

Rule 4003-2

Lien Avoidance of Exempt Property

(a) Contents Required. Any motion to avoid a lien pursuant to 11 U.S.C. § 522(f) must include the following:

- (1) the claimed value of the property with respect to which relief is requested;
- (2) the name, address, and telephone number of each lienholder and, if known, lienholder's attorney, listed in their order of priority; and
- (3) the amount of each lienholder's claim.

(b) Service. A party who files a motion to avoid a lien must serve via certified mail a copy of the motion upon the case trustee, the United States trustee, each lienholder and, if known, the lienholders' attorneys. The moving party must file with the court a certificate of service in accordance with [LBR 9013-3](#).

(c) Notice. Motions to avoid a lien under 11 U.S.C. § 522(f) must include the following notice:

NOTICE OF MOTION TO AVOID LIEN

Within twenty-one (21) days after service as evidenced by the certification, any party against whom this motion to avoid lien under 11 U.S.C. § 522(f) has been served, must file an objection or other appropriate response thereto with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the motion will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise.