



Fernando C. Rivera-Maissonet

Partner
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Fernando C. Rivera-Maissonet has more than a decade of experience actively counseling financial institutions on various legal issues, including litigated foreclosure, declaratory judgment, quiet title and breach of contract actions, and complaints brought by the New York State Department of Financial Services. He regularly defends financial institutions in claims based on consumer protection statutes such as the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Fair Debt Collection Practices Act (FDCPA), New York General Business Law § 349, and New York Banking Law §§ 6-l and 6-m, among others.

From intake to resolution, Fernando keeps his clients closely informed throughout the litigation process. By evaluating risk and settlement alternatives, Fernando provides his clients with strategies and cost-effective solutions tailored to their business objectives.

Fernando is co-chair of the firm's Hispanic Latino Affinity Network (HLAN). Before joining the firm, he was a senior associate attorney at a financial services litigation firm.

Professional Affiliations

- New York State Bar Association
- Hispanic National Bar Association
 - Business Law Section, Chair, 2023 – 2024; Vice Chair, 2022 – 2023
 - Litigation and Dispute Resolution Section
- Mortgage Bankers Association
- Conference on Consumer Finance Law (CCFL)

Honors & Awards

- Hispanic National Bar Association, Recipient of 2024 "Top Lawyers Under 40 Award"

Practices

Consumer Financial Services
Mortgage Servicing and Lender Litigation

Education

J.D., SUNY Buffalo Law School, 2010

B.S., University of Dayton, 2007

Admissions

New York

U.S. Court of Appeals for the Second Circuit

U.S. Bankruptcy Court for the Southern District of New York

U.S. District Court for the Eastern, Southern, and Western Districts of New York

Languages

Spanish



Representative Matters

Mortgage Lender Litigation

- *Statute of Limitations*: Successfully defended lender before the appellate division against allegations that the lender's foreclosure action was time-barred based on the language of a pre-commencement letter.
- *Standing to Foreclose*: Successfully defended against motions to dismiss lenders' actions for lack of standing to foreclose and for sanctions, which were affirmed on appeal by the New York Appellate Divisions.
- *Improper Trial Court Orders*: Successfully vacated several dispositive trial court orders issued pursuant to improper statutory grounds, including CPLR §§ 3215(c), 3216, 3404, and thereby allowed the lenders to continue the prosecution of the action and not be subject to a potential loss of lien.

Personal

Fernando is an active member of a New York City-based running club and a finisher of the 2017 and 2019 NYC Marathons.

Community/Civic Activities

- Journey's End Refugee Services, Inc., Former Volunteer