



PATRICK J. MCDONALD IV

pmcdonald@rcfp.com

401.521.7000 x2370

Direct 401.278.2370

PRACTICE SUMMARY

Patrick's practice primarily focuses upon representing financial institutions and owners of real estate in banking, finance, and corporate transactional matters. He has represented clients in Rhode Island, Massachusetts, and New Hampshire, advising them in real estate transactions, and litigating disputes to title to real property. Patrick also represents creditors in bankruptcy and receivership proceedings in Rhode Island and Massachusetts. He has appeared on behalf of landlords and tenants throughout New England, and has experience handling civil litigation from intake through appeal.

Prior to joining the firm, Patrick primarily represented institutional lenders in contested default proceedings, including quiet title, declaratory judgment, and lender defense actions in state and federal courts in Rhode Island, Massachusetts, and New Hampshire. He attended Suffolk University Law School in Boston and Hofstra University on Long Island, where he majored in Latin and Classical Studies.

PRACTICES

EDUCATION

Suffolk University Law School, J.D. (2011)
Hofstra University, B.A. (2008)

BAR ADMISSIONS

Rhode Island (2011)
Massachusetts (2011)
U.S. District Ct., D. of RI (2012)
U.S. District Ct., D. of MA (2012)
First Circuit Court of Appeals (2014)
New Hampshire (2018)

PROFESSIONAL & COMMUNITY INVOLVEMENT

Rhode Island Bar Association
Yawgoog Alumni Association, Chairman
Westerly, R.I. Troops BSA Inc., Director

REPRESENTATIVE MATTERS

- Obtained summary judgment for possession on behalf of a mortgagee who foreclosed on a mortgage that had been the subject of an equitable subrogation action in the Land Court. The mortgagee's predecessor in interest initiated the subrogation action to encumber the interest of a non-mortgagor tenant by the entirety who had been omitted from the grantee clause in the subject mortgage. The Massachusetts Housing Court, in an issue of first impression, found that the mortgagee had properly serviced the subrogated loan and had complied with all aspects of the foreclosure statute, such that the sale properly foreclosed the ownership interest of the non-mortgagor owner such that the mortgagee was entitled to possession.
- Litigated an appeal of a summary judgment for possession entered in Massachusetts Housing Court where the defendant occupant lodged counterclaims alleging predatory lending and errors in the servicing of the loan and application of payments. The Massachusetts Appeals Court upheld the judgment, finding that the defendant had not satisfied her burden to prove that the loan was predatory.
- Obtained declaratory judgment nullifying a lease in Massachusetts Housing Court where tenants obtained a pre-foreclosure lease of foreclosed real property for the term of ten years at below market value for rent. The Court held that the unrecorded lease was invalid as to the foreclosing mortgagee and that G.L. 186A did not apply.