



2011

Recent Developments: Bates v. Cohn: Once a Foreclosure Sale Occurs, a Debtor May No Longer Raise Defense Claims Including a Lender's Failure to Comply with Loss Mitigation Requirements; Only Procedural Irregularities May Be Raised as Post-Sale Exceptions

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Recommended Citation

Stapleton, Gary (2011) "Recent Developments: Bates v. Cohn: Once a Foreclosure Sale Occurs, a Debtor May No Longer Raise Defense Claims Including a Lender's Failure to Comply with Loss Mitigation Requirements; Only Procedural Irregularities May Be Raised as Post-Sale Exceptions," *University of Baltimore Law Forum*: Vol. 41 : No. 2 , Article 6.

Available at: <http://scholarworks.law.ubalt.edu/lf/vol41/iss2/6>

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RECENT DEVELOPMENT

BATES V. COHN

By: Gary Stapleton

ONCE A FORECLOSURE SALE OCCURS, A DEBTOR MAY NO LONGER RAISE DEFENSE CLAIMS INCLUDING A LENDER'S FAILURE TO COMPLY WITH LOSS MITIGATION REQUIREMENTS; ONLY PROCEDURAL IRREGULARITIES MAY BE RAISED AS POST-SALE EXCEPTIONS.

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Please cite this Recent Development as *Bates v. Cohn*, 41 U. Balt. L.F. 173 (2011).