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Texas Justices' PNC Opinion Clarifies Subrogation Questions

Law360

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[Daron Janis](#) (Boston) and [Dave Foster](#) (Austin) co-authored an article for Law360 discussing the Supreme Court of Texas' unanimous decision that a claim to foreclose on a subrogated real property lien accrues when the refinance loan is accelerated, not when the prior loan matures. The article also explains how subrogation works in the mortgage loan context, and its practical effect on lenders' and borrowers' respective rights in connection with a subrogated lien and the loan it secures.

"Lenders — and especially home equity lenders — in Texas may now look to *PNC Mortgage* for guidance on what they can do to enforce such loans when a borrower has defaulted, or is in danger of default, and the lender finds that its own lien is constitutionally invalid," Janis and Foster note.

[Read the full Law360 article here](#) (subscription may be required).

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