



Opposed to identifying assets, it's essential to understand what any potential liabilities may be. If you've uncovered a large physical asset but additionally found a larger outstanding loan, the government will be ahead of you in line to collect outstanding debts. You must understand the outstanding liabilities or potential liabilities that may be down the road.

Civil Litigation

It is key to identify any ongoing state or federal litigation that the party may ultimately be liable for. Recent or historical litigation may also provide a clue as to the mode of operation for the individual or business – if they are likely to settle or if they may be dragging things out for years.

Bankruptcy Filing

Knowing if a party has already filed for bankruptcy would be a key part of your decision whether it's worth pursuing legal means to retrieve assets. If the individual or business has a history of filing for bankruptcy, this may be a clue for the future.

Judgment and Lien Filings

Recent court judgments or state/federal tax liens may be a sign that financial trouble is very near. A history of judgments or liens may a glimpse of what may come down the road.

UCC Filings

In general, Uniform Commercial Code filings are made against a property to create a lien to secure private financing. Always check with the appropriate Secretary of State to see if the equipment has been used as collateral in any financing agreements.

Property Liens

Even if you're aware of multiple properties owned by the party, if those properties are highly leveraged, you are going to have a difficult time getting anything.

To learn more about both asset searches and asset protection, contact Fortaris Capital Advisors for a consultation.