



THE FORECLOSURE HOUR

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FEDERAL AND STATE CRIMINAL STATUTES OF LIMITATIONS HAVE NOT EXPIRED FOR PROSECUTING BANK EXECUTIVES FOR MORTGAGE FRAUD

Potential Criminal Law Violations Discovered in Recent Historic Recording Office Mortgage Fraud Investigations

Honolulu, HI, October 7, 2015— This Sunday’s Foreclosure Hour, hosted by attorneys Gary Dubin and former Hawaii Governor John Waihee, will identify for the first time numerous federal statutes that extend the time allowed to prosecute bank executives for mortgage fraud. Their special guests will include Marie McDonnell of McDonnell Property Analytics who recently concluded the controversial land records audit for the Seattle City Council, Seattle, WA and Dave Krieger, author of Clouded Titles and Coordinator of the Osceola County, Florida Land Record Forensic Examination.

“Two of my recommendations to the Seattle City Council involve going after criminal violations and implementing a residential mortgage fraud statute,” remarked Marie McDonnell.

These recent land record audits indicated fraudulent assignments of mortgage and other documents that had been filed in the land recorders’ offices in Florida and Washington. While many documents were sealed in lender bankruptcy cases like IndyMac and Washington Mutual, many newly discovered FDIC assignments of mortgage, for example, are the subject of controversy, including but not limited to

forgeries. Mr. Dubin points to one of the many federal statutes that deals directly with the Federal Deposit Insurance Corporation:

“18 U.S. Code § 1007 is clear and concise. ‘Whoever, for the purpose of influencing in any way the action of the Federal Deposit Insurance Corporation, knowingly makes or invites reliance on a false, forged, or counterfeit statement, document, or thing shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.’
Some of these bank related offenses also have 10 year statutes of limitations in the federal system. Many people thought that the statute of limitations had expired barring prosecution for bank related crimes – that’s just not true,” commented Hawaii attorney Gary Dubin.

The Foreclosure Hour is a weekly radio broadcast heard nationally on KHVH-AM and over the Internet on the iHeart app. The weekly program airs on Sundays at 3 pm HST / 6 pm EDT.

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