There were 67,742 cases reported to the United States Sentencing Commission in fiscal year 2016.

Of these cases, 6,986 involved theft, property destruction, or fraud.  

4.9% of theft, property destruction, and fraud offenses involved mortgage fraud.

In fiscal year 2016, there were 339 mortgage fraud offenders, who accounted for 0.5% of all offenders sentenced under the guidelines. The number of mortgage fraud offenders decreased by 59.5% from fiscal years 2013 to 2016.

**Offender and Offense Characteristics**

- In fiscal year 2016, almost three-quarters of mortgage fraud offenders were male (72.6%).
- Over half were White (52.5%) followed by Hispanic (22.1%), Black (18.0%), and Other Races (7.4%).
- The average age of these offenders at sentencing was 47 years.
- Almost all mortgage fraud offenders were United States citizens (94.7%).
- The majority of mortgage fraud offenders had little or no prior criminal history (82.9% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was $1,045,750.
  - 18.6% of mortgage fraud offenses involved loss amounts greater than $3,500,000.
  - 33.1% of mortgage fraud offenses involved loss amounts of $550,000 or less.
- Sentences for mortgage fraud offenders were increased for:
  - Use of sophisticated means to execute or conceal the offense (29.2%).
  - Use of an unauthorized means of identification (2.4%).
  - Deriving more than $1 million in gross receipts from or substantially jeopardizing the safety and soundness of a financial institution (6.8%).
  - Leadership or supervisory role in the offense (15.3%).
  - Abusing a public position of trust or using a special skill (15.6%).
  - Obstructing or impeding the administration of justice (3.8%).
- Sentences for mortgage fraud offenders were decreased for:
  - Minor or minimal participation in the offense (14.8%).
Mortgage Fraud Offenses

Sentence Relative to the Guideline Range

FY 2016

- Within 11.8%
- Above 0.0%
- Gov’t Spons. Below 54.3%
- Other Below 33.9%

Government Sponsored Below Range Sentences

FY 2016

- Substantial Assistance 79.9%
- EDP 60.5%
- Other Gov’t Spons. Below 19.6%

Average Sentence and Average Guideline Minimum

(in months)

<table>
<thead>
<tr>
<th>Sentence</th>
<th>Guideline Minimum</th>
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<tbody>
<tr>
<td>FY 2013</td>
<td>FY 2014</td>
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</table>

Punishment

- The majority of mortgage fraud offenders were sentenced to imprisonment (84.7%).
- The average sentence length for mortgage fraud offenders was 22 months.

Sentences Relative to the Guideline Range

- During the past four years, the rate of within range sentences for mortgage fraud offenders has decreased from 18.3% in fiscal year 2013 to 11.8% in fiscal year 2016.
- In each of the past four years, approximately half of mortgage fraud offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
  - Substantial assistance departures were granted in approximately 40 to 43 percent of mortgage fraud cases in each of the past four years.
    - These offenders received an average reduction of 69.2% in their sentence during the four year time period.
  - Other government sponsored departures were granted in approximately seven to eleven percent of mortgage fraud cases in each of the past four years.
    - These offenders received an average reduction of 59.8% in their sentence during the four year time period.
- The rate of non-government sponsored below range sentences increased slightly during the past four years from 31.6% of mortgage fraud cases in fiscal year 2013 to 33.9% in fiscal year 2016.
  - These offenders received an average reduction of 55.2% in their sentence during the four year time period.
- Both the average sentence and the average guideline minimum for mortgage fraud offenders varied slightly during the past four years.
  - The average sentence imposed ranged from 22 months to 27 months during this time period.
  - The average guideline minimum ranged from 42 months to 49 months during this time period.