Murphy v. Financial Dev. Corp.,

1966
Murphy's purchased home

Mar. 1980
Murphy’s refinance home now valued at $46,000

Feb. 1981
Mr. Murphy loses his job

Sept. 1981
7 months past due in mortgage payments

Oct. 6, 1981
After negotiations fail, lenders give notice of intent to foreclose

Murphy’s pay 7 months arrearage, including Sept. payment but not the $643 in new costs and legal fees

Murphy v. Financial Dev. Corp. Cont’d

Nov. 10, 1981
Foreclosure initially scheduled for this date

Nov. 1981
Lenders agree to postpone sale until Dec. 15th upon payment of additional $100

Late Nov. 1981
Murphy’s pay Oct. payment but nothing more

Dec. 15, 1981
Murphy’s ask for another Postponement but lenders refuse and buy property for $27,000

Dec. 17, 1981
Lenders sell property to Southern for $38,000

1982
Murphy’s sue lenders to set aside sale or alternatively for money damages
**Murphy v. Financial Dev. Corp. Cont’d**

**Foreclosure**

- Mortgagee
  - Statutory requirements
  - Duties
    - Good faith/bad faith
    - Due diligence
  - Proper measure of damages

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**Bean v. Walker,**
95 A.2d 70 (N.Y. 1983), Casebook, p. 554.

**Installment Land Contracts**

- Equitable Conversion
- Contract v. Mortgage
- Exceptions