WEST VIRGINIA CODE: §55-21-7

§55-21-7. Disqualification from appointment as receiver; disclosure of interest.

- (a) The court may not appoint a person as receiver unless the person submits to the court a statement under penalty of perjury that the person is not disqualified.
- (b) Except as otherwise provided in subsection (c) of this section, a person is disqualified from appointment as receiver if the person:
- (1) Is an affiliate of a party;
- (2) Has an interest materially adverse to an interest of a party;
- (3) Has a material financial interest in the outcome of the action, other than compensation the court may allow the receiver;
- (4) Has a debtor-creditor relationship with a party; or
- (5) Holds an equity interest in a party, other than a noncontrolling interest in a publicly-traded company.
- (c) A person is not disqualified from appointment as receiver solely because the person:
- (1) Was appointed receiver or is owed compensation in an unrelated matter involving a party or was engaged by a party in a matter unrelated to the receivership;
- (2) Is an individual obligated to a party on a debt that is not in default and was incurred primarily for personal, family, or household purposes; or
- (3) Maintains with a party a deposit account as defined in §46-9-102(a)(29) of this code.
- (d) A person seeking appointment of a receiver may nominate a person to serve as receiver, but the court is not bound by the nomination.