

MARY K. VIEGELAHN
CHAPTER 13 TRUSTEE

10500 Heritage Blvd, Ste. 201
San Antonio, TX 78216
(210) 824-1460

January 13, 2021

Name/Address

Re: Case#

INSTRUCTIONS REGARDING 2020 INCOME TAX RETURNS AND/OR REFUNDS

IF YOU FAIL TO COMPLY WITH THE REQUIREMENTS REGARDING THE TURNOVER OF YOUR INCOME TAX RETURNS AND/OR REFUNDS, THE TRUSTEE MAY FILE A MOTION FOR DISMISSAL OF YOUR CHAPTER 13 CASE WITH THE BANKRUPTCY COURT.

- 1) File your returns by the due date established by the IRS.
- 2) Immediately upon completion, send complete copies of Returns (including all schedules), W-2 statements, 1099s, K-1, etc. (all papers you send to the I.R.S.) to your attorney who will provide a copy to the Trustee. If not represented by an attorney, send to:

Mary K. Viegelahn, 10500 Heritage Blvd, Ste. 201, San Antonio, TX 78216

Please redact the social security numbers of the taxpayer(s), dependants, and names of dependants. Include your case number on the first page of the tax return. If this data is not redacted, your return may be rejected and returned to you. This is to protect your PII.

- 3) If these returns are not received by my office by May 1st, I may file a motion to dismiss. The filing deadline for tax returns is April 15, 2021.
- 4) Please review your Plan and if your Plan requires that you turnover the tax refund and you did receive a refund, you may: (1) issue a check payable to Mary K. Viegelahn Trustee, and note in the memo 2020 Tax Refund; or (2) endorse the actual refund check received from the IRS payable to Mary K. Viegelahn, Trustee. The address to mail the refund is: P. O. Box 1231, San Antonio, TX 78294-1231. If you are unsure as to the requirements, contact your attorney.
- 5) If your case was filed prior to November 1, 2017, please review your plan and / or the order confirming plan to determine whether the tax refund must be turned over. If your case was filed after November 1, 2017 and confirmed by order on or before September 30, 2020, you may retain up to \$2,000.00 (this limit applies to a single debtor and joint debtors) of your refund. If you are delinquent in plan payments, then you must submit such amount from the \$2,000.00 as is necessary to cure any plan payment arrears. Any amount in excess of the \$2,000.00 must be turned over to the Trustee. If your case was confirmed by order on or after October 1, 2020, please consult with your attorney. Tax refunds are presumed to be disposable income to be turned over to the Trustee upon receipt but an exception may apply based on your circumstances.
- 6) If you have filed for an extension of time to file your returns, send a copy of the approved extension by May 1st to your attorney, who will provide a copy to the Trustee.
- 7) If you receive an INTERCEPT, DELAY or ERROR notice, please send a copy to your attorney as soon as you receive it.
- 8) If you have any questions regarding this letter, please contact your attorney.

Mary K. Viegelahn
Chapter 13 Trustee

cc: Debtor Attorney Name/Address