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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 noncompete 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

Ying-Ying Zheng



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Consolidated Audit Guide for Audits of HUD Programs United States. Department of Housing and Urban Development. Office of Inspector General,1997 Consolidated Audit Guide for Audits of HUD Programs ,1991 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* ,1988 **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 **Management Challenges** United States. General Accounting Office,1999 *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 **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 *The Status of HUD Reform* United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs. Subcommittee on Housing and Urban Affairs,1992 *HUD Management* United States. General Accounting Office,2001 HUD's First-year Implementation of the Federal Managers' Financial Integrity Act United States. General Accounting Office,1984 *Abuses, Favoritism, and Mismanagement in HUD Programs: Without special title* United States. Congress. House. Committee on Government Operations. Employment and Housing Subcommittee,1990 Finding 3 of HUD Audit Report Boston (Mass.). Department of Housing and Urban Development,Boston (Mass.). Office of Community Development,1976 **Greater Benefits Can be Derived from Improved HUD Audits of Program Participants, Department of Housing and Urban Development** United States. General Accounting Office,1974 **HUD Management's Responsiveness to Inspector General Reports** United States. Congress. House. Committee on Government Operations. Manpower and Housing Subcommittee,1981 **HUD Inspector General Report** United States. Congress. House. Committee on Banking, Finance, and Urban Affairs. Subcommittee on Housing and Community Development,1986 Information for Independent Auditors ,1988

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