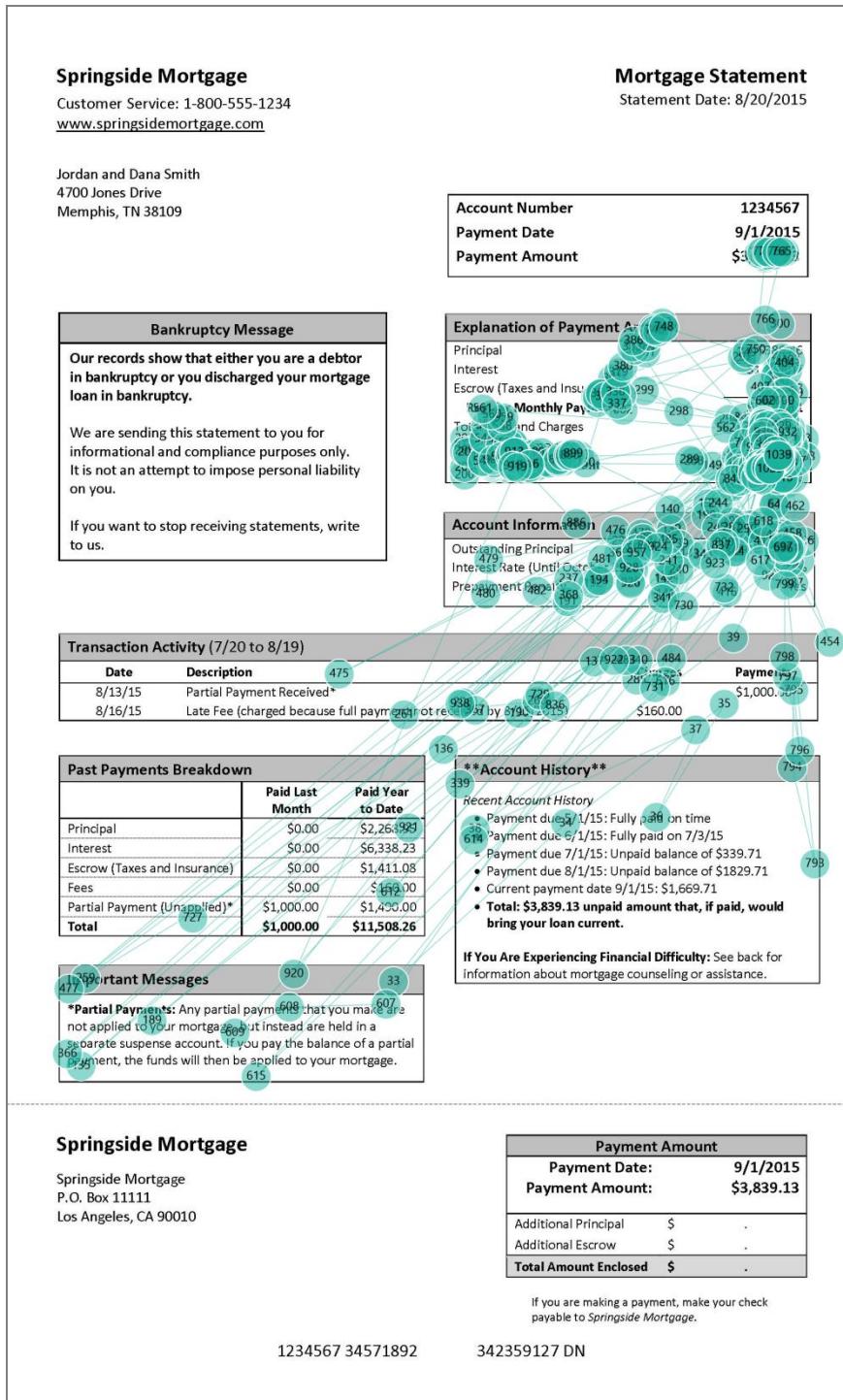


Figure H.4b. Gaze plot of one participant who looked at multiple places on the form when looking for the consequences of non-payment, though most of his/her fixations are clustered on the right side of the page where the dollar amounts are located. This participant spent 28 seconds looking at the form before giving an answer to the question.

H.5 Looking for What Springside Did with Their Partial Payment

Heat maps and gaze plots were generated from participants' eye movements to determine where participants looked when asked what Springside did with their partial payment last month. Only three participants properly tracked when asked this question, as two participants did not look at the form when answering (they instead directed their attention to the moderator). Analysis of the heat map shows that the Past Payment Breakdown in the middle of the form had the highest number of fixations (Figure H.5a). Individual results were mixed, with one participant immediately looking at the Important Messages box where the information was located (Figure H.5b), one participant looking at the Past Payments Breakdown before looking at the Important Messages (Figure H.5c), and one participant looking all over the form (Figure H.5d).

Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com	Mortgage Statement Statement Date: 8/20/2015																					
Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Account Number</td> <td style="padding: 5px; text-align: right;">1234567</td> </tr> <tr> <td style="padding: 5px;">Payment Date</td> <td style="padding: 5px; text-align: right;">9/1/2015</td> </tr> <tr> <td style="padding: 5px;">Payment Amount</td> <td style="padding: 5px; text-align: right;">\$3,839.13</td> </tr> </table>		Account Number	1234567	Payment Date	9/1/2015	Payment Amount	\$3,839.13															
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Bankruptcy Message Our records show that either you are a debtor in bankruptcy or you discharged your mortgage loan in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to impose personal liability on you. If you want to stop receiving statements, write to us.	Explanation of Payment Amount <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Principal</td> <td style="padding: 5px; text-align: right;">\$386.46</td> </tr> <tr> <td style="padding: 5px;">Interest</td> <td style="padding: 5px; text-align: right;">\$1,048.07</td> </tr> <tr> <td style="padding: 5px;">Escrow (Taxes and Insurance)</td> <td style="padding: 5px; text-align: right;">\$285.18</td> </tr> <tr> <td style="padding: 5px;">Regular Monthly Payment</td> <td style="padding: 5px; text-align: right;">\$1,669.71</td> </tr> <tr> <td style="padding: 5px;">Total Fees and Charges</td> <td style="padding: 5px; text-align: right;">\$160.00</td> </tr> <tr> <td style="padding: 5px;">Past Unpaid Amounts</td> <td style="padding: 5px; text-align: right;">\$2,009.42</td> </tr> <tr> <td style="padding: 5px;">Total Payment Amount</td> <td style="padding: 5px; text-align: right;">\$3,839.13</td> </tr> </table>	Principal	\$386.46	Interest	\$1,048.07	Escrow (Taxes and Insurance)	\$285.18	Regular Monthly Payment	\$1,669.71	Total Fees and Charges	\$160.00	Past Unpaid Amounts	\$2,009.42	Total Payment Amount	\$3,839.13							
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Transaction Activity (7/20 to 8/19) <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Date</th> <th>Description</th> <th>Charges</th> <th>Payments</th> </tr> </thead> <tbody> <tr> <td>8/13/15</td> <td>Partial Payment Received*</td> <td></td> <td style="text-align: right;">\$1,000.00</td> </tr> <tr> <td>8/16/15</td> <td>Late Fee (charged because full payment not received by 8/15/2015)</td> <td style="text-align: right;">\$160.00</td> <td></td> </tr> </tbody> </table>		Date	Description	Charges	Payments	8/13/15	Partial Payment Received*		\$1,000.00	8/16/15	Late Fee (charged because full payment not received by 8/15/2015)	\$160.00										
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	Paid Last Month	Paid Year to Date																				
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<small>1234567 34571892 342359127 DN</small>																						

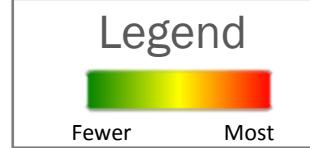


Figure H.5a. This heat map is a compilation of all eye fixations for all three participants that occurred when participants were asked what Springside did with their partial payment last month.

<p>Springside Mortgage Customer Service: 1-800-555-1234 www.springsidemortgage.com</p> <p>Jordan and Dana Smith 4700 Jones Drive Memphis, TN 38109</p>	<p>Mortgage Statement Statement Date: 8/20/2015</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td>Account Number</td> <td>1234567</td> </tr> <tr> <td>Payment Date</td> <td>9/1/2015</td> </tr> <tr> <td>Payment Amount</td> <td>\$3,839.13</td> </tr> </table>	Account Number	1234567	Payment Date	9/1/2015	Payment Amount	\$3,839.13																		
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Figure H.5b. Gaze plot of one participant who immediately looked at the Important Messages box where the partial payment information was located. This participant looked at the form for five seconds before correctly answering the question.

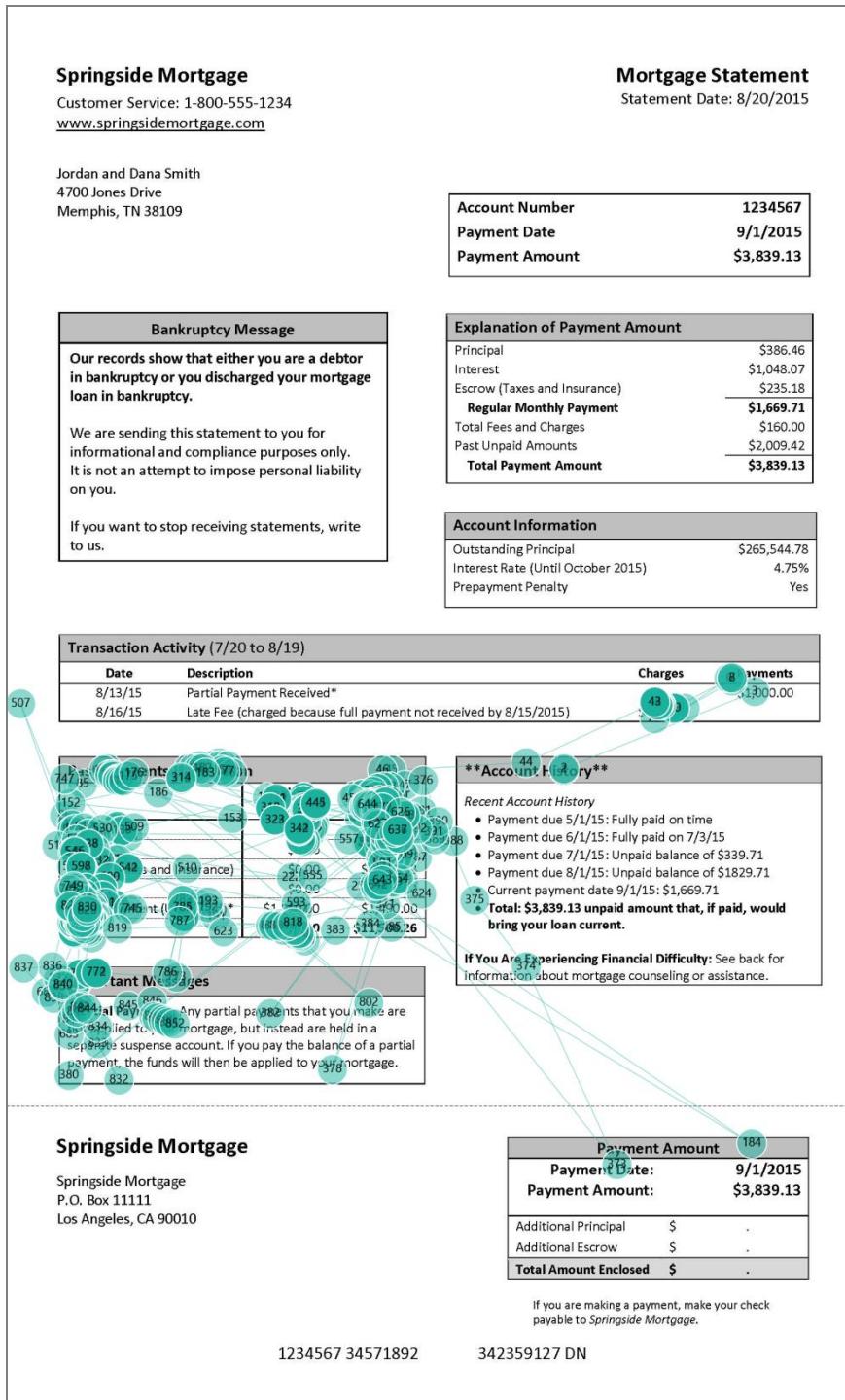


Figure H.5c. Gaze plot of one participant who looked at the Past Payments Breakdown box before looking at the Important Messages box where the partial payment information was located. This participant looked at the form for 19 seconds before incorrectly saying that Springside used the partial payment to pay down part of their loan.

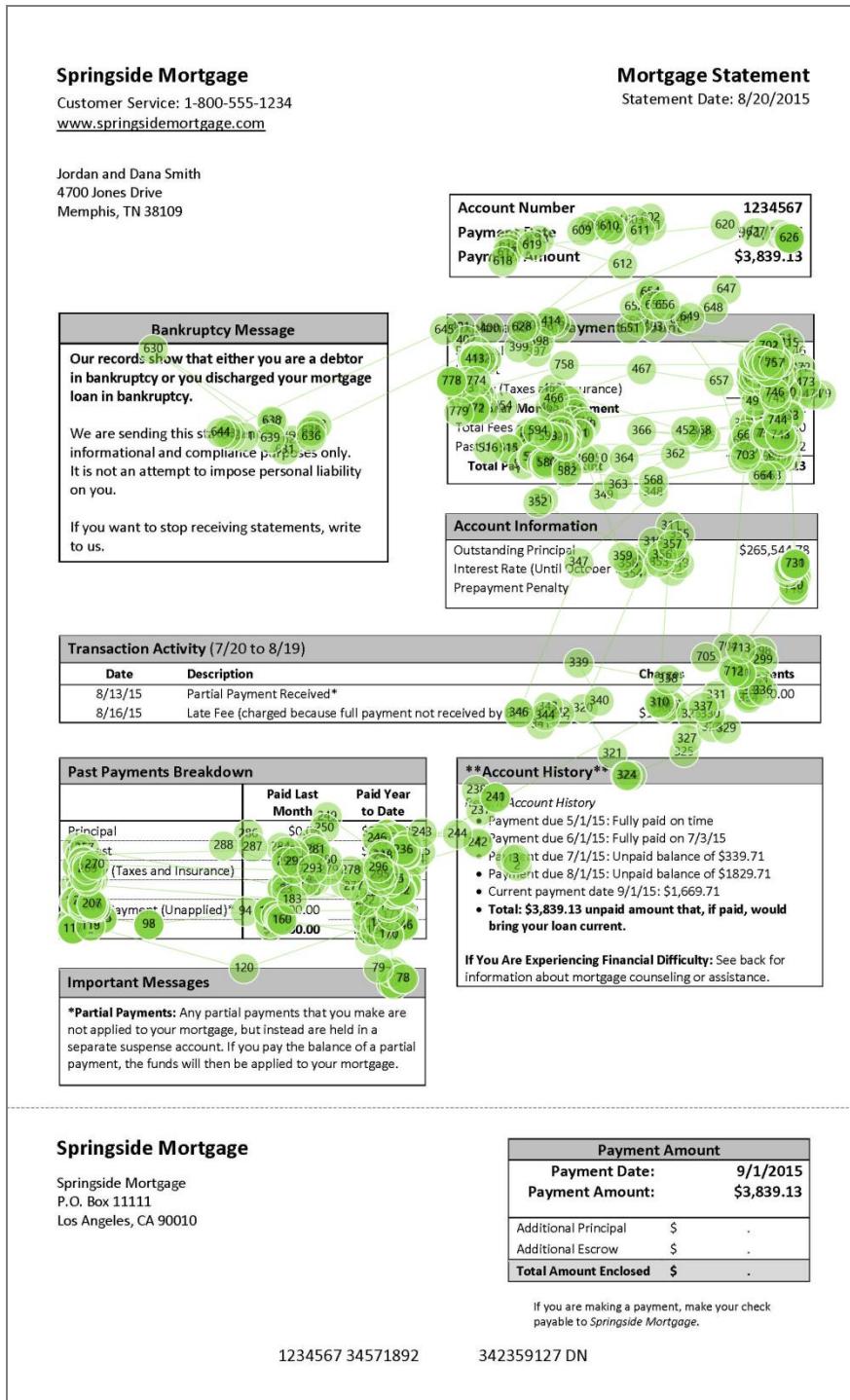


Figure H.5d. Gaze plot of one participant whose gaze pattern was more disorganized than the other two participants in that he/she looked at several different boxes on the form. This participant looked at the form for 15 seconds before giving an answer to the question. This participant never looked at the Important Messages, and did not give the correct answer to the question.

H.6 Looking for Whether They Have a Payment Choice

Heat maps and gaze plots were generated from participants' eye movements to determine where participants looked when asked whether they had a choice about making a payment. Only four participants properly tracked when asked this question, as one participant did not look at the form when answering. Analysis of the heat map shows that the Bankruptcy Message box near the top-left side of the form had the highest number of fixations (Figure H.6a). Individual results were mixed, with two participants concentrating mostly on the Bankruptcy Message box (Figures H.6b and H.6c), one participant never looking at the Bankruptcy Message box at all (Figure H.6d), and one participant looking only at the last sentence of the Bankruptcy Message box (Figure H.6e).

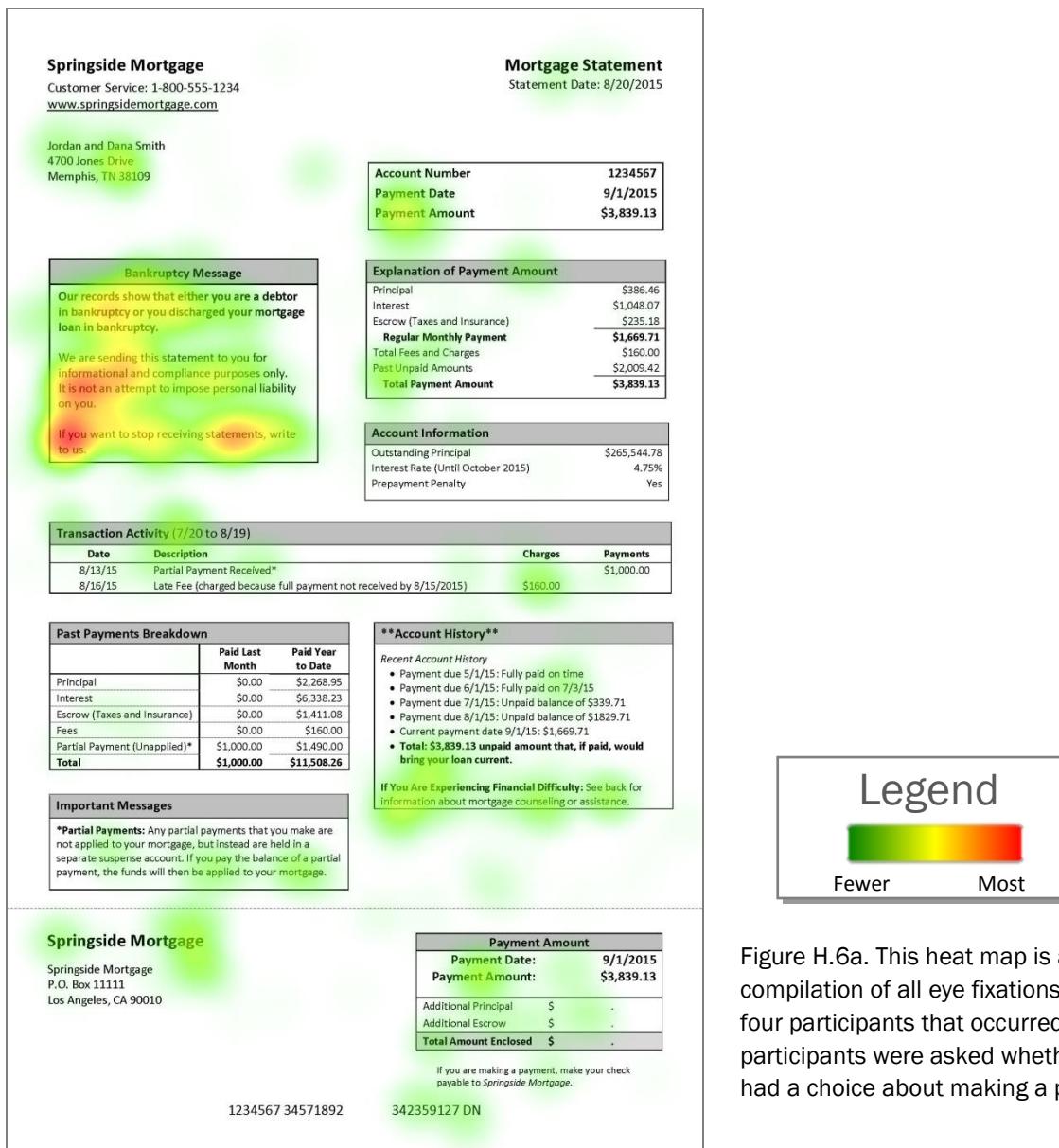


Figure H.6a. This heat map is a compilation of all eye fixations for all four participants that occurred when participants were asked whether they had a choice about making a payment.

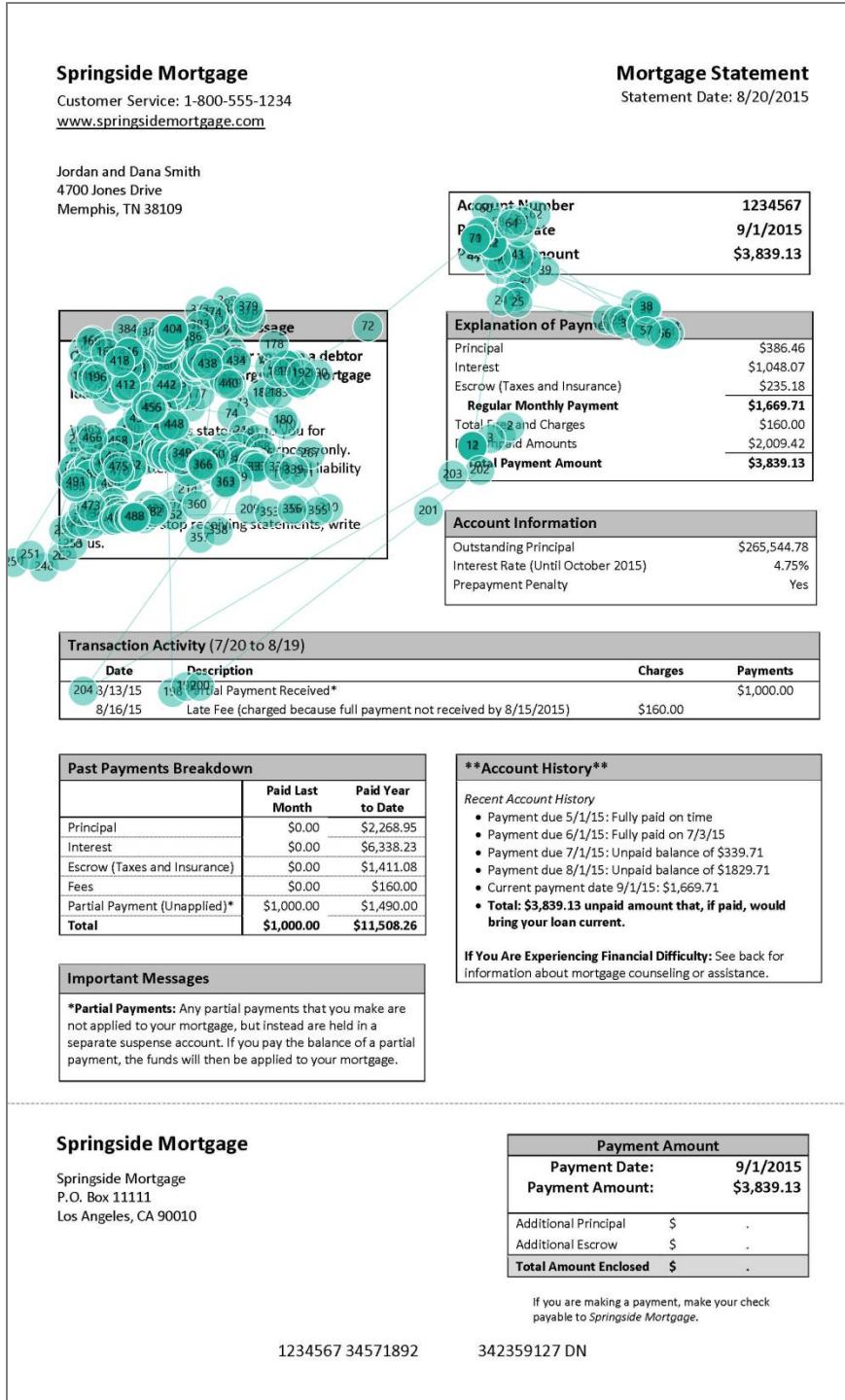


Figure H.6b. Gaze plot of one participant who concentrated mostly on the Bankruptcy Message content when looking for payment choice information. This participant looked at the forms for 16 seconds before saying that the notice was for informational purposes only.

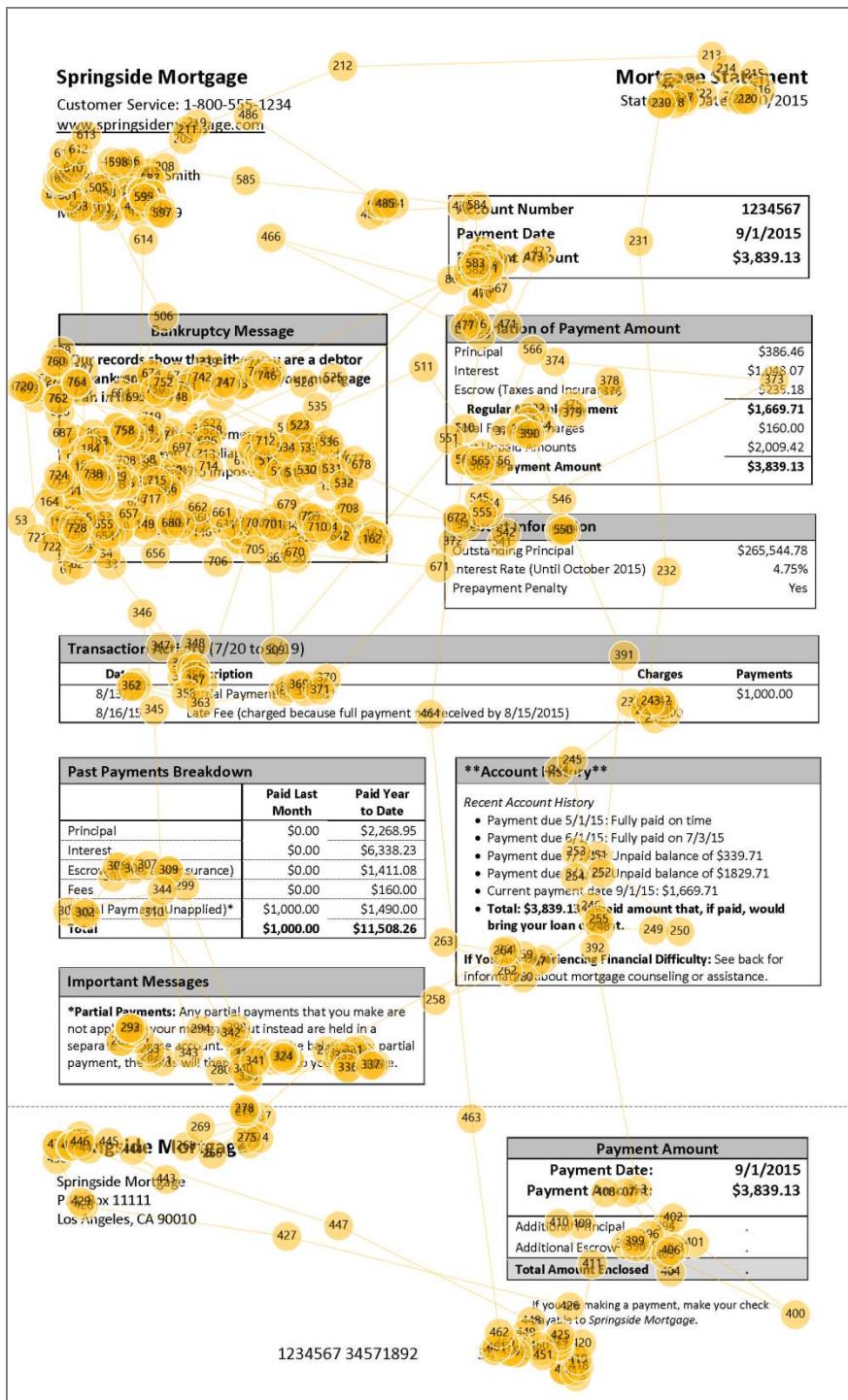


Figure H.6c. Gaze plot of one participant who looked all over the form, but spent more time on the Bankruptcy Message content than elsewhere when looking for payment choice information. This participant looked at the form for 17 seconds before saying that the notice was stating that he/she had to make a payment.

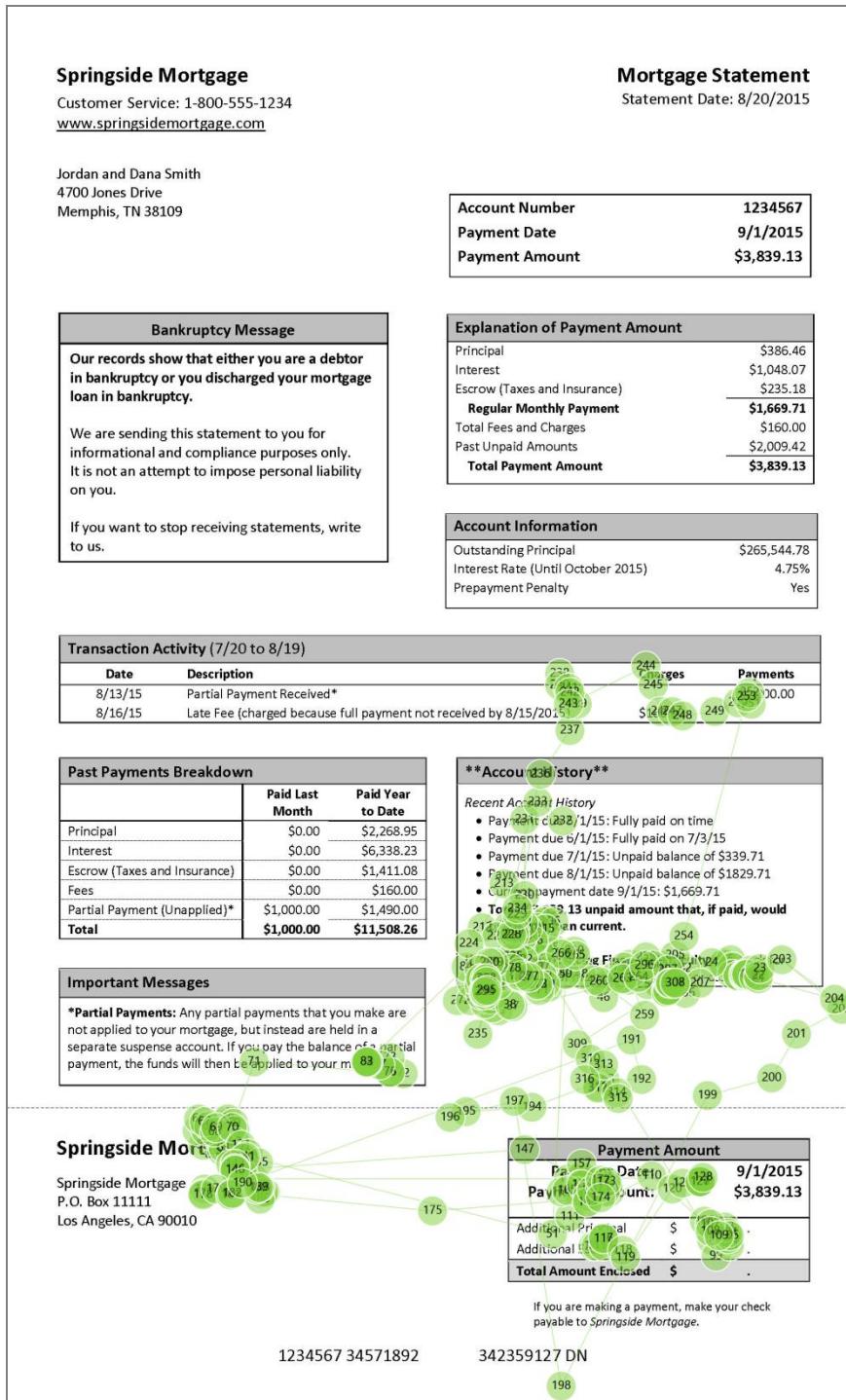


Figure H.6d. Gaze plot of one participant who concentrated on the bottom half of the form when answering this question, specifically on the Account History section and the Payment Amount section on the payment coupon. This participant looked at the form for six seconds before saying that the notice was not stating that he/she had to make a payment.

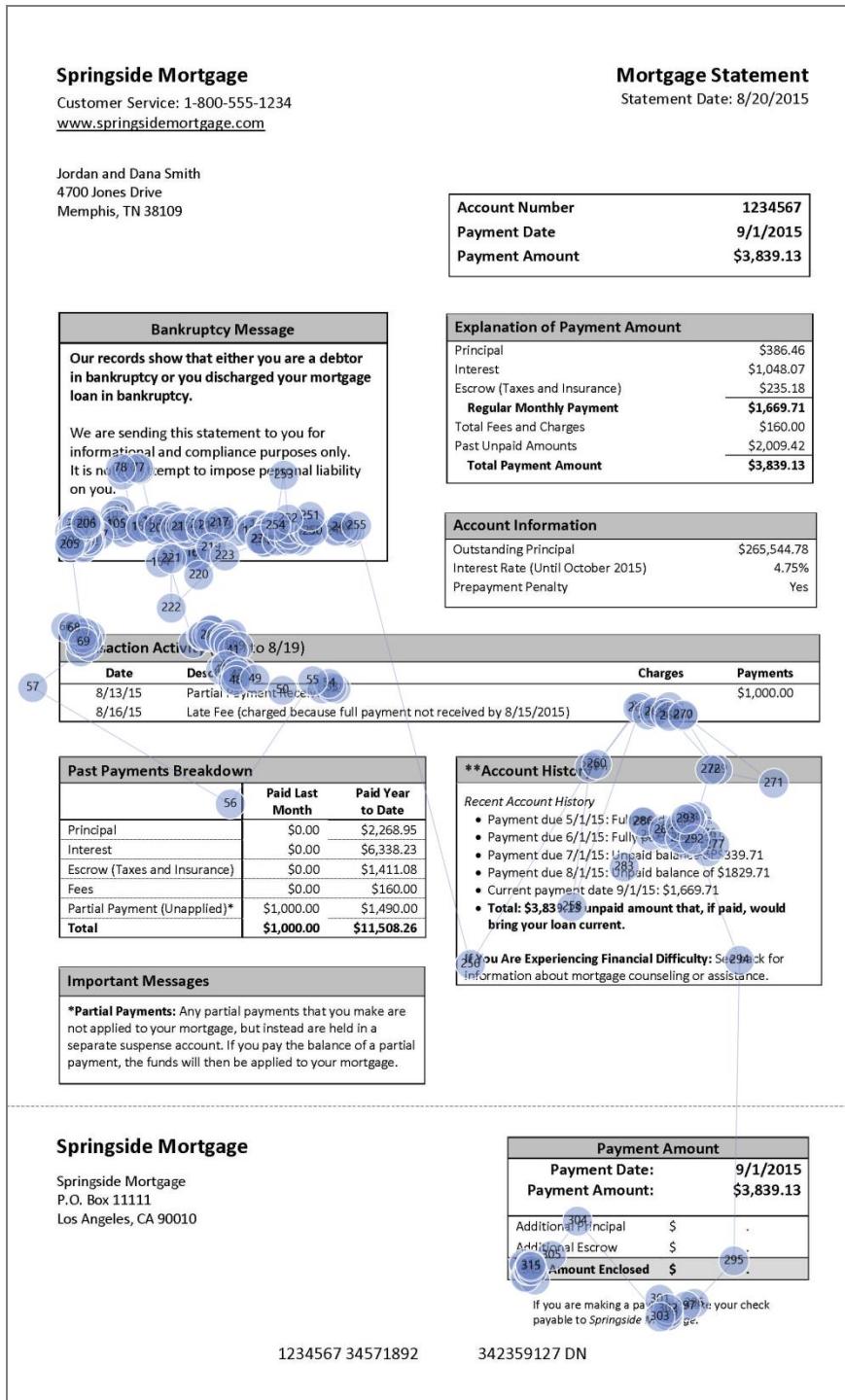


Figure H.6e. Gaze plot of one participant who looked all over the form, but spent more time on the Bankruptcy Message content (specifically the last sentence) than elsewhere when looking for payment choice information. This participant looked at the form for six seconds before saying that you always have a choice about whether to make a payment, but those choices have consequences.

H.7 Looking for How to Stop Receiving Notices

Heat maps and gaze plots were generated from participants' eye movements to determine where participants looked when asked what they would do if they wanted to stop receiving notices. Only four participants properly tracked when asked this question, as one participant did not look at the form when answering. Analysis of the heat map shows that the last sentence of the Bankruptcy Message box near the top-left side of the form had the highest number of fixations (Figure H.7a). Individual results were mixed, with two participants concentrating almost exclusively on the Bankruptcy Message box (Figures H.7b and H.7c). The other two participants had slightly more disorganized gaze patterns in that they looked at multiple boxes on the form, yet they still spent the plurality of their time looking at the Bankruptcy Message box (Figure H.7d and H.7e).

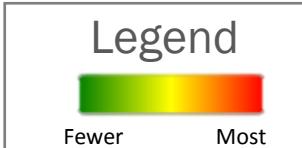
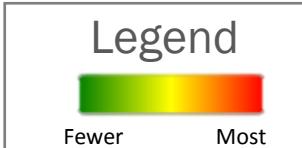
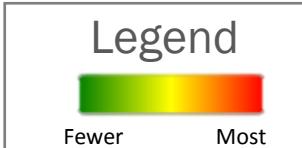
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Figure H.7a. This heat map is a compilation of all eye fixations for all four participants that occurred when participants were asked what they would do if they wanted to stop receiving notices.

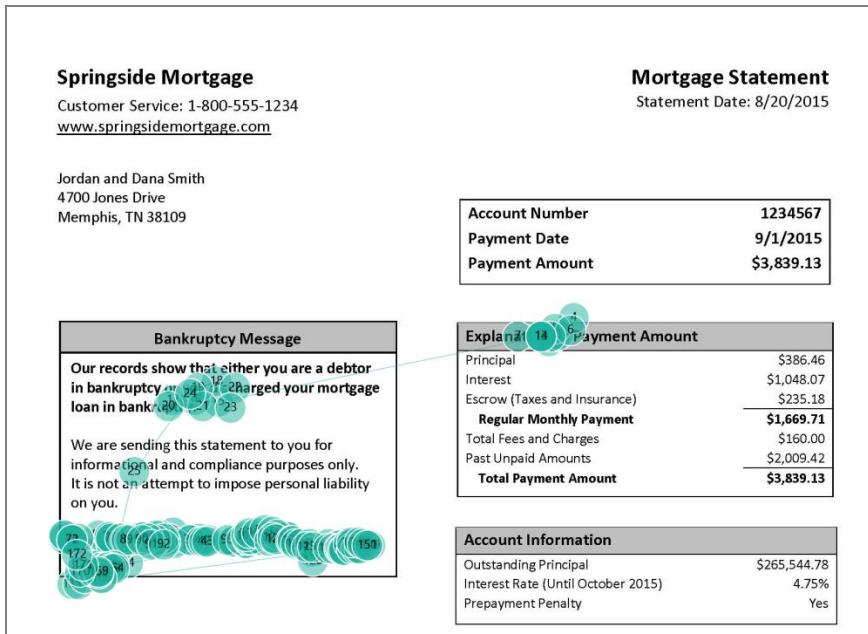


Figure H.7b. Gaze plot of one participant who concentrated almost exclusively on the Bankruptcy Message content when answering this question. This participant looked at the form for seven seconds before correctly answering the question.

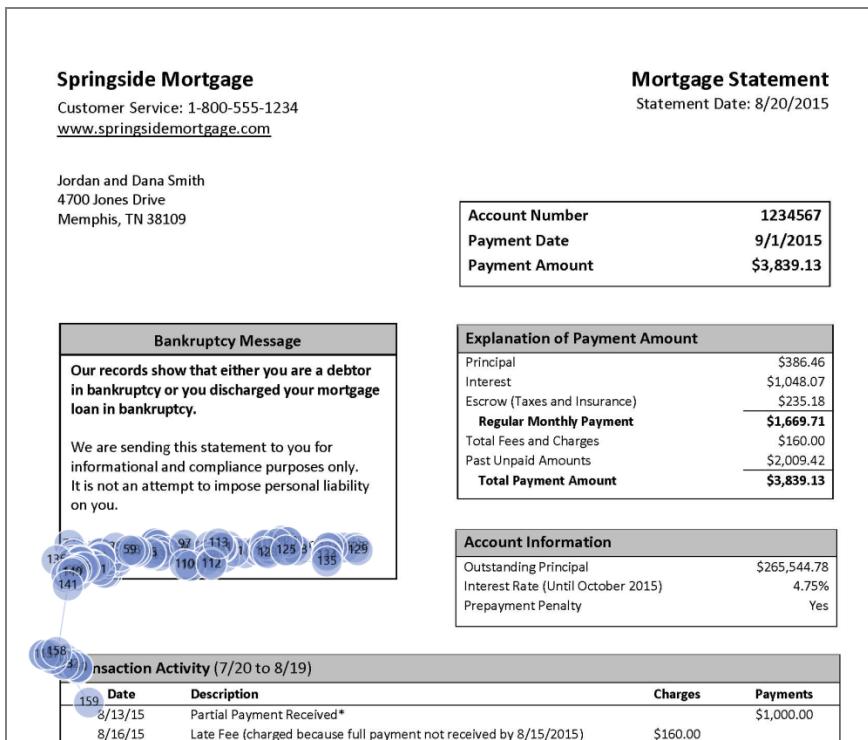


Figure H.7c. Gaze plot of one participant who concentrated almost exclusively on the Bankruptcy Message content when answering this question. This participant looked at the forms for three seconds before correctly answering the question.

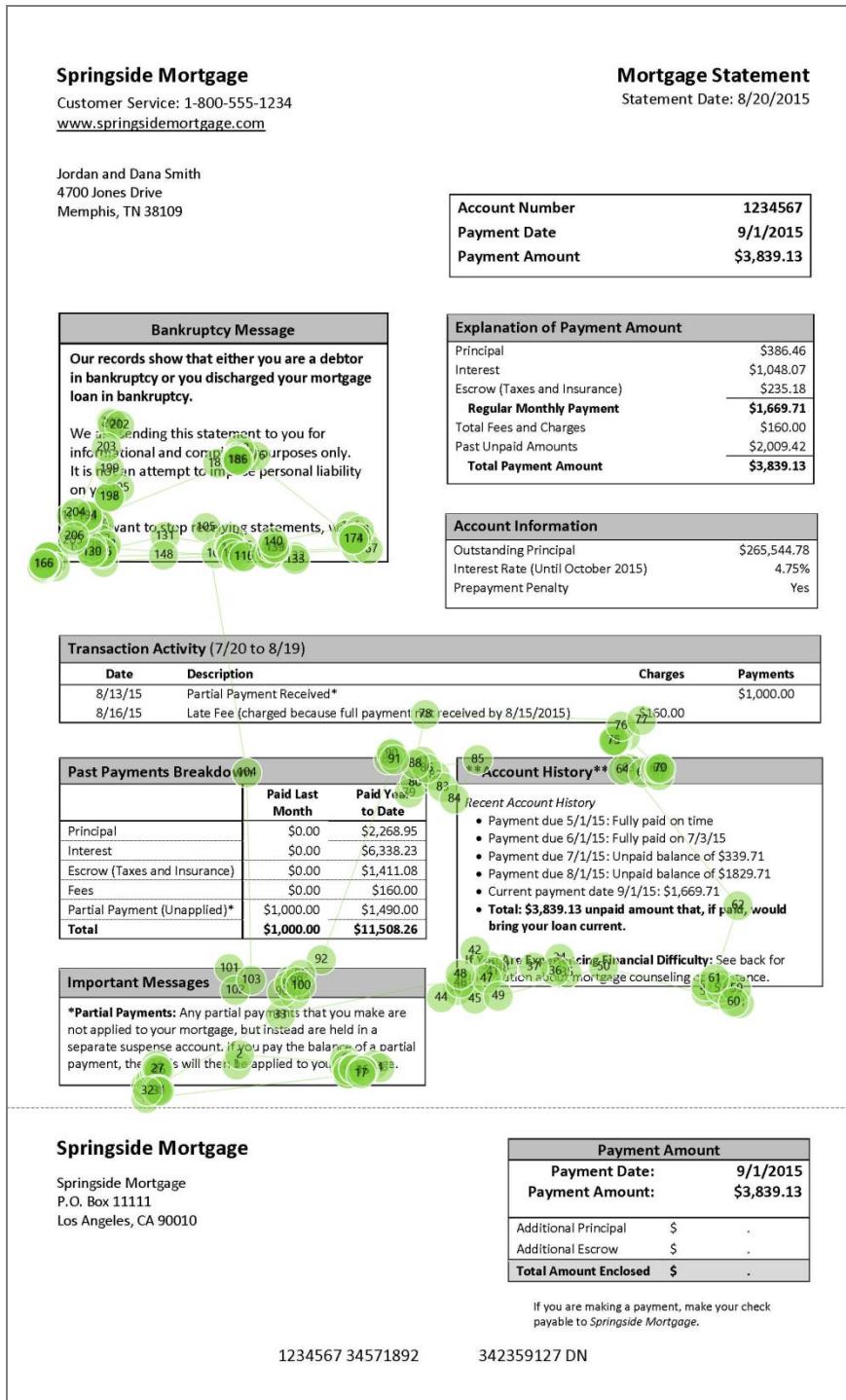


Figure H.7d. Gaze plot of one participant who looked all over the form, but spent the plurality of his/her time on the Bankruptcy Message content than elsewhere when answering this question. This participant looked at the form for five seconds before correctly answering the question.

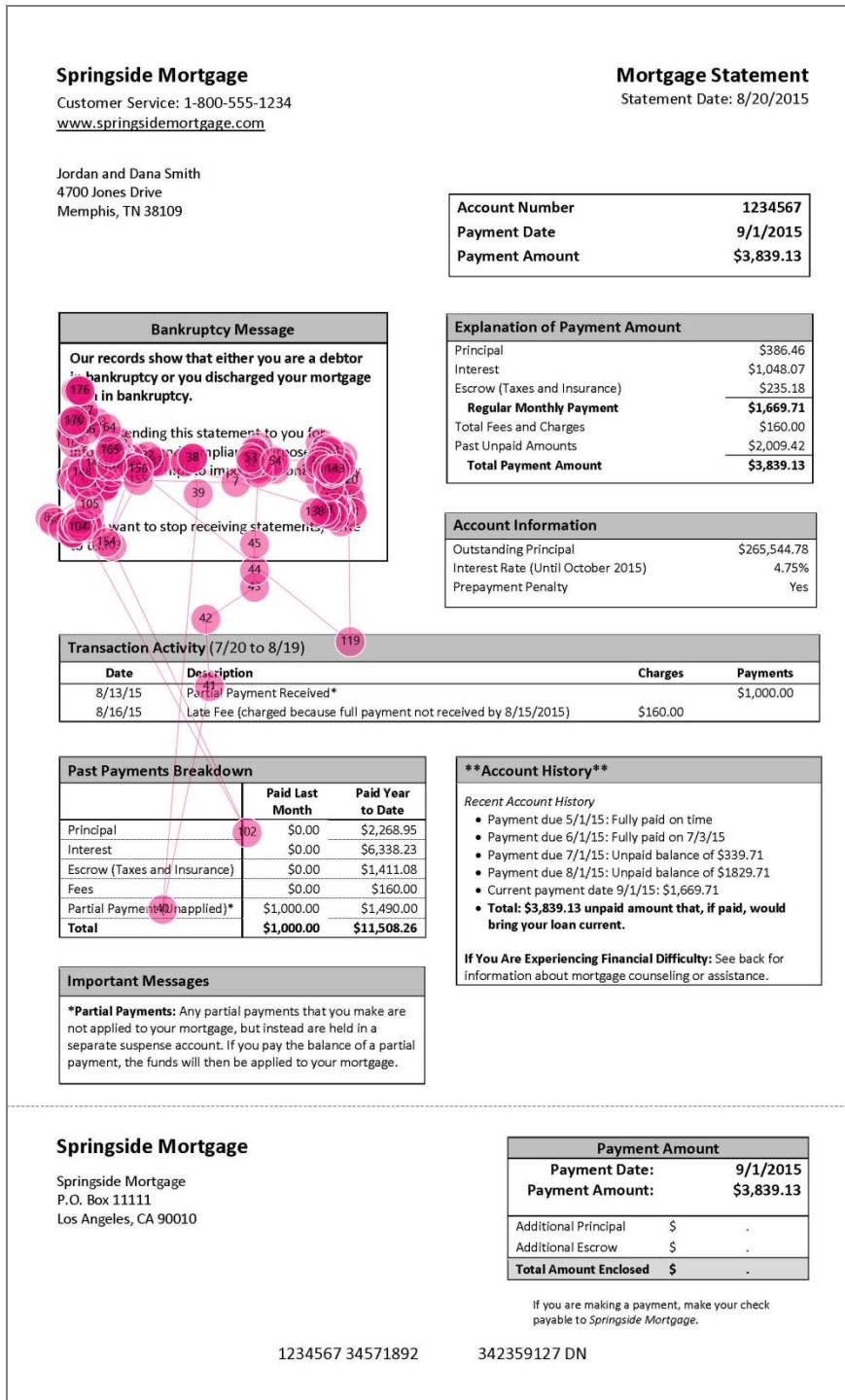


Figure H.7e. Gaze plot of one participant who looked in different places on the form, but spent the majority of his/her time on the Bankruptcy Message content than elsewhere when answering this question. This participant looked at the form for four seconds before correctly answering the question.