WEST VIRGINIA CODE: §55-21-6

§55-21-6. Appointment of receiver.

(a) The court may appoint a receiver:

(1) Before judgment, to protect a party that demonstrates an apparent right, title, or interest in real property that is the subject of the action, if the property or its revenue-producing potential:

(A) Is being subjected to or is in danger of waste, loss, dissipation, or impairment; or

(B) Has been or is about to be the subject of a voidable transaction;

(2) After judgment:

(A) To carry the judgment into effect; or

(B) To preserve nonexempt real property pending appeal or when an execution has been returned unsatisfied and the owner refuses to apply the property in satisfaction of the judgment; or

(3) In an action in which a receiver for real property may be appointed on equitable grounds.

(b) In connection with the foreclosure or other enforcement of a mortgage, the court may appoint a receiver for the mortgaged property if:

(1) Appointment is necessary to protect the property from waste, loss, transfer, dissipation, or impairment;

(2) The mortgagor agreed in a signed record to appointment of a receiver on default;

(3) The owner agreed, after default and in a signed record, to appointment of a receiver;

(4) The property and any other collateral held by the mortgagee are not sufficient to satisfy the secured obligation;

(5) The owner fails to turn over to the mortgagee proceeds or rents the mortgagee was entitled to collect; or

(6) The holder of a subordinate lien obtains appointment of a receiver for the property.

(c) The court may condition appointment of a receiver without prior notice under §55-21-3(b)(1) of this code or without a prior hearing under §55-21-3(b)(2) of this code on the giving of security by the person seeking the appointment for the payment of damages, reasonable attorney's fees, and costs incurred or suffered by any person if the court later

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concludes that the appointment was not justified. If the court later concludes that the appointment was justified, the court shall release the security.

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