ligris.

www.ligris.com

Creditors' Rights – Default Servicing

Our Services

Title & Settlement Services
Family Law
Immigration
Real Estate
Business Law and Transactions
Creditors' Rights – Default Servicing
Residential Real Estate
Commercial Real Estate
Leasing
Condominium Law
Trusts & Estates
Tax Services

Clients

Businesses
Individuals

Key Contact

Tracy E. Hoeger
Director of Creditors' Rights Group

617-274-1500
thoeger@ligris.com
Newton Office

When a residential or commercial loan becomes delinquent, foreclosure may be one option – but it is not always the best or only path. A workout, loan modification, restructuring, negotiated resolution, or asset disposition strategy may better protect the creditor's position and reduce loss depending on the circumstances.

At Ligris, our Creditors' Rights and Default Servicing team represents lenders, investors, private equity firms, credit managers, and other secured creditors when default is imminent or has already occurred. We combine foreclosure and title experience with practical knowledge of bankruptcy, real estate, banking, business, and tax issues to help clients evaluate the full range of available remedies.

Our approach is proactive, transparent, and focused on practical resolution – anticipating complications, communicating clearly, and protecting the client's collateral and legal position at each stage.

Assess Options Early

Default-related issues can multiply quickly. A creditor may need to evaluate a workout, enforce rights in bankruptcy court, address a title or lien-priority issue, obtain possession of property, respond to municipal or HOA claims, or defend against borrower litigation.

We work with clients early to identify the issues that could affect recovery and to develop a strategy before deadlines, litigation, or property conditions narrow the available options. Throughout the matter, we provide clear status reporting and coordinate with servicers, investors, local counsel, property professionals, and others involved in the resolution.

When foreclosure, bankruptcy, title, eviction, litigation, or real estate issues overlap, clients benefit from a coordinated Ligris team rather than having to manage disconnected counsel across each issue.

Protect Your Collateral and Your Rights

For a secured creditor, recovery is often tied directly to the underlying real estate. Protecting that collateral can require attention to title, lien priority, possession, municipal requirements, property condition, bankruptcy restrictions, and other issues that can affect value or delay enforcement.

Ligris represents creditors in matters involving residential and commercial real estate, including title and priority disputes, HOA lien actions, municipal and state code enforcement, bankruptcy proceedings, borrower claims, and other issues affecting a creditor's security interest.

If a property becomes REO, we can continue to support the client through possession, title resolution, contract, disposition, and closing. When a negotiated resolution is not appropriate, we represent creditors in judicial and non-judicial foreclosure proceedings involving residential and commercial mortgages.

©2026 Ligris + Associates PC and Ligris Tax Services, LLC | 1188 Centre Street, Newton, MA 02459 | T. 617.274.1500 | F. 617.274.1515

Our objective is straightforward: preserve options, protect the creditor's position, reduce unnecessary delay and expense, and move the loan or asset toward the most practical resolution available.

Ligris Creditors' Rights & Default Services Include:

- Loan modifications, workouts, and debt restructuring advice
- Judicial and non-judicial foreclosure of commercial and residential mortgages
- Enforcement of secured and unsecured claims in the U.S. Bankruptcy Courts
- Filing proofs of claim and notices of payment change
- Reviewing and objecting to bankruptcy plans
- Drafting and filing motions for relief from the automatic stay
- Eviction actions and recovery of possession of foreclosed properties
- Notices to quit and cash-for-keys negotiations
- REO sales and dispositions from contract through closing
- Defense against borrower claims, debt disputes, and requests for injunctive relief
- Post-foreclosure collection actions
- Title actions, priority disputes, and interpleader actions
- Defense against HOA lien actions and negotiation of resolutions
- Defense against municipal and state code enforcement actions
- Protection of creditor interests in real estate secured by mortgages or deeds of trust

Why Ligris for Creditors' Rights?

Default servicing rarely presents a single legal issue. A foreclosure may intersect with bankruptcy, a title defect may affect lien priority, and an REO property may require eviction, curative work, or a coordinated sale.

Ligris brings those disciplines together. Our Creditors' Rights attorneys work closely with colleagues in real estate, title and settlement, business law, leasing and evictions, and other areas when a matter requires additional expertise. The result is one coordinated legal team focused on the creditor's overall objective.

Institutional clients also need operational discipline, reliable communication, and careful handling of sensitive borrower and loan information. Ligris is SOC 2 Type II compliant, reinforcing the security-conscious controls and processes that banks, lenders, servicers, and other institutional clients expect from outside counsel.

We understand that the goal of default servicing is not simply to foreclose. Our priority is to help clients evaluate risk, preserve leverage, and pursue the resolution that best protects their interests under the circumstances.

FAQs

What is creditors' rights law?

Creditors' rights law addresses the remedies available to lenders, investors, and other creditors when a borrower fails to meet its obligations. Depending on the matter, this can include loan workouts, foreclosure, bankruptcy, collection actions, litigation, enforcement of liens, title issues, and recovery or disposition of collateral.

Does default always result in foreclosure?

No. Depending on the loan, collateral, borrower, and business objectives, alternatives may include a loan modification, debt restructuring, negotiated payoff, workout, or other asset disposition strategy. We help clients evaluate the available remedies and the practical consequences of each.

When should I hire a creditors' rights attorney?

Ideally, before default or as soon as signs of financial distress appear. Early involvement gives creditors more time to assess lien position, title, bankruptcy risk, workout alternatives, deadlines, and other issues before options become more limited.

What happens after foreclosure?

Foreclosure may be only one step in resolving a distressed asset. A creditor may still need to obtain possession, cure title or municipal issues, address property conditions, and sell the REO property. Ligris can remain involved through eviction, title resolution, disposition, and closing.

What happens if a borrower sues the lender?

Ligris represents creditors in defending against borrower claims, including debt disputes and requests for injunctive relief, and handles other litigation arising from default and enforcement matters. We also pursue appropriate post-foreclosure collection and title-related actions.

Where does Ligris provide creditors' rights and default servicing?

Ligris provides default-related legal services for creditors in Massachusetts. The appropriate strategy and available remedies depend on the governing law, loan documents, collateral, and facts of the particular matter.

©2026 Ligris + Associates PC and Ligris Tax Services, LLC | 1188 Centre Street, Newton, MA 02459 | T. 617.274.1500 | F. 617.274.1515