



Federal Housing Finance Agency

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FINAL SUSPENSION ORDER

The Federal Housing Finance Agency, as safety and soundness regulator of Fannie Mae, Freddie Mac, and the eleven Federal Home Loan Banks (the “regulated entities”), is issuing this Final Suspension Order (“Final Order”) pursuant to the following legal authorities:

1. Section 1313B of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (Safety and Soundness Act) authorizes FHFA to establish standards for the regulated entities regarding prudential management of risks. FHFA is authorized to issue orders requiring the regulated entities to take any action that will best carry out the purposes of that section. *See* 12 U.S.C. 4513b(b)(2)(B)(iii).
2. Section 1319G of the Safety and Soundness Act authorizes FHFA to issue any orders necessary to ensure that the purposes of the Safety and Soundness Act are accomplished. *See* 12 U.S.C. 4526(a).
3. Section 1313 of the Safety and Soundness Act authorizes FHFA to exercise such incidental powers as may be necessary in the supervision and regulation of each regulated entity. *See* 12 U.S.C. 4513(a)(2).

Consistent with these authorities, FHFA has determined that any business relationship between James Ober and a regulated entity would present excessive risk to the safety and soundness of the regulated entity.

This determination is based on the following findings:

1. James Ober and a co-conspirator operated Mortgage Planners Incorporated (MPI), which was a brokerage firm for lenders such as Franklin America Mortgage Corporation.
2. James Ober was a loan officer for MPI, which was approved by the Department of Housing and Urban Development (HUD) to originate FHA-insured mortgage loans.
3. While at MPI, James Ober arranged for straw buyers to qualify for mortgage loans based upon information that he knew was false.

4. James Ober was convicted in the District Court for the State of Minnesota, Fourth Judicial District, for violation of Minn. Stat. § 609.903.1(1) (racketeering and aiding and abetting).
5. On February 12, 2014, James Ober was debarred from the procurement and non-procurement transactions, as either a principal or participant, with HUD and throughout the Executive Branch of the Federal Government, effective for an indefinite period of time from the date of the notice of debarment.
6. As described in the Notice of Final Determination of debarment from HUD dated February 12, 2014, the conduct underlying the debarment and conviction listed above occurred in connection with financial transactions.

With this Final Order, FHFA is directing each regulated entity to cease any business relationship with James Ober for indefinitely, beginning on March 13, 2017. This suspension extends to any individual, company, partnership or other group that FHFA determines to be an affiliate of James Ober.

The Final Order's requirement for regulated entities to cease any business relationship with James Ober does not apply to the existing or future purchase, sale, modification, foreclosure alternative transaction, or other foreclosure-related transaction of a residential mortgage loan owned by a regulated entity, if James Ober is the borrower of such residential mortgage loan and the transaction is for the borrower's own personal or household residence.

This Final Order is a final action of the Federal Housing Finance Agency.



Alfred M. Pollard
Suspending Official

11-11-2017
Date: