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TO: Brian D. Montgomery, Assistant Secretary for Housing, Federal Housing
Commissioner, H

Joan S. Hobbs

FROM: Joan S. Hobbs, Regional Inspector General for Audit, Region IX, 9DGA

SUBJECT: First Magnus Financial Corporation Did Not Comply with HUD Guidelines
When Operating and Managing Net Branches

HIGHLIGHTS

What We Audited and Why

We audited First Magnus Financial Corporation's (First Magnus) branch office operations, primarily the branch doing business as Great Southwest Mortgage, located at 17015 North Scottsdale Road, Suite 325, Scottsdale, Arizona. The objective of the audit was to determine whether First Magnus operated its net branches in accordance with U.S. Department of Housing and Urban Development (HUD) requirements.

What We Found

First Magnus did not follow HUD requirements when operating and managing its Great Southwest Mortgage "net branches." It violated HUD requirements by allowing officers to enact noncomplete clauses, requiring net branch managers to indemnify branch-related losses, allowing nonexclusive employment, and failing to execute office lease agreements and equipment lease agreements in First Magnus' name. These arrangements resulted in the branch offices operating without the close supervisory control and oversight HUD requires lenders to maintain over their branch offices.

Hud Audit Report And First Magnus

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Consolidated Audit Guide for Audits of HUD Programs ,1991 *Consolidated Audit Guide for Audits of HUD Programs* United States. Department of Housing and Urban Development. Office of Inspector General,1997 Audit Guide for Use by Independent Public Accountants in Audits of HUD-approved Nonsupervised Mortgagees, Loan Correspondents, and Coinsuring Mortgagees ,1987 HUD Inspector General's Semiannual Report United States. Congress. House. Committee on Banking, Finance, and Urban Affairs. Subcommittee on Housing and Community Development,1991 Audit Guide for Use by Independent Public Accountants for Audit of Mortgagors Having HUD-insured Or Secretary Held Multifamily Mortgages United States. Department of Housing and Urban Development. Office of Inspector General,1989 Management of HUD's Multifamily Properties--the Clifton Terrace Case United States. Congress. Senate. Committee on Appropriations. Subcommittee on HUD-Independent Agencies,1980 1993 HUD/IG Semiannual Report to Congress United States. Congress. House. Committee on Banking, Finance, and Urban Affairs. Subcommittee on Housing and Community Development,1994 **The Abuse and Mismanagement of HUD** United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs. HUD/MOD Rehab Investigation Subcommittee,1990 *Abuses, Favoritism, and Mismanagement in HUD Programs* United States. Congress. House. Committee on Government Operations. Employment and Housing Subcommittee,1990 **Audit Guide for Auditing Development Costs of HUD Insured Multifamily Projects for Use by Independent Public Accountants** United States. Dept. of Housing and Urban Development. Office of Inspector General,1978

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