



# 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 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 Agustin D. Simon 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. Agustin D. Simon was employed as a tax preparer and bookkeeper and had offices in both Newman and Gustine, California.
2. Beginning in or about March 2010 and continuing through in or about October 2010, in the State of Eastern District of California and elsewhere, Agustin D. Simon and others did knowingly conspire, combine, and confederate with each other, to defraud financial institutions, namely Tri Counties Bank and Freddie Mac, of money and assets.
3. On or about March 2, 2015, Agustin D. Simon was convicted of one count of Conspiracy to Commit Bank Fraud – Class B Felony (18 U.S.C. 1349) in the United States District Court, Eastern District of California.

4. As described in the plea agreement filed with in the United States District Court, Eastern District of California on May 14, 2013, the conduct underlying the conviction set forth above involved the misappropriation of funds in order to commit bank fraud.
5. As described in the May 14, 2013 plea agreement, the conduct underlying the conviction listed above occurred in connection with mortgage-related transactions.

With this Final Order, FHFA is directing each regulated entity to cease any business relationship with Agustin D. Simon for a period of ten (10) years, beginning on October 1, 2016. This suspension extends to any individual, company, partnership or other group that FHFA determines to be an affiliate of Agustin D. Simon.

This Final Order's requirement for regulated entities to cease any business relationship with Agustin D. Simon 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 Agustin Simon is the borrower of such residential mortgage loan and the transaction is for the borrower's own personal or household residence.

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

  
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Alfred M. Pollard  
Suspending Official

8-1-2016  
Date