

6-29/109.00 Violation of Automatic Stay

Actions taken in violation of the automatic stay are void and without effect and a violator may be held in contempt of court. ([In Re Schwartz, 954 F.2nd 569](#); Cowan's Law and Bankruptcy Practice, 11.3(n)) The debtor may also recover actual and punitive damages against a party willfully violating the automatic stay. ([11 USC 362\(h\)](#)) However, the court may grant "retroactive relief from the automatic stay in order to validate violations of the stay that would otherwise be considered void." ([In Re Jewett, 146 BR 250](#))
