WEST VIRGINIA CODE: §46-9-205

§46-9-205. Use or disposition of collateral permissible.

- (a) When security interest not invalid or fraudulent. A security interest is not invalid or fraudulent against creditors solely because:
- (1) The debtor has the right or ability to:
- (A) Use, commingle or dispose of all or part of the collateral, including returned or repossessed goods;
- (B) Collect, compromise, enforce or otherwise deal with collateral;
- (C) Accept the return of collateral or make repossessions; or
- (D) Use, commingle or dispose of proceeds; or
- (2) The secured party fails to require the debtor to account for proceeds or replace collateral.
- (b) Requirements of possession not relaxed. This section does not relax the requirements of possession if attachment, perfection or enforcement of a security interest depends upon possession of the collateral by the secured party.