

United States Code Annotated  
Title 11. Bankruptcy (Refs & Annos)  
Chapter 3. Case Administration (Refs & Annos)  
Subchapter III. Administration

11 U.S.C.A. § 348

§ 348. Effect of conversion

Effective: December 22, 2010

[Currentness](#)

**(a)** Conversion of a case from a case under one chapter of this title to a case under another chapter of this title constitutes an order for relief under the chapter to which the case is converted, but, except as provided in subsections (b) and (c) of this section, does not effect a change in the date of the filing of the petition, the commencement of the case, or the order for relief.

**(b)** Unless the court for cause orders otherwise, in [sections 701\(a\), 727\(a\)\(10\), 727\(b\), 1102\(a\), 1110\(a\)\(1\), 1121\(b\), 1121\(c\), 1141\(d\)\(4\), 1201\(a\), 1221, 1228\(a\), 1301\(a\), and 1305\(a\)](#) of this title, “the order for relief under this chapter” in a chapter to which a case has been converted under [section 706, 1112, 1208, or 1307](#) of this title means the conversion of such case to such chapter.

**(c)** [Sections 342 and 365\(d\)](#) of this title apply in a case that has been converted under [section 706, 1112, 1208, or 1307](#) of this title, as if the conversion order were the order for relief.

**(d)** A claim against the estate or the debtor that arises after the order for relief but before conversion in a case that is converted under [section 1112, 1208, or 1307](#) of this title, other than a claim specified in [section 503\(b\)](#) of this title, shall be treated for all purposes as if such claim had arisen immediately before the date of the filing of the petition.

**(e)** Conversion of a case under [section 706, 1112, 1208, or 1307](#) of this title terminates the service of any trustee or examiner that is serving in the case before such conversion.

**(f)(1)** Except as provided in paragraph (2), when a case under chapter 13 of this title is converted to a case under another chapter under this title--

**(A)** property of the estate in the converted case shall consist of property of the estate, as of the date of filing of the petition, that remains in the possession of or is under the control of the debtor on the date of conversion;

**(B)** valuations of property and of allowed secured claims in the chapter 13 case shall apply only in a case converted to a case under chapter 11 or 12, but not in a case converted to a case under chapter 7, with allowed secured claims in cases under chapters 11 and 12 reduced to the extent that they have been paid in accordance with the chapter 13 plan; and

(C) with respect to cases converted from chapter 13--

(i) the claim of any creditor holding security as of the date of the filing of the petition shall continue to be secured by that security unless the full amount of such claim determined under applicable nonbankruptcy law has been paid in full as of the date of conversion, notwithstanding any valuation or determination of the amount of an allowed secured claim made for the purposes of the case under chapter 13; and

(ii) unless a prebankruptcy default has been fully cured under the plan at the time of conversion, in any proceeding under this title or otherwise, the default shall have the effect given under applicable nonbankruptcy law.

(2) If the debtor converts a case under chapter 13 of this title to a case under another chapter under this title in bad faith, the property of the estate in the converted case shall consist of the property of the estate as of the date of conversion.

#### CREDIT(S)

(Pub.L. 95-598, Nov. 6, 1978, 92 Stat. 2568; Pub.L. 99-554, Title II, § 257(i), Oct. 27, 1986, 100 Stat. 3115; Pub.L. 103-394, Title III, § 311, Title V, § 501(d)(5), Oct. 22, 1994, 108 Stat. 4138, 4144; Pub.L. 109-8, Title III, § 309(a), Title XII, § 1207, Apr. 20, 2005, 119 Stat. 82, 194; Pub.L. 111-327, § 2(a)(11), Dec. 22, 2010, 124 Stat. 3558.)

[Notes of Decisions \(217\)](#)

11 U.S.C.A. § 348, 11 USCA § 348  
Current through P.L. 116-140.

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