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Audit Report Number 2007-LA-1002

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.

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