

## BUSINESS EXAMINATION QUESTIONNAIRE

Office of Dianne C. Kerns, Chapter 13 Trustee

**INSTRUCTIONS:** Complete all questions of the form. Use a separate page if you need additional room, and be sure to reference the additional page by the number you are answering. If a question is a Yes or No answer, please circle the appropriate answer.

**IMPORTANT:** All information must be in the form requested. Information and/or documents presented in an unorganized fashion will not be accepted and will result in the examination being delayed and/or rescheduled. Please contact your attorney if you have any question.

**This Questionnaire, along with COPIES of all required documents requested must be provided to the Trustee no later than seven (7) days prior to the 341 Hearing or Business Examination Interview, whichever is earlier.**

### Business Case Questionnaire

Dated: \_\_\_\_\_

Debtor's Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

1. What circumstances led you to file this Chapter 13 Bankruptcy?
  
  
  
  
  
  
  
  
  
  
2. Give description of the business:
  - a) List current names and all past names used by the business.
  
  
  
  
  
  
  
  
  
  
  - b) Type of business that you operate.
  
  
  
  
  
  
  
  
  
  
  - c) Main product and/or service.
  
  
  
  
  
  
  
  
  
  
  - d) Is your business a:

Sole Proprietorship	YES	NO
Partnership	YES	NO
Corporation	YES	NO
  
  
  
  
  
  
  
  
  
  
  - e) Name of Owner(s)
  
  
  
  
  
  
  
  
  
  
  - f) When did this business commence operations?

g) Where is this business in operation? \_\_\_\_\_

h) Are you leasing office space? YES NO  
If yes, list all leases, terms of each lease, and if you wish to continue each such lease on a separate page.

i) Are you leasing any business equipment? YES NO  
If yes, list all leases, terms of each lease, and if you wish to continue each such lease on a separate page.

j) Is your business seasonal? YES NO  
If yes, please specify your good months and poor months and reasons for fluctuations.

k) Have you pledged your receivables, rents, profits, or other cash as collateral for any loans? YES NO  
If yes, identify asset(s) or revenue pledged and to whom pledged. Describe business terms of pledge agreement.

l) If any receivables have been sold, to whom were they sold and please describe business terms.

3. Description of assets:

- a) On a separate page, describe each item with a value over \$1,000.00. Also include
- 1) What you would sell the item for in its present condition and assuming a fair price.
  - 2) How much the item cost you originally.
  - 3) The age of each item. Also, note which items are not necessary to the successful operation of your business.
  - 4) What is the estimated market value of your inventory? \_\_\_\_\_  
your account receivables? \_\_\_\_\_

4. Description of all bank accounts to which you have access:

a) Provide copies, not originals, of bank statements and canceled and paid checks for all accounts for three (3) months prior to the time of filing your Chapter 13 case.

b) Are you the only authorized signatory (ies) on the accounts? YES  
NO

If so, specify other person(s) that are authorized as signers. \_\_\_\_\_

<u>Bank Name</u>	<u>Account Number</u>	<u>Type of Account</u>	<u>Purpose</u>
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5. List all full time and part time employees:

Name of employees                      Position/Function                      Monthly salary                      Part time/Full Time

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6. Proof of payment of employee Federal withholding taxes:

a) If you have employees, provide copies of proof of payment (IRS form 941) for two (2) quarters prior to the month your case was filed.

7. Proof of payment of sales taxes:

a) If applicable, provide copies of proof of payment for three (3) months prior to the month your case was filed.

8. Federal tax returns:

a) Provide copies of your most recent federal tax returns (past three years) along with all supporting schedules, W-2's and 1099's. If you receive income from tips not reported on W-2's, include copies of IRS form 4137.

9. Insurance:

a) In addition to the insurance listed in the Affidavit of Chapter 13 Debtors, provide copies of the policy or binder for the following (if applicable):

- 1) Liquor liability insurance
- 2) Worker's compensation insurance
- 3) Business operations liability insurance
- 4) Real and/or personal property insurance
- 5) All other insurance for which premiums are currently being paid.

10. Licenses:

a) Provide copies of the following if applicable:

- 1) Business license (If a business license is not required for your business, explain why?) \_\_\_\_\_
- 2) Seller's permit \_\_\_\_\_
- 3) Contractor's license \_\_\_\_\_
- 4) Other License \_\_\_\_\_

11. Financial Statements:

- a) Provide copies of all financial statements furnished to third parties (banks, financial institutions, trade creditors, etc.) Within the past two years preceding the filing of the petition, including, but not limited to, the balance sheet, income statement and cash flow statement.
- b) Provide copies of the current books and records of the business for the six (6) months prior to filing.
- c) Provide copies of the monthly profit and loss statements for each of the twelve months preceding the filing.
- d) Provide a current schedule of accounts receivable, including an aging schedule.
- e) Provide a current schedule of accounts payable, including an aging schedule.

I/We declare under penalty of perjury that the forgoing statement of information is true and correct to the best of MY/OUR knowledge, information, and belief.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Debtor 1 Signature

\_\_\_\_\_  
Debtor 2 Signature

**Upon review of submitted documentation, the Trustee may request additional financial information.**