

ARTICLE

Court Invalidates Foreclosures Based on Ineffective Mortgage Assignments

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This article examines a decision of the Massachusetts Supreme Judicial Court holding that a foreclosure in Massachusetts may be exercised only by the current holder of the mortgage, and that a clear chain of title must be established to show that the party foreclosing is the valid holder of the mortgage. The case illustrates the importance for lenders, loan servicers and securitization trustees of understanding state foreclosure laws to ensure that the necessary documents and procedures are followed in foreclosure proceedings.

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