

367.610 Assignee of rights of seller or lessor subject to defenses of buyer against seller or lessor -- Exception.

- (1) With respect to any consumer credit contract taken in connection with any purchase money loan or any sale or lease of goods or services other than credit card transaction, an assignee of the rights of the seller or lessor is subject to all defenses of the buyer against the seller or lessor arising out of the sale or lease notwithstanding an agreement to the contrary, but the assignee's liability under this section may not exceed the amount owing to the assignee at the time the defense is asserted against the assignee. Rights of the buyer or lessee under this section can only be asserted as a matter of defense to or set off against a claim by the assignee.
- (2) This section shall not apply to any consumer credit contract taken in connection with any purchase money loan or any sale or lease of goods or services which is in compliance with any trade regulation issued or promulgated by the Federal Trade Commission or any regulation of the Board of Governors of the Federal Reserve System or similar federal agency having jurisdiction relating to preservation of consumer claims and defenses in credit transactions.

History: Created 1976 Ky. Acts ch. 152, secs. 2, and 3.