

## **CA Supreme Court: Borrowers May Bring Wrongful Foreclosure Actions Challenging Deed of Trust Assignments**

The California Supreme Court recently held that borrowers have standing to bring wrongful foreclosures claims based on challenges to an assignment of the note and deed of trust to a securitized trust.

- The decision rejects multiple lower court decisions holding that borrowers lack standing to challenge loan assignments.
- While the decision is an interim victory for borrowers who have defaulted on their loan, its holding is limited to whether a borrower has standing to assert wrongful foreclosure claims based assignments, without addressing what evidence is required to prove such a claim.
- The decision expands the claims available in California to challenge a foreclosure.

In this update, we assess the details of the decision and how it will likely cause an increase in wrongful foreclosure litigation.

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