

Circumventing the Perils of Ownership: A Lender's Guide to the Receiver's Power of Sale in Florida

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In this article, the authors explore both the benefits and obstacles inherent in appointing a receiver with a power of sale, as opposed to proceeding with a full judicial foreclosure or obtaining a deed in lieu of foreclosure.

Despite some signs of an economic recovery, the commercial real estate sector is not out of the woods. Citing sources at Deutsche Bank and Foresight Analytics, the Wall Street Journal reports that \$154.5 billion of securitized commercial mortgages and an additional \$524.5 billion of whole commercial mortgages held by U.S. banks and thrifts are expected to come due by 2012, the majority of which will not qualify for refinancing because of the deflated value of the underlying properties.

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