6-29/103.00 Abandonment

The trustee may abandon property to the debtor that is burdensome or of inconsequential value. Unless a hearing is requested or an objection is filed, no hearing or court order is required. (FRBP

6007(a))

The debtor, the debtor's property and property of the debtor's estate are protected by the automatic stay.

(11 USC 362(a)(5-6),(c)(1)) Property may be removed from the bankruptcy estate and vested in the debtor when: the property is claimed as exempt; the property is abandoned by the trustee; the debtor's interest expires by its own terms; or upon confirmation of a Chapter 11 or 13 (unless the court orders otherwise). (11 USC 1327(b), Epstein, Bankruptcy, 3-23(c)) Exempt or abandoned property, although no longer property of the estate, remains protected by the stay. "Property would include abandoned property. Property which has been abandoned will be property of the debtor, protected by the stay of section until the stay expires, or is terminated." (In Re Motley, 10 B.R. 141)