



IT IS ORDERED as set forth below:

Date: January 17, 2012

Mary Grace Diehl

Mary Grace Diehl
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:	:	Chapter 7
	:	
Lance Keven Dunn and Dereka Tamale Dunn,	:	Case Number: 09-87232-MGD
	:	
Debtors.	:	Judge Mary Grace Diehl
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	:	
Lance Keven Dunn and Dereka Tamale Dunn,	:	
	:	
Movants,	:	
v.	:	Contested Matter
	:	
Fast Debt Buyers, LLC,	:	
	:	
Respondent.	:	

ORDER GRANTING DEBTORS' MOTION TO REDEEM

Before the Court is Debtors' Motion to Redeem and notice of the Motion. (Docket No. 28). Debtors seek to redeem a 2006 Chevrolet Uplander ("vehicle") pursuant to 11 U.S.C. § 722 and Rule 6008 of the Federal Rules of Bankruptcy Procedure.

The Motion states that the fair market value of the vehicle is \$4,100.00. Debtors granted GMAC a purchase-money security interest in the vehicle. Thereafter, Debtors granted Fast Debt Buyers, LLC (“Respondent”) a junior non-purchase security interest through a title lien on the vehicle. GMAC’s first-priority lien is in the amount of \$7,662.00. It appears Debtors previously reaffirmed the GMAC debt. (Docket No. 13). Based on GMAC’s lien, there is no equity for Respondent’s lien to attach, and Debtor seeks to redeem the vehicle with Respondent for a \$0.00 payment.

“Section 722 provides an individual debtor may redeem consumer goods from a lien securing a dischargeable consumer debt, if the property is exempted under section 522 or has been abandoned under section 554, by paying the lienholder the amount of the allowed claim secured by the lien, i.e., the value of the lienholder's collateral if he or she is undersecured.” COLLIER ON BANKRUPTCY ¶

722.01 (16th ed.). The text of § 722 is:

An individual debtor may, whether or not the debtor has waived the right to redeem under this section, redeem tangible personal property intended primarily for personal, family, or household use, from a lien securing a dischargeable consumer debt, if such property is exempted under section 522 of this title or has been abandoned under section 554 of this title, by paying the holder of such lien the amount of the allowed secured claim of such holder that is secured by such lien.

11 U.S.C. § 722. Here, Debtors have satisfied the prerequisites to redemption. The vehicle is used for household purposes, and the case was closed prior to Debtors moving to reopen their case. Therefore, Debtors satisfied that the property be abandoned under § 544(c). Further, redemption is available with a wholly unsecured lien. *E.g., In re Williams*, 228 B.R. 910, 913 (Bankr. N.D. Ill. 1999). The record reflects that Respondent was properly served with the Motion. No responses have been filed and the Motion is therefore deemed unopposed. Debtors request to redeem the vehicle

upon no payment to Respondent is proper under § 722. Accordingly, it is

ORDERED that Debtors' Motion to Redeem is **GRANTED** and Debtor may redeem the subject vehicle pursuant to 11 U.S.C. § 722 and Fed. R. Bankr. P. 6008, by tendering \$0.00 to Respondent.

IT IS FURTHER ORDERED that Respondent shall deliver the vehicle's title to Debtor within fourteen (14) days of entry of this Order.

The Clerk shall serve a copy of this Order upon Debtors, counsel for Debtors, the Chapter 7 Trustee, and the parties on the attached distribution list.

END OF DOCUMENT

Distribution List

Fast Debt Byers, LLC
R.K. Financial Services, Inc., Registered Agent
1815 Old 41 Highway
Suite 130
Kennesaw, GA 30152