



# Quick Facts

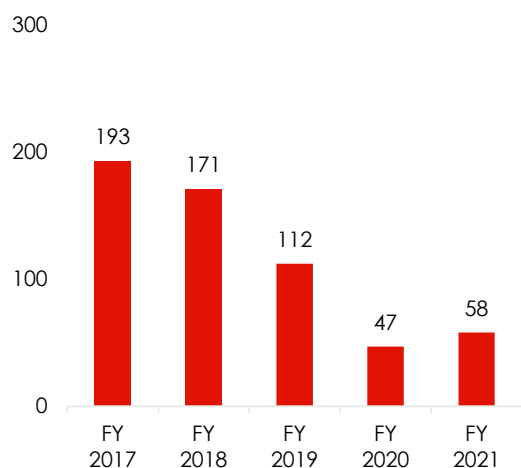
— Mortgage Fraud Offenses —



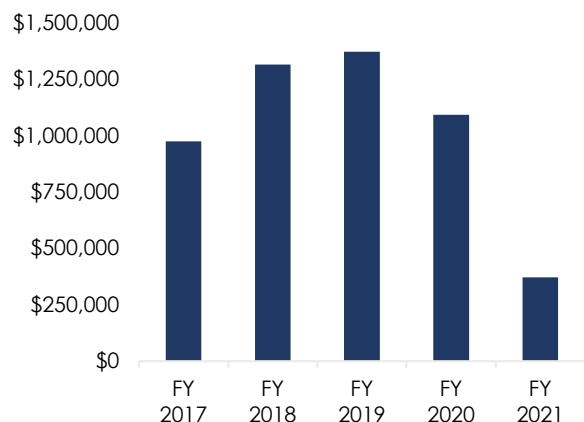
## Fiscal Year 2021

- ▶ IN FY 2021, 57,287 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 4,235 OF THESE INVOLVED THEFT, PROPERTY DESTRUCTION, AND FRAUD.
- ▶ 1.4% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED MORTGAGE FRAUD.<sup>1, 2, 3</sup>
- ▶ MORTGAGE FRAUD HAS DECREASED BY 69.9% SINCE FY 2017.

Number of Mortgage Fraud Offenders



Median Loss for Mortgage Fraud Offenses



## Offender and Offense Characteristics

- 70.7% of mortgage fraud offenders were men.
- 43.1% were White, 27.6% were Black, 20.7% were Hispanic, and 8.6% were Other races.
- Their average age was 49 years.
- 98.3% were United States citizens.
- 82.8% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was \$371,818;<sup>4</sup>
  - ◆ 37.7% involved loss amounts of \$250,000 or less;
  - ◆ 13.2% involved loss amounts greater than \$3,500,000.
- Sentences were increased for:
  - ◆ the number of victims or the extent of harm to victims (6.9%);<sup>5</sup>
  - ◆ using sophisticated means to execute or conceal the offense (29.3%);
  - ◆ using an unauthorized means of identification (5.2%);
  - ◆ deriving more than \$1 million in gross receipts from or substantially jeopardizing the safety and soundness of a financial institution (1.7%);
  - ◆ a leadership or supervisory role in the offense (13.8%);
  - ◆ abusing a public position of trust or using a special skill (17.2%);
  - ◆ obstructing or impeding the administration of justice (1.7%).
- Sentences were decreased for:
  - ◆ minor or minimal participation in the offense (5.2%).
- The top five districts for mortgage fraud offenders were:
  - ◆ Northern District of Georgia (9);
  - ◆ Northern District of Illinois (8);
  - ◆ District of New Jersey (8);
  - ◆ Southern District of Florida (6);
  - ◆ Middle District of Florida (5).

## Punishment

- The average sentence for mortgage fraud offenders was 14 months.
- 74.1% were sentenced to prison.
- 1.7% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, none were relieved of that penalty.

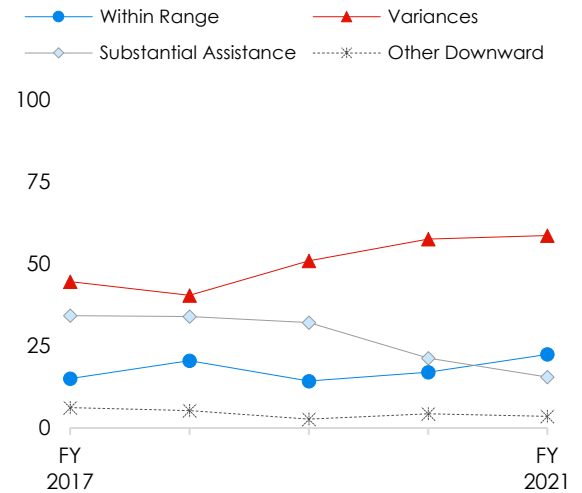


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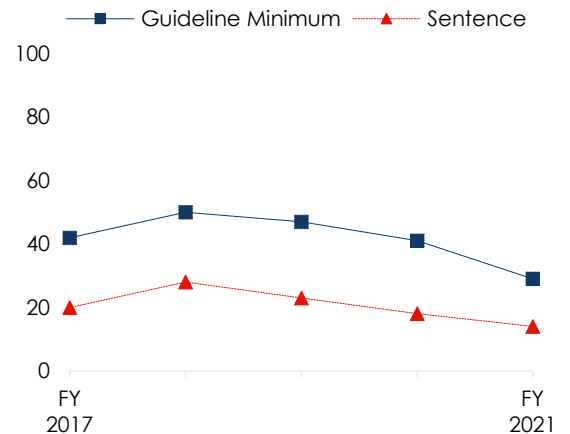
**Sentences Relative to the Guideline Range**

- Of the 41.4% of mortgage fraud offenders sentenced under the *Guidelines Manual*:
  - ◆ 54.2% were sentenced within the guideline range.
  - ◆ 37.5% received a substantial assistance departure.
    - ◇ Their average sentence reduction was 78.4%.
  - ◆ 8.3% received some other downward departure.<sup>6</sup>
- 58.6% received a variance; of those offenders:
  - ◆ All received a downward variance.
    - ◇ Their average sentence reduction was 55.1%.
- The average guideline minimum and average sentence imposed decreased over the past five years.
  - ◆ The average guideline minimum decreased from 42 months in fiscal year 2017 to 29 months in fiscal year 2021.
  - ◆ The average sentence imposed decreased from 20 months in fiscal year 2017 to 14 months in fiscal year 2021.

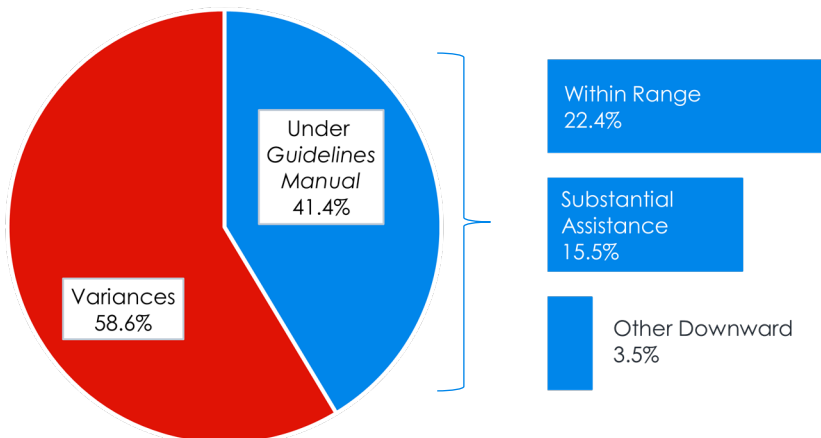
**Sentence Relative to the Guideline Range (%)**



**Average Guideline Minimum and Average Sentence (months)**



**Sentence Imposed Relative to the Guideline Range FY 2021**



<sup>1</sup> Cases with incomplete sentencing information were excluded from the analysis.

<sup>2</sup> Theft, property destruction, and fraud offenses include cases with complete guideline application information in which the offender was sentenced under §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) using a *Guidelines Manual* in effect on November 1, 2001 or later. See [www.ussc.gov/research/quick-facts](http://www.ussc.gov/research/quick-facts) for the Quick Facts on §2B1.1 offenders.

<sup>3</sup> Mortgage fraud includes cases where the offense conduct as described in the Presentence Report involved any misrepresentation intended to obtain a home loan, the application to multiple banks for a loan on a single property, foreclosure rescue scams, or reverse mortgage scams.

<sup>4</sup> The Loss Table was amended effective November 1, 2001 and November 1, 2015.

<sup>5</sup> The Victims Table and Sophisticated Means adjustment were amended effective November 1, 2015.

<sup>6</sup> The Commission does not report the average for categories with fewer than three cases.