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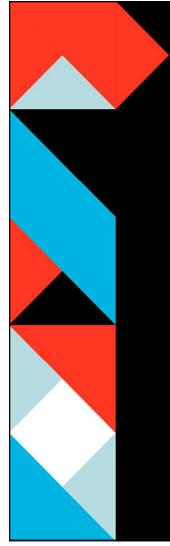




In the news!

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U.S. Attorney's Office	FOR IMMEDIATE RELEASE Wednesday, January 25, 2023
District of New Jersey	11 Ye on fo Former Suffolk County Legislator And Co-Conspirator Convicted Of Defounding Marineses London Out Of Many Them A
FOR IMMEDIATE RELEASE Thursday, April 2:	nil an and Convicted Of Defrauding Mortgage Lender Out Of More Than A
N IN C I II ON II' D' C D C I	lina Quarter Of A Million Dollars
Nevada Man Sentenced to 18 Months in Prison for Defraud Banks in \$9 Million Shotgun Mortgage Fraud Scheme	
Dunks in çy minion snotgan mortgage i rada seneme	VICTORIA DAVIDSON for defrauding Ditech Financial LLC, a mortgage lender, out of more than a
NEWARK, N.J. – A Henderson, Nevada, man was sentenced today to 18 months in prison for his rol scheme to use bogus information and simultaneous loan applications at multiple banks – known as	
gunning" – to attempt to obtain home equity lines of credit (HELOCs), Acting U.S. Attorney Rachae	achael A. U.S. Attorney Damian Williams said: "George Guldi, while in prison, concocted and conducted a scheme
Honig announced.	along with his co-conspirator, Victoria Davidson, to brazenly steal more than \$250,000 through blatant lies. Today, a jury held them accountable for their scheme, and they will both face justice for their
Joseph A. Gonzalez, 46, previously pleaded guilty before U.S. District Judge John Michael Vazquez t	rquez to shameless misconduct."
Count One of an indictment charging him with one count of conspiracy to commit bank fraud. Judge Vazquez imposed the sentence today by videoconference. Gonzalez is the sixth person to plead guilty part of the scheme.	
	In February 2017, Ditech Financial LLC ("Ditech"), a mortgage lender, received a payment of
According to documents filed in the case and statements made in court:	approximately \$250,000 from JPMorgan Chase in connection with the settlement of a civil lawsuit between several financial institutions. Ditech mistakenly treated the funds as a payment from GULDI
	toward his own mortgage, and it sent a letter to GULDI in March 2017 stating that it would not credit the
	payment because he owed more than the payment.

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Fraud topics

- What is it and what are its effects?
- Numbers & geography
- Fraud types/schemes
- Red flags
- Industry alerts
- Resources



Falsification of any information that is given in order to receive a mortgage on real estate property.

FBI definition:

- A crime characterized by a material misstatement, misrepresentation or omission in relation to a mortgage loan, which is then relied upon by a lender
- A lie that influences a bank's decision to approve a loan, accept a reduced payoff amount or agree to certain repayment terms



Why is mortgage fraud awareness important?

- Damages communities
- Leads to riskier lending
- Affiliated with money-laundering and other criminal behavior
- Creates greater losses due to higher defaults



Fraud for housing (property)



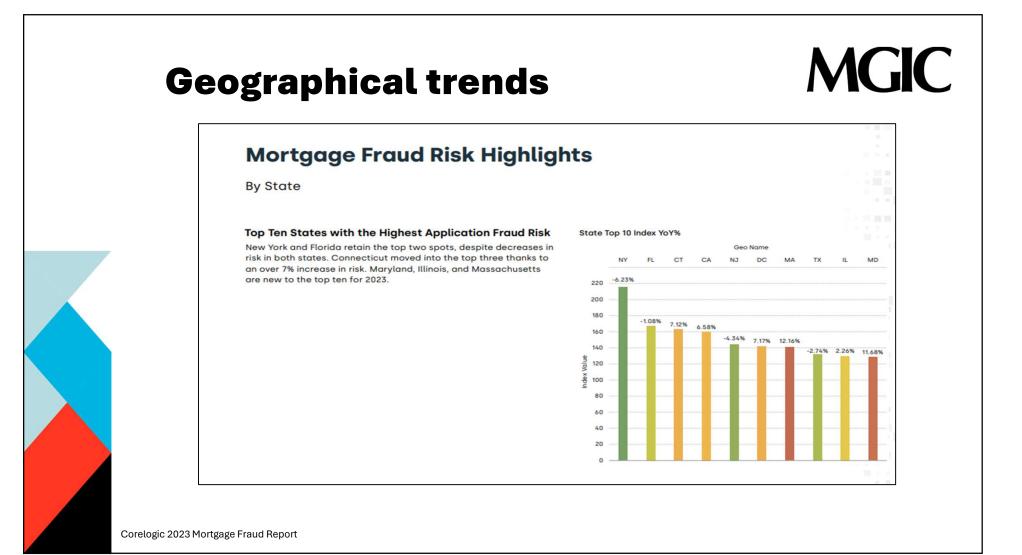
- Primary motivation = own a home
- Borrower intends to:
 - Occupy home and repay; or
 - Help family as front buyer by "co-signing"
- Borrower misrepresents self to own property
- Usually involves one loan

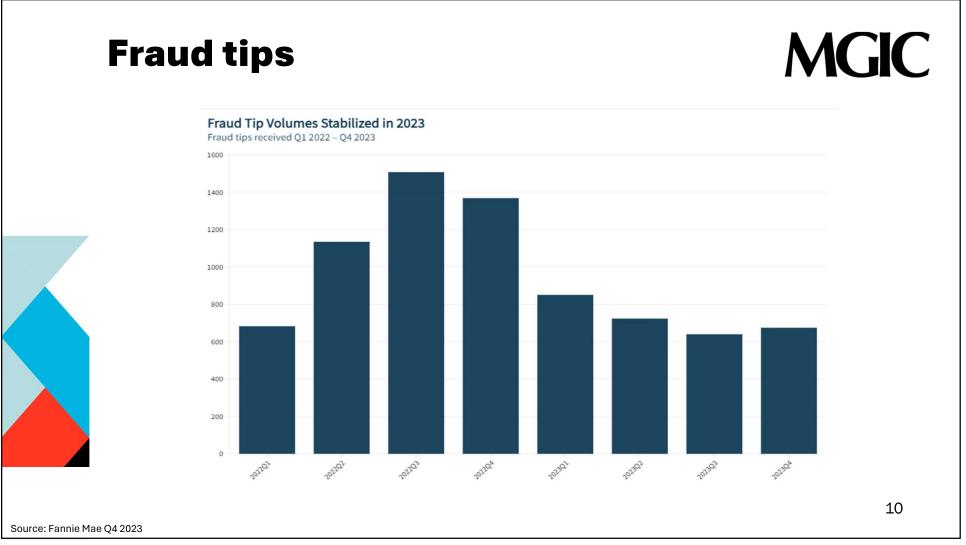
Fraud for profit

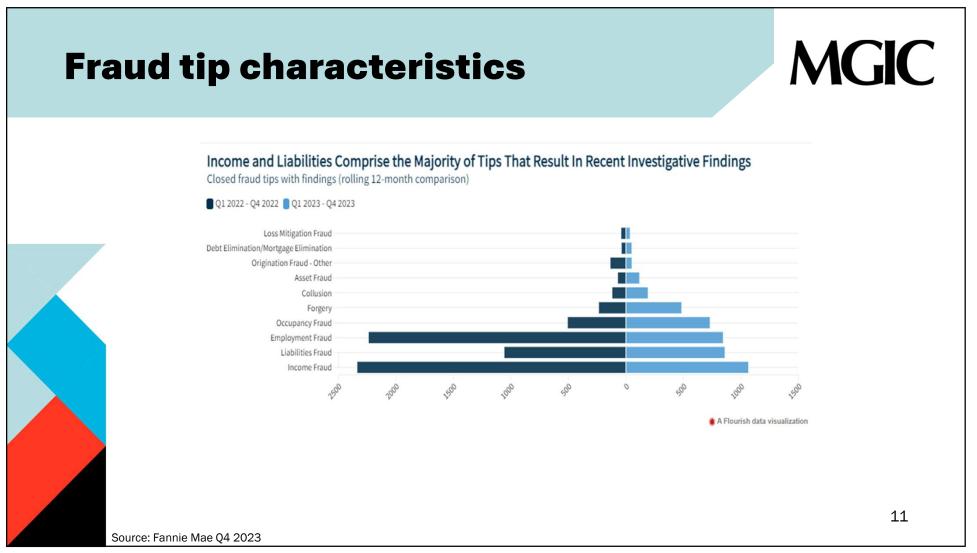


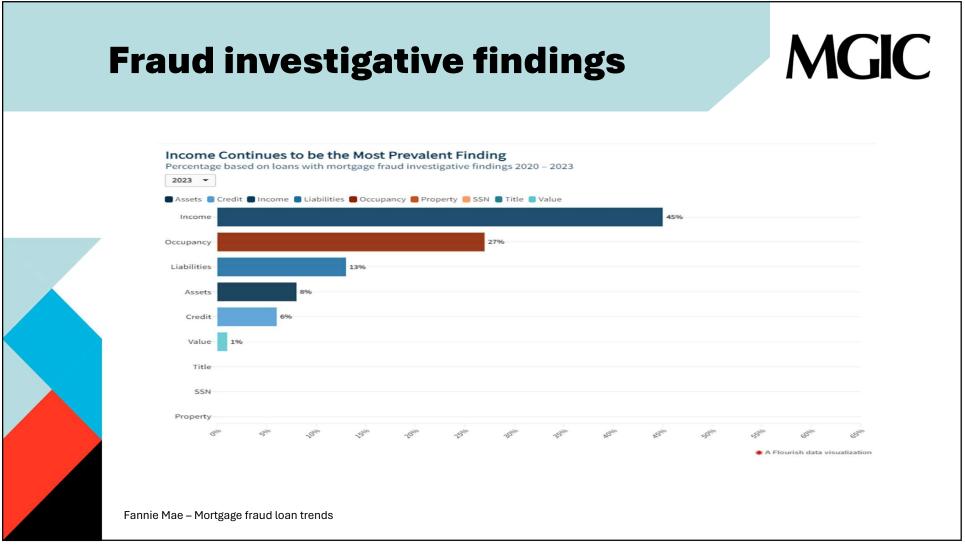


- Primary motivation = financial gain
- Involves multiple:
 - Misrepresentations
 - Participants (borrower, loan originator, appraiser, attorney, closing agent, real estate agent)
 - Loans and properties involving significant amounts of money
- Participants are often paid









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Fraud Types		
Identity Fraud Risk Identity fraud occurs when an applicant's identity and/or credit history is altered, a synthetic identity is created, or a stolen identity is used to obtain a mortgage.	12.0% Q2 2023 compared to Q2 2023	
Occupancy Fraud Risk Occupancy fraud occurs when mortgage applicants deliberately misrepresent their intended use of a property (primary residence, secondary residence, or investment). Programs, pricing, and underwriting guidelines are impacted by a property's intended occupancy.	11.8% Q2 2023 compared to Q2 2022	
Income Fraud Risk Income fraud includes misrepresentation of the existence, continuance, source, or amount of income used to qualify.	6.2% Q2 2023 compared to Q2 2022	
Transaction Fraud Risk Transaction fraud occurs when the nature of the transaction is misrepresented, such as undisclosed agreements between parties and falsified down payments. The risk includes third party risk, non-arm's length transactions, and straw buyers.	1.9% Q2 2023 compared to Q2 2022	
Property Fraud Risk Property fraud occurs when information about the property or its value is intentionally misrepresented.	1.8% Q2 2023 compared to Q2 2022	
Undisclosed Real Estate Debt Undisclosed real estate debt fraud occurs when a loan applicant intentionally fails to disclose additiona real estate debt or past foreclosures.	Q2 2023 compared to Q2 2022	

Source: National Fraud Trends – National Mortgage Fraud Index

Higher risk for fraud

🕙 Fannie Mae

QUALITY INSIDER

Lenders have a responsibility to respond to the increase in fraud and misrepresentation. Among the tools in their toolbox:

- Use a critical eye and heightened sense of awareness during this time period.
- Create a rules engine that pulls loans with certain characteristics/red flags.
- Establish a tipline within your organization.
- Confirm quality control (QC), operations, and sales team members receive regular fraud training.



Fraud schemes

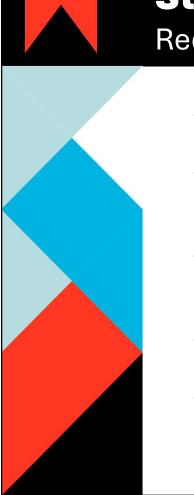
- Straw buyer
- Affinity fraud
- Reverse occupancy
- Air loan
- Builder bailout/condo conversion

- Shot gunning/double sale
- Property flip or flop
- Buy and bail
- Foreclosure rescue



Scheme #1 Straw buyers

- Used to disguise true buyer or nature of transaction
- Allow someone else to use their credit to obtain mortgage
- May be paid for their involvement; loan is part of a bigger scheme
- Lender qualifies straw buyer:
 - Mortgage loan closes in straw buyer's name
 - Straw buyer doesn't intend to occupy property or repay mortgage loan
- Mortgage payments made by another entity



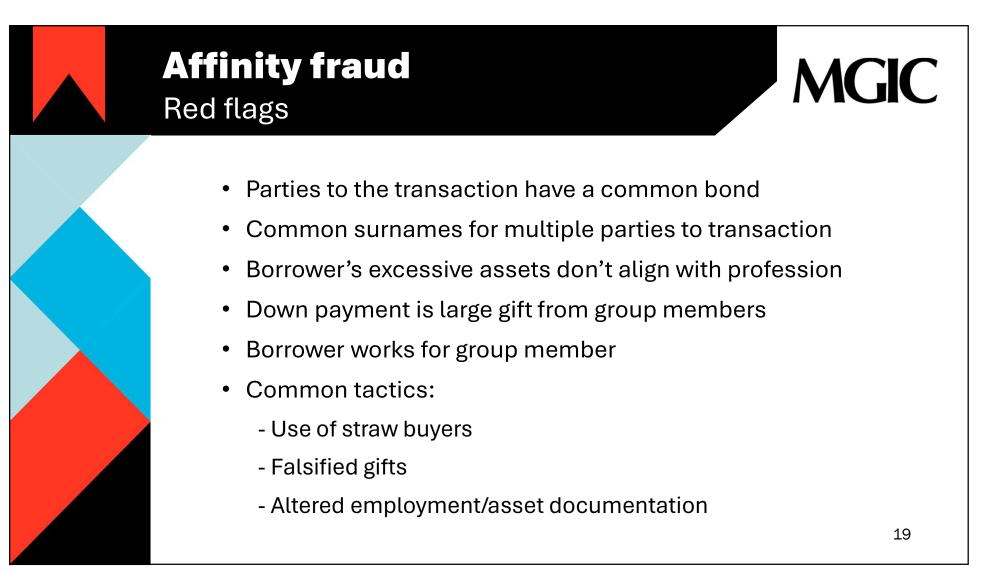
Straw buyers Red flags

- First-time homebuyer with substantial increase in housing expense
- Income, savings and/or credit history are inconsistent with applicant's overall profile
- Gift funds used for down payment and/or closing costs, minimum borrower contribution
- No real estate agent involved (non-arms-length transaction)
- Names added/deleted from sales contract

Scheme #2 Affinity fraud

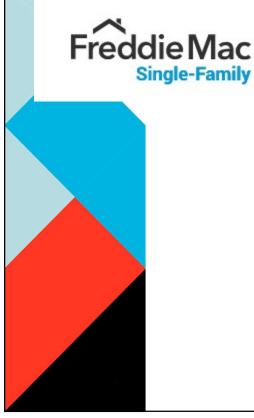


- Perpetrators rely on common bond and exploit the trust and friendship within in a particular group of individuals
- Borrowers frequently preyed upon are of similar ethnic, religious, professional or age-related groups

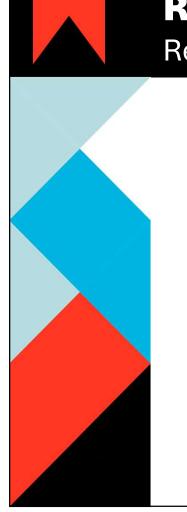




Scheme #3 **Reverse occupancy**



- Borrower buys home as an investment property
- Rental income is used to help qualify the borrower for the loan
- Instead of renting, the borrower occupies the home (or one of its units)
- Borrower does not receive the amount of rental income used for loan qualification



Reverse occupancy Red flags

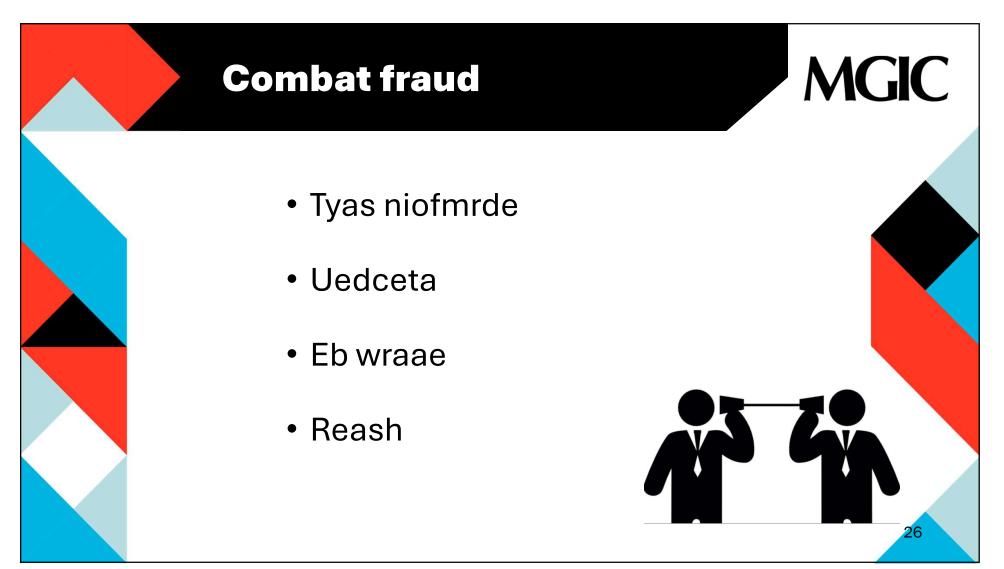
- Borrower:
 - Is a first-time homebuyer
 - Has little or no established credit
 - Has low income
 - Has significant liquid assets for large down payment
 - Presents "rent free" letters no current housing obligation
- Hazard insurance is for owner-occupied property

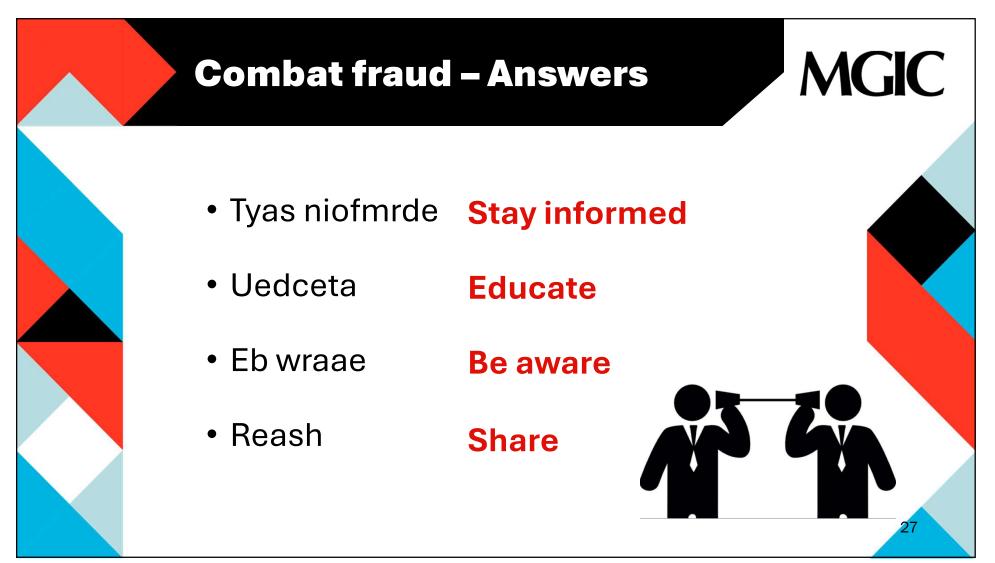


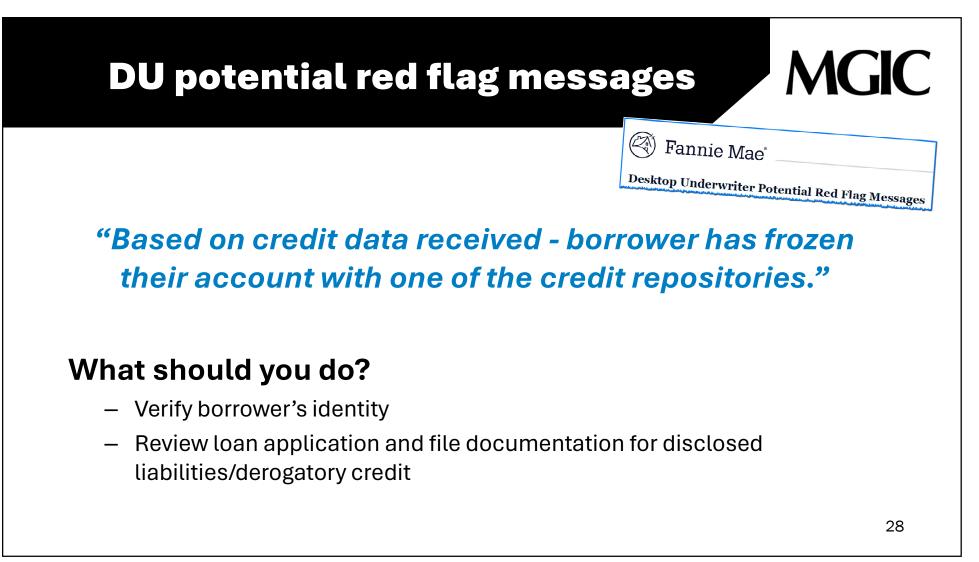


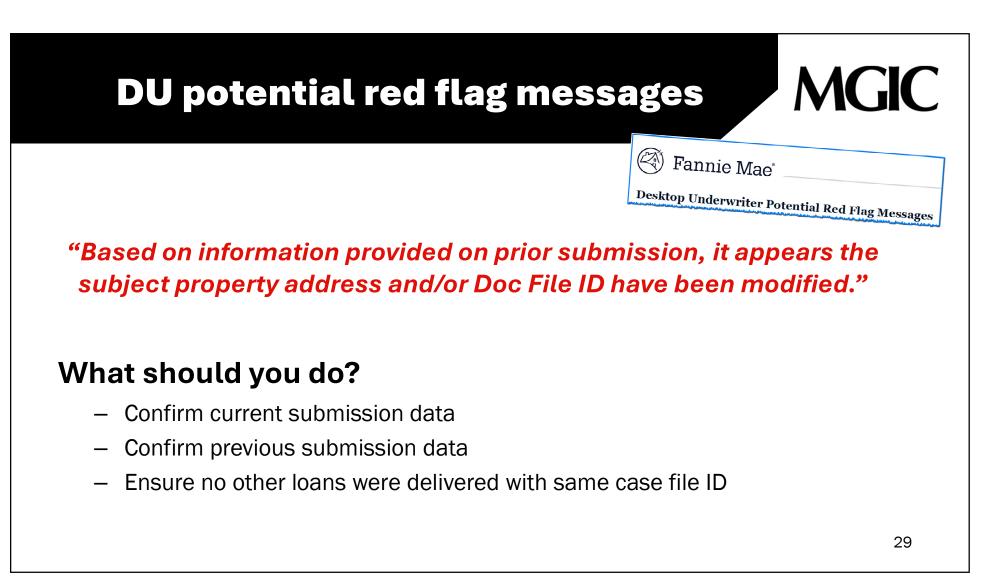
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Freddie Mac – True Lies

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by a tenor above h such a voice. [18c: **falsify** verb (**falsi** counts, evidence, up, in order to de

True Lies: The Lies Caught Up With Her Liars will go to great lengths to deny wrongdoing. So what do you do when someone vehemently claims innocence, yet your suspicions remain?



True Lies: When They're Not Who They Say They Are What if the person applying for a loan isn't who they say they are? Here's a new twist on misrepresentation we recently investigated.



True Lies: Allies in the Fraud Fight Our QC and SFFR teams work together closely to identify fraud and reduce the risk it poses. Here, we look at one real-world example.





Fraudcast Episode 2: Investigating Suspicious IRS Transcripts Even with trusted sources like tax returns, what you see isn't always what you get.



True Lies: A Child Support Ruse In two recent cases, we found fraud in an unsuspected place – child support documentation used as borrower income.



Truth Two borrowers. One employer. Different paystubs. And that was just one example of income misrep we investigated.

Fraud Prevention and Best Practices - Freddie Mac Single-Family



Fraud alert – Freddie Mac

- Loans originated by same loan officer
- Originator used fabricated child support documentation to help borrowers qualify
- Loan application listed child support payments as a source of income
- Falsified documentation included bank statements

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Freddie Mac

Single-Family

Fraud alert

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🔄 Fannie Mae –

Misrepresentation of Income Using Fabricated/ Altered Public Records Documenting Alleged Court-Ordered Child and Spousal Support Payments (Northern California)

Fannie Mae's Mortgage Fraud Investigations unit alerts the industry to potential and active mortgage fraud scenarios.

This alert addresses loans originated in Northern California.

We have observed misrepresented child support income in numerous loans that were originated in Northern California over the past several months.

Hallmarks of the scheme include:

- Commonality of real estate agents involved in selling the subject properties
- Bank statements and canceled checks are created to support falsified child support income
- Borrowers have no other source of income
- Child and spousal support documentation provided in the loan files do not match public records regarding those same persons; altered court documentation with case numbers that begin with "HF" (State of California court case numbers do not begin with "HF")

Without the misrepresented income, the borrowers would not qualify for the loan.

What can lenders do?

Take special caution on any loans containing spousal or child support as the primary income for the borrower. Refer to public record data to determine the authenticity of supporting documents contained in the loan file.

If suspicion of fraud exists

- · Follow established policies and procedures within your organization and the Fannie Mae Selling Guide.
- Follow the "Report Mortgage Fraud" instructions on the Mortgage Fraud Prevention web page.

More general steps lenders can take to detect and prevent fraud

- Know your third-party originators/brokers.
- Be "fraud smart" by educating your staff.
- Establish a zero-tolerance fraud policy.
- Share information within your organization.
- If the loan doesn't make sense, don't do it!
- Report any suspicious activity through established channels.

Watch for further "Fraud Alerts" and potential updates to this fraud alert by monitoring the Mortgage Fraud Prevention web page.

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Fraud alert – Freddie Mac

Freddie Mac

What can you do?

- Closely review child support documentation
 - Recognize unusual patterns
 - If it seems odd, verify online
- Validate by searching public records
 - Verify case numbers on court's website
 - Verify monthly amount

Fraud alert

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🔄 Fannie Mae' -

Appraiser Identity Theft

Fannie Mae's Mortgage Fraud Investigations (MFI) team alerts the industry to potential and active mortgage fraud scenarios.

FRAUD Fannie Mae has identified a significant number of loans involving appraisals that were completed by an unlicensed appraiser unlawfully using the identities of other actively licensed appraisers. ALERT The identified loans were originated between 2021-2023. There is no evidence that the appraisers whose identities were used were aware of or involved in the activity.

Red Flags:

- . The unlicensed appraiser's name and signature are not found in any capacity within the appraisals (or loan files).
- The company name, phone number, and address listed under "contact information" on page six of Form 1004 will be different from that of the licensed appraiser.
- Email contact information reflects a name other than the name of the appraiser who is listed as having performed the appraisal.
- The signatures of the "victim" appraisers appear forged and/or cut and pasted to the identified appraisals. Appraisal fees for the appraisals were paid with proceeds going directly to the mailing address of the unlicensed appraiser, not to the address of the purported appraisers.

What can lenders do?

- Perform thorough due diligence when retaining services of appraisers and other outside vendors.
- Utilize all available public records and licensing agencies in determining the validity of third-party . documentation (including addresses) within loan files.

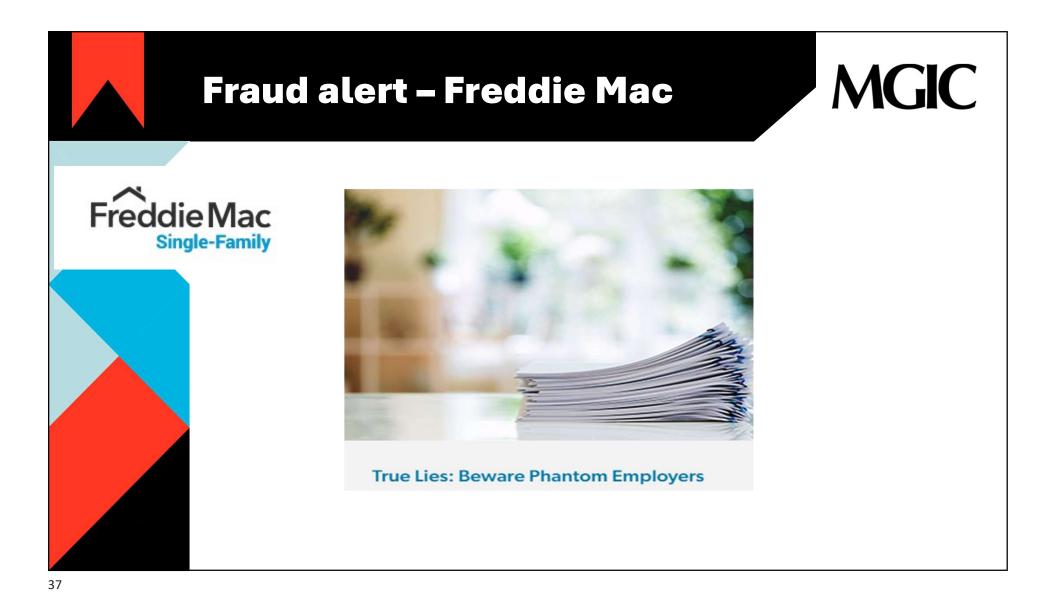
If suspicion of fraud exists

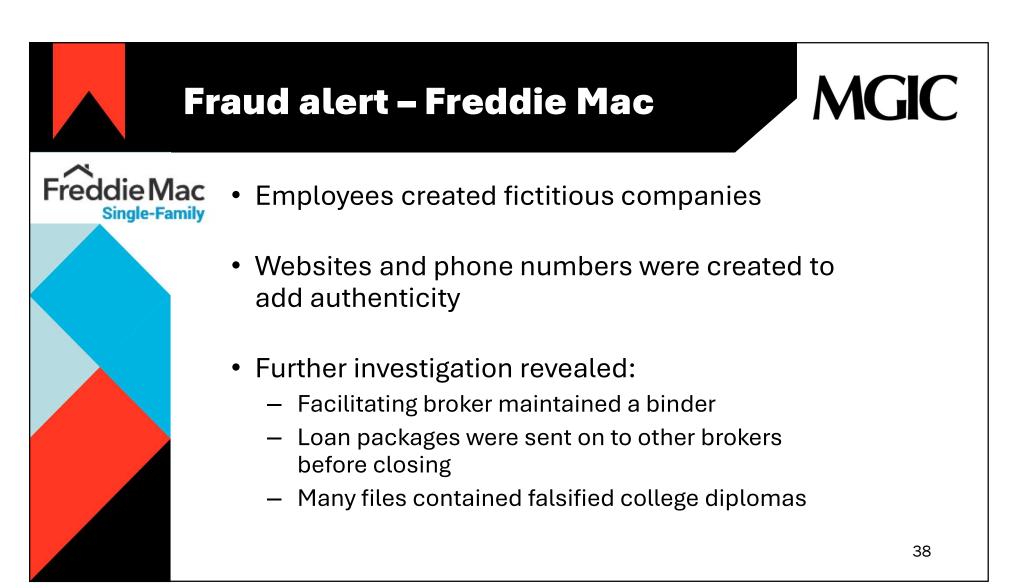
- Follow established policies and procedures within your organization and the <u>Fannie Mae Selling Guide</u>. .
 - Complete and submit the Suspected Mortgage Fraud Report on the Mortgage Fraud Prevention web page.

More general steps lenders can take to detect and prevent fraud

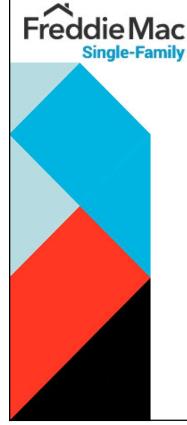
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- Establish a zero-tolerance fraud policy . .
- Share information within your organization If the loan doesn't make sense, don't do it!
- . Report any suspicious activity through established channels

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Fraud alert – Freddie Mac



What can you do?

- Closely review company's website
 - Ensure typical information is included on the website, i.e., hours of operation and contact information
- Confirm with other searches

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What are "red flags"?

Inconsistencies in a loan file

- ✓ Tip-off file contains misrepresentations
- ✓ Not always fraud
- ✓ Several red flags may signal a fraudulent transaction



The 4 Cs

Credit: Borrowers' willingness to repay a loan

Capital: Borrowers' investment in the property from savings & other sources

Collateral: Property's value & marketability to provide adequate security for the loan based on an appraisal

Capacity: Borrowers' ability to repay based on the amount & stability of income





Credit report

Fraud alert

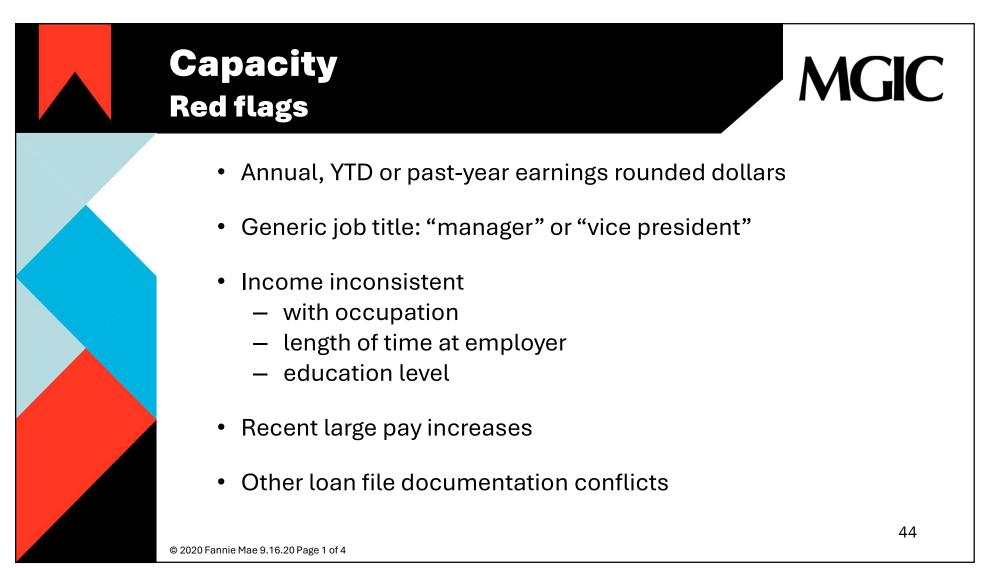
- Cautionary flag placed on a consumer's credit file
- Notifies creditors to cautiously ensure consumer's identity prior to lending
- Alerts can appear as general or specific
- Diligently review and address alerts

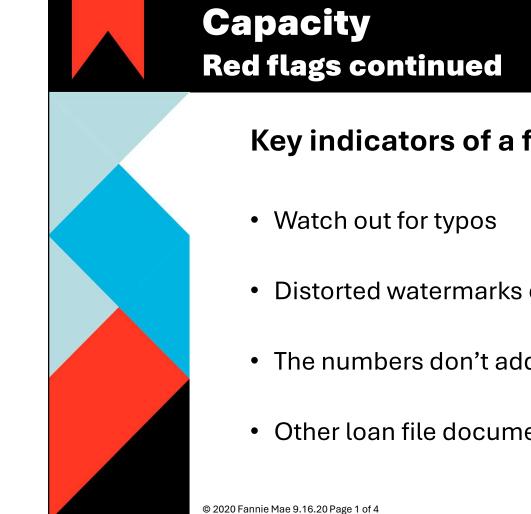


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Fraud detection services

- Tools used by credit reporting agencies
- Searches for fraudulent or incorrect information related to borrower
- Discrepancies appear on credit report
 - SSN issued within past 24 months
 - Borrower associated with a decedent

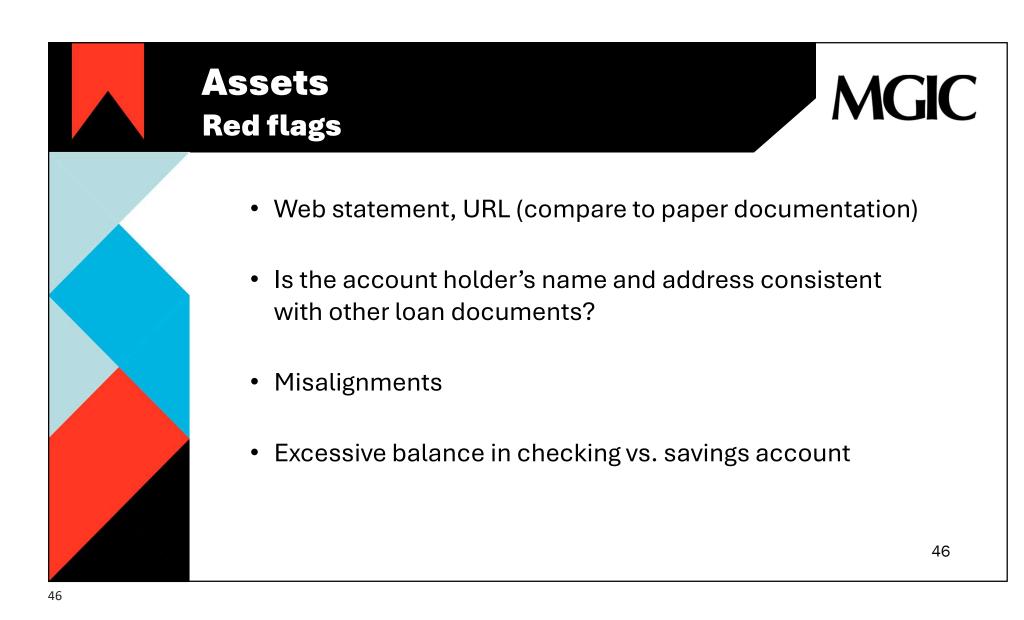


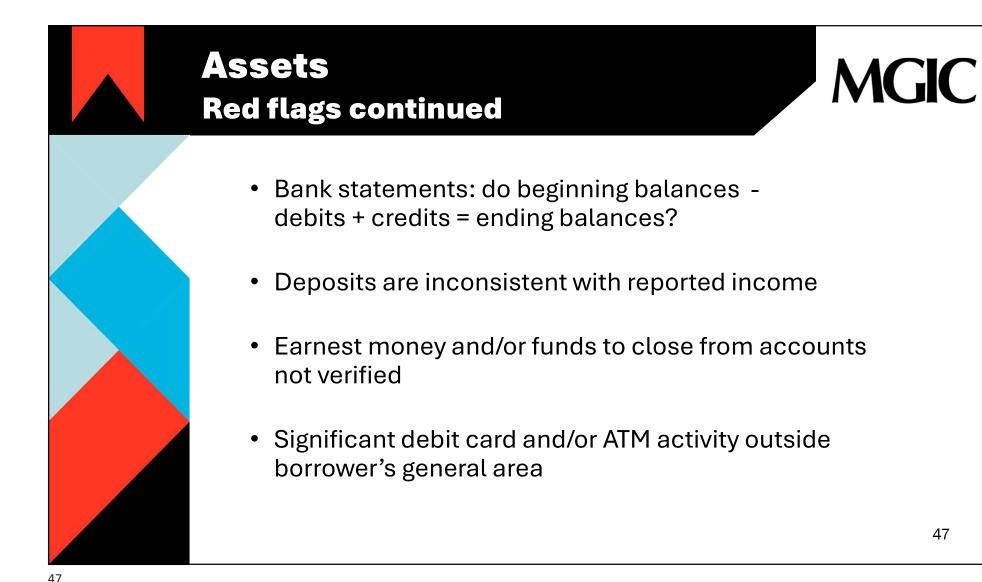




Key indicators of a fake paystub

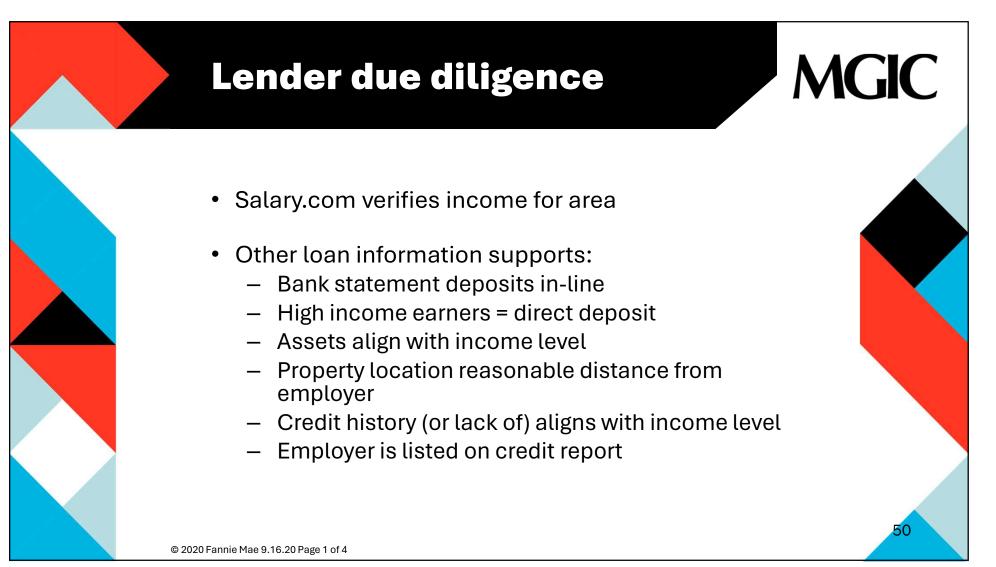
- Distorted watermarks or missing logos
- The numbers don't add up or unusual tax deductions
- Other loan file documentation conflicts

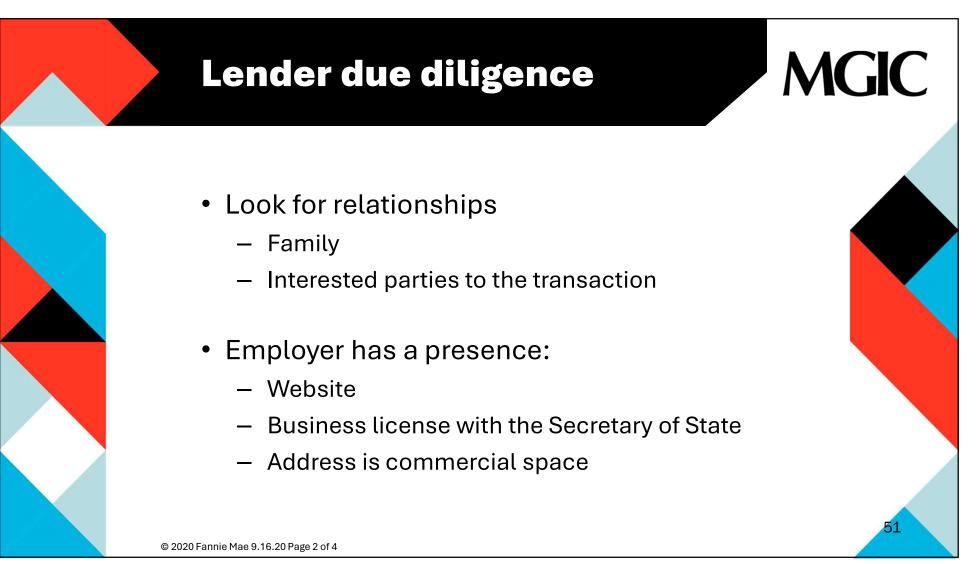


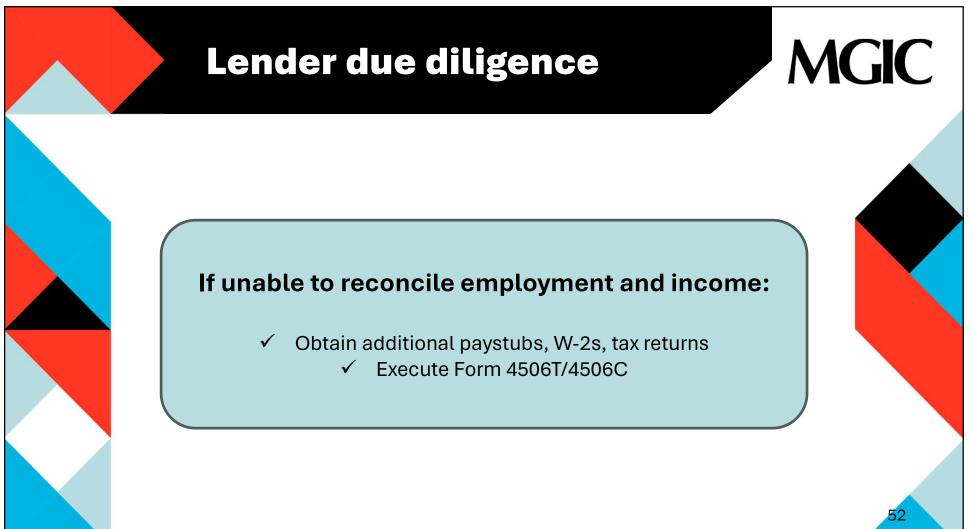












Common discrepancies

			Agency Ca	ise No.	
Uniform Residential Loan Application Verify and complete the information on this application. If ye information as directed by your Lender.	ou are applying fo	r this loan wit	h others, each a	additional B	orrow
Section 1: Borrower Information. This sect employment and other sources, such as retirement, that y	tion asks about y ou want conside	our personatered to quali	al information fy for this loar	and your i	ncom
1a. Personal Information					
Name (First, Middle, Last, Suffix)		Social Security Number (or Individual Taxpayer Identification Number)			
Alternate Names – List any names by which you are known or any name under which credit was previously received (First, Middle, Last, Suffix)		Date of Birth C		(fication Number) (itizenship) U.S. Citizen) Permanent Resid) Non-Permanent	
Type of Credit Iam applying for Individual credit. Iam applying for Joint credit. Total Number of Borrowers: Each Borrower Intends to apply for Joint credit. Your Initials:	(of Other Borro .ast, Suffix) – Use		
Marital Status Dependents (not listed by another listed by ano	Registered	Contact Info Home Phone Cell Phone Work Phone Email			E
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If at Current Address for LESS than 2 years, list Former Address for LESS than 2 years, list Former Address for extension of the second	Does n Does n Does n Does not apply Does not ap Phone ZIP Check if this sta property seller, party to the tra of less than 25%.	housing expi of apply State housing expi State State ply () Unit # Country tement appl by a family more real estate age insaction.	ZIP ZIP ZIP ZIP ZIP ZIP ZIP ZIP ZIP	Rent (S Rent (S Rent (S Gross Mo Base Overtime Bonus Commissio Miltary	Unit Unit Unit Unit Counti Ounti S S S n S

- Primary/do not intend to occupy
- Employment/income
- Debt omissions
- Child support/No dependents
- Assets support information
- Earnest money

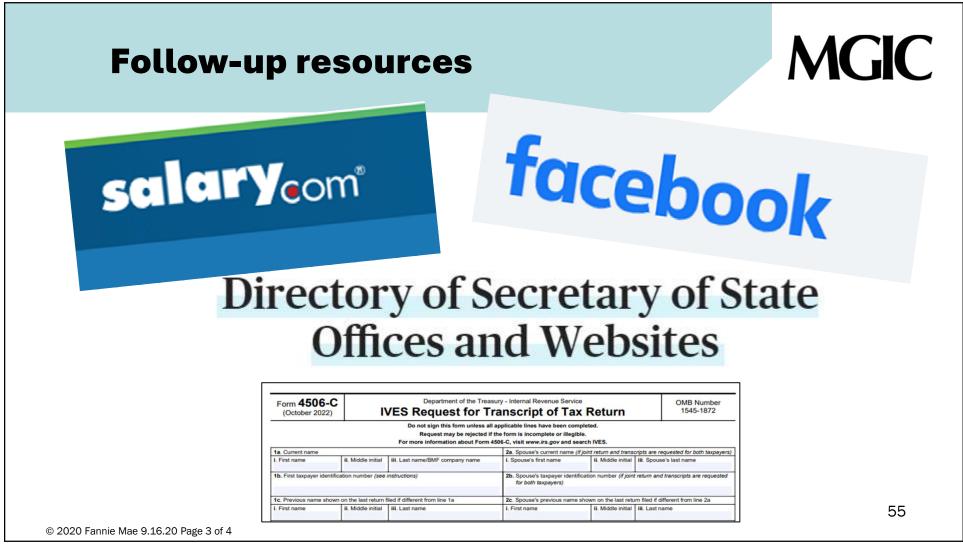


Lender due diligence – Reconcile discrepancies

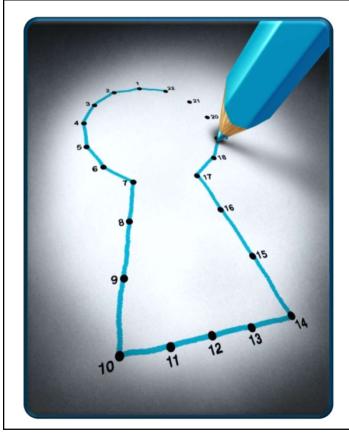
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Section 4: Loan and Property Information. This section asks about the loan's purpose and the property you want to purchase or refinance.

Loan Amount S <u>18</u> Property Address	Section 5: Declarations. This section financial history.	All furnishings included in the sale. Deposit shall be non-refundable due to rental agreement.	
	5a. About this Property and Your Money for th		_
Occupancy 1. Mixed-Use Prope your own busines 2. Manufactured He			NO YES NO YES VO
	B. If this is a Purchase Transaction: Do you have a family relationship or business affiliation with the seller of the property?		● NO ○ YES
		transaction (e.g., money for your closing costs or down payment) or the seller or realtor, that you have not disclosed on this loan application?	NO ○ YES S



What can YOU do?



- Maintain awareness
- Trust but verify
- Explore red flags
- Maintain a policy of zero fraud tolerance

Ask yourself ...



- Are there inconsistencies in the file?
- Do any documents appear altered?
- Does the transaction make sense?

Finding fraud after the loan closes costs an additional 33% of the loan amount to investigate, process, etc.

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Investigative resources

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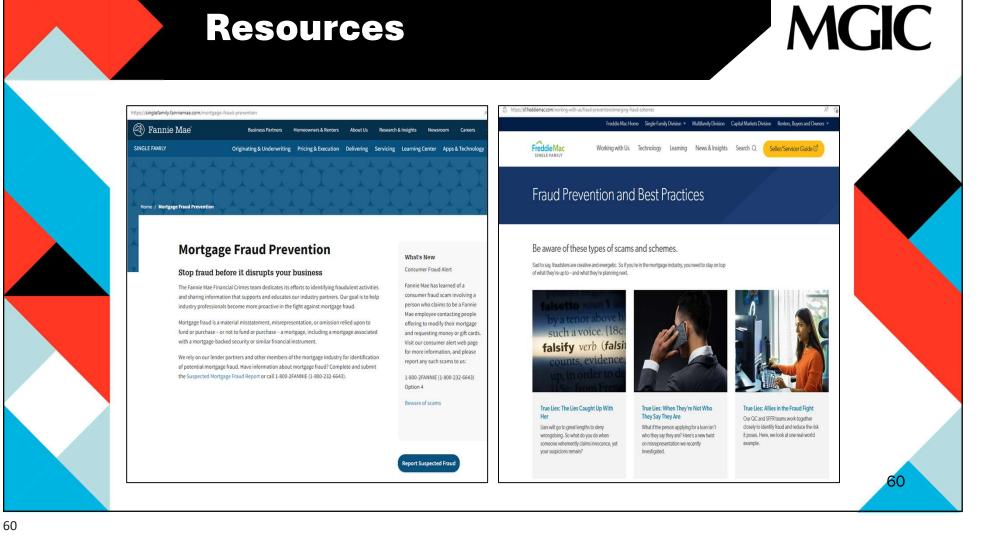
Public information: Business information: Salary benchmarks: Real estate databases:

Fee based:

Consumer information: Real estate data: Employment/income: <u>searchsystems.net</u> <u>secstates.com</u> <u>salary.com</u> <u>realtor.com</u>

lexisnexis.com realquest.com the.worknumber.com





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Special events	MGIC
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