

Lender Liability

At Burr & Forman, we leverage our strength in the banking industry to provide counsel on both the lender and borrowers' sides in connection with lender liability and other potential litigation matters.

Lender liability law recognizes that, in certain circumstances, financial institutions can be liable if they do not treat their borrowers fairly. This can occur not only in relation to mortgages and foreclosure actions, but also with respect to fraudulent or negligent lending practices, or when a financial institution acts in a manner that deepens the insolvency of its borrower to the detriment of other creditors.

We work with our lending clients to avoid liability issues dealing with breach of contract, bad faith, breach of fiduciary duties, misrepresentation, and possible fraud.

PROFESSIONALS

Tala Amirfazli
Erich N. Durlacher
David A. Elliott
Gerald P. Gillespy
Michael L. Hall
Joe A. Joseph
Gregory F. Lunny
Robert C. Matthews
Robert A. Neilson
Armando Nozzolillo
Adrian Rust
Graham H. Stieglitz
J. Ellsworth Summers, Jr.
Emily Campbell Taube
J. Patrick Warfield

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