

Control Number and should be sent to: Wayne Eddins, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., L'Enfant Plaza Building, Room 8001, Washington, DC 20410 or Wayne_Eddins@hud.gov.

FOR FURTHER INFORMATION CONTACT: Joe McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, telephone (202) 708-1672 (this is not a toll free number) for copies of the proposed forms and other available information.

SUPPLEMENTARY INFORMATION: The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility, and clarity of the information to be collected; and (4) minimize the burden of the collection of information on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Deed-in-Lieu of Foreclosure (Corporate Mortgagors or Mortgagors Owning More than One Property).

OMB Control Number, if applicable: 2502-0301.

Description of the need for the information and proposed use:

Mortgagees must obtain written consent from HUD's National Servicing Center to accept a deed-in-lieu of foreclosure when the mortgagor is a corporate mortgagor or a when mortgagor owns more than one property. Mortgagees must provide HUD with specific information. HUD uses this information collection to review specific requirements in assessing the validity of accepting a deed-in-lieu of foreclosure.

Agency form numbers, if applicable: None.

Estimation of the total numbers of hours needed to prepare the information collection including number of

respondents, frequency of response, and hours of response: The estimated total number of hours needed to prepare the information collection is 12.50, the number of respondents is 600 generating 25 annual responses, the frequency of response is on occasion, and the time to prepare per response is 30 minutes.

Status of the proposed information collection: This is an extension of a currently approved collection.

Authority: The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: December 12, 2005.

Frank L. Davis,

General Deputy Assistant Secretary for Housing, Deputy Federal Housing Commissioner.

[FR Doc. E5-7502 Filed 12-16-05; 8:45 am]

BILLING CODE 4210-27-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4914-N-07]

Mortgagee Review Board; Administrative Actions

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: In compliance with section 202(c) of the National Housing Act, this notice advises of the cause and description of administrative actions taken by HUD's Mortgagee Review Board against HUD-approved mortgagees.

FOR FURTHER INFORMATION CONTACT:

David E. Hintz, Secretary to the Mortgagee Review Board, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone: (202) 708-3856, extension 3594. A Telecommunications Device for Hearing- and Speech-Impaired Individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Section 202(c)(5) of the National Housing Act (added by section 142 of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989), requires that HUD "publish a description of and the cause for administrative action against a HUD-approved mortgagee" by the Department's Mortgagee Review Board (Board). In compliance with the requirements of section 202(c)(5), this notice advises of administrative actions that have been taken by the Board from August 25, 2004 to October 18, 2005.

1. Accent Mortgage Services, Inc., Alpharetta, GA [Docket No. 03-3219-MR]

Action: On September 12, 2005, the Board issued a letter to Accent Mortgage Services, Inc. (Accent), withdrawing its HUD/FHA approval for five years. The Board also voted to impose a civil money penalty in the amount of \$6,500.

Cause: The Board took this action because Accent failed to comply with the terms of a Settlement Agreement dated March 26, 2004 to pay civil money penalties to the Department in the amount of \$75,000.

2. Alliance Mortgage Banking Corporation, Levittown, NY [Docket No. 04-4818-MR]

Action: Settlement Agreement signed September 16, 2005. Without admitting liability or fault, Alliance Mortgage Banking Corporation (Alliance) agreed to pay an administrative payment in the amount of \$136,775, indemnify HUD on 16 HUD/FHA-insured loans and reimburse 27 HUD/FHA borrowers unallowable charges in the amount of \$12,193. Additionally, Alliance agreed to retain an independent quality control firm to conduct a quality control review of twenty HUD/FHA loans, consisting of current and defaulted loans. Based upon the results of this review, Alliance would submit to HUD a corrective action plan that addresses the findings of the quality control review and the issues outlined in the Notice of Violation.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Alliance: Permitted employees to be involved in the processing of loan applications on loans where they were the seller; used falsified documentation or conflicting information in originating loans and/or obtaining HUD/FHA-insured mortgages; failed to resolve discrepancies or fully obtain and analyze the terms and conditions of the real estate transaction and consider the acquisition cost of recently acquired properties in the underwriting of loans; failed to properly verify the source and/or adequacy of funds for the downpayment and/or closing costs; failed to properly verify income; failed to limit seller contributions to the maximum permitted by HUD; failed to ensure timely completion and/or establish an escrow account for incomplete property repairs; submitted delinquent loans for mortgage insurance endorsement; failed to remit Up-Front Mortgage Insurance Premiums within 15 days from the date of loan closing;

permitted a borrower to obtain a HUD/FHA loan within three years of a foreclosed loan; violated HUD/FHA third party origination restrictions; and failed to ensure borrowers, who had been charged a commitment fee, executed a Commitment Agreement guaranteeing discount points and/or interest rates, at least 15 days prior to the date the loan closed.

3. American Union Mortgage, Inc., Ogden, UT [Docket No. 05-5049-MR]

Action: On October 18, 2005, the Board issued a letter to American Union Mortgage, Inc. (American Union) withdrawing its HUD/FHA approval for five years. The Board also voted to impose a civil money penalty in the amount of \$6,500.

Cause: The Board took this action because American Union failed to comply with the terms of a Settlement Agreement with the Department dated May 14, 2004 to pay civil money penalties to the Department in the amount of \$150,000.

4. Bancplus Home Mortgage Center, Inc., Ft. Lauderdale, FL [Docket No. 04-4450-MR]

Action: Settlement Agreement signed May 24, 2005. Without admitting liability or fault, Bancplus Home Mortgage Center, Inc. agreed to pay an administrative payment in the amount of \$24,000 and indemnify HUD on two loans.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Bancplus: Failed to implement a Quality Control Plan in conformance with HUD/FHA requirements (repeat finding); and failed to properly document the source and/or adequacy of funds used for the downpayment and/or closing cost.

5. Costal Capital Corp., Greenvale, NY [Docket No. 04-4384-MR]

Action: Settlement Agreement signed June 7, 2005. Without admitting liability or fault, Costal Capital Corp. (Costal) agreed to pay a civil money penalty in the amount of \$134,500, indemnify HUD on three loans and reimburse borrowers for impermissible expenses totaling \$7,014.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Costal: Violated third party origination restrictions; improperly allowed documents to pass through the hands of interested third parties; certifying falsely on form HUD-92900-

A, Part II, Lender Certification; approved loans where the total origination fees charged to the borrowers were in excess of one percent; failed to properly verify the source and adequacy of funds used for the downpayment and/or closing costs; permitted borrowers to be charged fees that were not allowable under HUD/FHA requirements; failed to disclose all fees paid by the borrowers or on their behalf on the HUD-1 Settlement Statement; and failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements.

6. De Oro, Inc., Ontario, CA [Docket No. 05-5073-MR]

Action: On September 12, 2005, the Board issued a letter to De Oro, Inc. (De Oro) withdrawing its HUD/FHA approval for five years. The Board also voted to impose a civil money penalty in the amount of \$26,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements where De Oro: Failed to comply with the terms of agreements requiring De Oro to indemnify the Department; failed to accrue or note a significant contingent liability in HUD's Lender Assessment Sub-System financial statement submission; misrepresented its net worth; and provided HUD a false certification.

7. Global Financial Services, Inc., Bethesda, MD [Docket No. 04-4263-MR]

Action: Settlement Agreement signed September 13, 2005. Global Financial Services, Inc. (Global) agreed to pay a civil money penalty in the amount of \$62,500 and to immediate withdrawal of Global's HUD/FHA-approval for four years.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Global: Employed an individual who has been debarred by the Department; and failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements.

8. Home Loan Mortgage Corporation, Hesperia, CA [Docket No. 05-5002-MR]

Action: On April 1, 2005, the Board issued a letter to Home Loan Mortgage Corporation (Home) withdrawing its HUD/FHA-approval for five years. The Board also voted to impose a civil money penalty in the amount of \$6,500.

Cause: The Board took this action because Home failed to comply with the

terms of the Settlement Agreement executed with the Department dated May 3, 2001.

9. iMortgage Funding Corporation d/b/a Guaranty Mortgage, Houston, TX [04-4435-MR]

Action: Settlement Agreement signed May 11, 2005. Without admitting liability or fault, iMortgage Funding Corporation d/b/a Guaranty Mortgage (iMortgage), agreed to pay a civil money penalty in the amount of \$379,100 and indemnify HUD on 17 HUD/FHA-insured loans.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where iMortgage: Paid prohibited compensation to employees performing underwriting duties; failed to remit Upfront Mortgage Insurance Premiums to HUD/FHA within 15 days of loan closing; failed to adopt and implement a Quality Control Plan in compliance with HUD/FHA requirements; used documentation that was falsified and/or contained unresolved discrepancies; failed to properly verify the source and adequacy of funds used for the cash requirements and allowed funds for closing from unacceptable sources; failed to properly document and/or calculate income used for qualification or to justify loan approval with excessively high ratios of debt to income; omitted and understated liabilities, and failed to consider contingent liabilities in loan qualification; failed to obtain credit reports that met HUD/FHA requirements; approved mortgagors with unacceptable credit histories, without adequate justification; approved mortgage loans for ineligible mortgagors; and failed to document properly or analyze adequately the credit histories of mortgagors who did not use traditional credit or who did not have acceptable traditional credit histories.

10. Karim Enterprises, Inc., St. Charles, MO [Docket No. 05-5017-MR]

Action: Settlement Agreement signed July 8, 2005. Without admitting liability or fault, Karim Enterprises, Inc. (Karim) agreed to pay HUD a civil money penalty in the amount of \$22,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Karim: Loaned gift funds to a donor in HUD/FHA-insured mortgage transaction; submitted or caused the submission of false information to HUD in connection with a HUD/FHA-insured mortgage transaction; and failed to

implement a Quality Control Plan in conformance with HUD/FHA requirements.

11. KB Home Mortgage Company, Los Angeles, CA [Docket No. 05-5020-MR]

Action: Settlement Agreement signed June 27, 2005. Without admitting liability or fault, KB Home Mortgage Company (KB Home) agreed to pay HUD an administrative payment in the amount of \$3,200,000. KB Home also agreed to prepare and submit a compliance plan acceptable to HUD that details the policies and procedures KB Home will implement to rectify the violations of HUD requirements identified in the Notice of Violation.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where KB Home: Approved loans with ratios exceeding guidelines without compensating factors or without adequate compensating factors; approved loans based on effective income that was overstated, improperly calculated or inadequately documented; failed to include or determine all of the mortgagor's liabilities and/or liabilities of the non-purchasing spouse in loan qualification; failed to properly verify the source and/or adequacy of funds required and/or there were insufficient funds verified to close; approved loans to borrowers who were not eligible because of unpaid court-ordered judgments and delinquent federal debt; approved loans to borrowers who were not eligible because of past credit performance; failed to address and resolve significant file discrepancies; failed to ensure property compliance with the Builder's Certification of Plans, Specifications and Site, HUD form 92541; failed to ensure the mortgagor met the minimum required investment because the loan exceeded the maximum allowable mortgage amount; failed to ensure the mortgagor was not charged excessive and/or unallowable fees and/or there was no documentation supporting the fee; failed to ensure that the HUD-1 Settlement Statement reflected the earnest money deposit that was shown on the sales contract and the loan application; failed to ensure the accuracy of the information contained in the HUD-1A, Addendum to the HUD-1 Settlement Statement; and failed to ensure gift letters met HUD requirements.

12. Major Mortgage Corporation, Lathrup Village, MI [Docket No. 05-5071-MR]

Action: On September 8, 2005, the Board issued a letter to Major Mortgage

Corporation (Major Mortgage) withdrawing its HUD/FHA approval for five years. The Board also voted to impose a civil money penalty in the amount of \$6,500.

Cause: The Board took this action because Major Mortgage failed to comply with the terms of a Settlement Agreement dated November 30, 1998 whereby Major Mortgage agreed to indemnify HUD on 15 loans.

13. Megamerica Mortgage Group, Inc., San Antonio, TX [Docket No. 04-4262-MR]

Action: Settlement Agreement signed April 6, 2005. Without admitting liability or fault, Megamerica Mortgage Group, Inc. (Megamerica) agreed to pay an administrative payment in the amount of \$20,500.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Megamerica: Operated branch offices under prohibited branch arrangements; failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements; failed to file annual reports regarding loan application activity required by Mortgagee Letter 95-3 and HUD Handbook 4155.1 REV-4 CHG 1; and charged mortgagors excessive or prohibited fees.

14. Pike Creek Mortgage Services, Inc., Wilmington, DE [Docket No. 04-4629-MR]

Action: Settlement Agreement signed September 14, 2005. Without admitting liability or fault, Pike Creek Mortgage Services, Inc. (Pike Creek) agreed to pay a civil money penalty in the amount of \$19,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Pike Creek: Failed to ensure that loans were originated by its employees; falsely certified on the HUD/VA Addendum to the Uniform Residential Loan Application, form HUD-92900-A, Part II Lender Certification; failed to retain a loan origination file; failed to file annual reports regarding loan application activity; and failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements.

15. RTM Funding, Inc., Kingwood, TX [Docket No. 03-3169-MR]

Action: Settlement Agreement signed April 14, 2005. Without admitting liability or fault, RTM Funding, Inc.

(RTM) agreed to pay a civil money penalty in the amount of \$11,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where RTM: Failed to maintain entire case file at least two years from date of insurance endorsement; failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements; and failed to file annual reports regarding loan activity as required by Mortgagee Letter 95-3 and HUD Handbook 4155.1 REV-4 CHG-1.

16. Saxon Equity Mortgage Bankers, Ltd., Hauppauge, NY [Docket No. 05-5046-MR]

Action: Settlement Agreement signed September 13, 2005. Without admitting liability or fault, Saxon Equity Mortgage Bankers, Ltd. (Saxon) agreed to pay the Department a civil money penalty in the amount of \$13,000.

Cause: The Board took this action because Saxon failed to comply with the terms of two indemnification agreements signed with the Department dated June 13, 1994 and February 28, 2001. Saxon has now entered into an acceptable payment agreement for amounts due under the agreements.

17. Susan Mittman Real Estate, Inc., Brooklyn, NY [Docket No. 04-4444-MR]

Action: Settlement Agreement signed May 11, 2005. Without admitting liability or fault, Susan Mittman Real Estate, Inc. (Susan Mittman) agreed to pay an administrative payment in the amount of \$30,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Susan Mittman: Originated loans where the borrowers were charged fees in excess of the one percent allowable origination fee for services covered by the origination fee; and failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements.

18. Terra Financial Group, Inc., Philadelphia, PA [Docket No. 04-4299-MR]

Action: Settlement Agreement signed September 22, 2005. Without admitting liability or fault, Terra Financial Group, Inc. (Terra) agreed to pay an administrative payment in the amount of \$7,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans

where Terra: Failed to ensure that loans were originated by its employees; failed to maintain complete loan origination files; failed to provide evidence that original documents were reviewed; failed to file annual reports regarding loan application activity as required by Mortgagee Letter 95-3 and HUD Handbook 4155.1; and failed to implement and maintain an adequate Quality Control Plan in compliance with HUD/FHA requirements.

19. Tucson Mortgage, LLC, Tucson, AZ [Docket No. 04-4934-MR]

Action: Settlement Agreement signed September 22, 2005. Without admitting liability or fault, Tucson Mortgage, LLC (Tucson) agreed to pay an administrative payment in the amount of \$45,000.

Cause: The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Tucson: Allowed an unapproved branch to originate HUD/FHA-insured mortgages; provided false documents to originate a HUD/FHA-insured mortgage; failed to file loan application reports to HUD as required by the Mortgagee Letter 95-3 and HUD Handbook 4155.1 REV-4 CHG 1; failed to perform Quality Control reviews; and failed to provide complete loan origination files for review.

20. United Lending Partners, LP, Irving, TX [Docket No. 05-5053-MR]

Action: On September 8, 2005, the Board issued a letter to United Lending Partners, Ltd., (United Lending) withdrawing its HUD/FHA approval for five years. The Board also voted to impose a civil money penalty in the amount of \$26,000.

Cause: The Board took this action because United Lending failed to comply with the terms of agreements dated June 3, 2003, November 13, 2003 and December 2, 2003 requiring United Lending to indemnify the Department on 15 loans.

Dated: December 12, 2005.

Brian D. Montgomery,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. E5-7503 Filed 12-16-05; 8:45 am]

BILLING CODE 4210-27-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: The public is invited to comment on the following applications to conduct certain activities with endangered species and marine mammals.

DATES: Written data, comments or requests must be received by January 18, 2006.

ADDRESSES: Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax 703/358-2281.

FOR FURTHER INFORMATION CONTACT: Division of Management Authority, telephone 703/358-2104.

SUPPLEMENTARY INFORMATION:

Endangered Species

The public is invited to comment on the following applications for a permit to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

PRT-811776

Applicant: Wildlife Conservation Society, Bronx, NY

The applicant requests re-issuance of a permit to import feathers dropped from wild and captive-hatched birds, which are obtained from various international institutions and through collections conducted during field studies, for the purpose of scientific research. This notification covers activities conducted by the applicant over a five year period.

PRT-110072

Applicant: White Oak Conservation Center, Yulee, FL

The applicant requests a permit to re-import a male greater Indian one-horn rhinoceros (*Rhinoceros unicornis*), captive bred in the United States, from Toronto Zoo, Canada, for the purpose of enhancement of the propagation and survival of the species.

PRT-007870

Applicant: National Zoological Park, Washington, DC

The applicant request reissuance of their permit for scientific research with captive-born giant pandas (*Ailuropoda melanoleuca*) currently held under loan agreement with the Government of China and under provisions of the USFWS Giant Panda Policy. The proposed research will cover all aspects of behavior, reproductive physiology, genetics, nutrition, and animal health and is a continuation of activities currently in progress. This notification covers activities conducted by the applicant over a period of five years.

PRT-104625 and 104626

Applicant: J & R Outfitters, Indiantown, FL

The applicant requests a permit to authorize interstate and foreign commerce, export and cull of excess male barasingha (*Cervus duvauceli*) from the captive herd maintained at their facility for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a five year period.

PRT-115344

Applicant: Forrest M. Simpson, Conroe, TX

The applicant requests a permit to authorize interstate and foreign commerce, export and cull of excess male barasingha (*Cervus duvauceli*) from the captive herd maintained at their facility for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a five year period.

PRT-113771

Applicant: Steve E. Payne West, Acampo, CA

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

PRT-114470

Applicant: Patricia K. Kehler, Woodbury, NJ

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa,