



Terry C. Frank
Partner

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Terry is a lawyer in Kaufman & Canoles' Richmond office, where she concentrates her practice in the representation of banks, credit unions and other secured and unsecured lenders in complex commercial litigation. Her bankruptcy and creditor's rights practices take her to all the state, federal and bankruptcy courts in Virginia and North Carolina. Terry's lender representation includes mortgage litigation, foreclosures, receiverships, recovery of collateral and replevin actions, lender liability and business torts. She works closely with in-house counsel to identify realistic solutions, provide pragmatic advice, and to achieve solid, cost-effective results. Her bankruptcy practice includes representation of trustees, creditors' committees and defendants in adversary proceedings. She also negotiates workouts and settlements between lenders and borrowers. In addition, her trial practice includes a variety of corporate and civil matters, including shareholder and derivative claims, disputes relating to real property, title claims, mechanic's liens, eminent domain, land use and zoning issues. She also serves as general counsel to a number of shopping center owners, and frequently lectures on issues facing property owners, brokers and property managers.

practice areas

- Bankruptcy, Creditors' Rights & Business Restructuring
- Litigation
- Commercial

representative matters

- Represent lenders, servicers and investors in mortgage litigation and class actions related to issues arising under consumer foreclosure disputes (including HAMP, HARP and MHA programs), alleged fraudulent mortgages, loan documentation and servicing issues, predatory lending, MERS and assignment issues, and claims brought pursuant to the federal Truth in Lending Act ("TILA"), the Home Ownership and Equity Protection Act ("HOEPA"), the Real Estate Procedures Settlement Act ("RESPA"), and Virginia's CRESPA
- Represent creditors in involving consumer disputes, claims made under the Fair Debt Collection Practices Act ("FDCPA"), Fair Credit Reporting Act ("FCRA"), Fair and Accurate Credit Transactions Act ("FACTA") and Equal Credit Opportunity Act ("ECOA"), unfair and deceptive trade practices, debt collection violations, identity theft, privacy issues, bankruptcy and fiduciary-related claims
- Represent lending institutions and finance companies in the automotive, boating and other industries against borrowers for the recovery of secured collateral and loan defaults in detinue seizure (VA) and replevin (NC) actions
- Represent creditors in criminal forfeiture proceedings brought pursuant to 21 USC 853
- Serve as trustee in foreclosures of commercial properties and large-scale residential developments
- Represent creditors, receivers and trustees in Chapter 11 bankruptcy and other proceedings

- Assist lenders, owners and property managers in commercial leasing disputes

representative matters (cont.)

- Represent insured parties in title insurance claims and in other wide variety of real estate litigation, including but not limited to eminent domain, partition cases, easement disputes, lien priority and zoning issues
- Represent corporate and shareholder clients in “business divorces”
- Represent commercial brokers and agents in commission disputes

recognition and honors

- Virginia Rising Stars; *Law & Politics*, 2009-2011
- Virginia’s Legal Elite; *Virginia Business Magazine*, 2009

associations

- American Bar Association
- Virginia Bar Association
- North Carolina Bar Association
- City of Richmond Bar Association
- Federal Bar Association
- Virginia Bankers’ Association

admissions

- North Carolina, 2003
- Virginia, 2007
- U.S. Court of Appeals, Fourth Circuit
- All North Carolina U.S. District Courts and Bankruptcy Courts
- All Virginia U.S. District Courts and Bankruptcy Courts

education

- Mary Washington College; B.A., 1996
- University of Richmond School of Law; J.D., 2003

press and publication

- Terry C. Frank Named Partner at Kaufman & Canoles
- 36 K&C Attorneys Named as Super Lawyers 2011 and 14 Named as Rising Stars 2011
- Contributor, *Eminent Domain: A Handbook of Condemnation Law*, published by the State and Local Government Section of the American Bar Assoc., August 2011
- 31 K&C Attorneys Named as Super Lawyers & 11 Named as Rising Stars 2010
- 39 K&C Attorneys Named Virginia Business Magazine’s Legal Elite 2009
- 30 Attorneys Named Super Lawyers, 12 Named Rising Stars