



Principles of Lender Liability

Parker Hood

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This new work provides a detailed analysis of the law of bank liability. Covering the central issues and underlying legal principles, the book outlines liability in negligence and contract, with specific reference to the banking practice and existing case law concerning banks in this field.

The book begins with a consideration of the nature of the general banker-customer relationship, the obligations it poses and the issues relating to the commencement of the banking relationship. The following chapters address the various activities undertaken by a lender and the issues which might arise; the duty of confidentiality, lenders as fiduciaries, the lender's duty to advise borrowers on the imprudence of transactions, fraud, banks as constructive trustees and damages for breach of contract by a lender, will all be considered.

The final chapters explore the duties of security holders and mortgagees of land, the liability of lenders for receivers they appoint, environmental liability and lender liability as shadow directors concerning wrongful trading.

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