

UNITED STATES OF AMERICA  
DEPARTMENT OF THE TREASURY  
OFFICE OF THE COMPTROLLER OF THE CURRENCY

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**In the Matter of:** )  
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1<sup>st</sup> National Bank )  
Lebanon, Ohio )  
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AA-EC-09-51

**STIPULATION AND CONSENT TO A CIVIL MONEY PENALTY**

WHEREAS, the Comptroller of the Currency of the United States of America (“Comptroller”), through his National Bank Examiners, has supervisory authority over 1<sup>st</sup> National Bank, Lebanon, Ohio (“Bank”);

WHEREAS, the Comptroller intends to initiate a civil money penalty action against the Bank pursuant to section 102(f) of the Flood Disaster Protection Act, as amended, (“Flood Act”) (42 U.S.C. § 4012a(f)), for a pattern or practice of making, increasing, extending, or renewing loans in a special flood hazard area in which flood insurance is available under the National Flood Insurance Act without requiring the property securing the loans to be covered by the requisite flood insurance in violation of 12 C.F.R. § 22.3;

WHEREAS, in the interest of cooperation and to avoid the costs associated with future administrative and judicial proceedings with respect to the above matter, the Bank, without admitting or denying any wrongdoing, desires to enter into this Stipulation and

Consent Order (“Order”); and

NOW THEREFORE, in consideration of the above premises, it is stipulated by and between the Comptroller, through his duly authorized representative, and the Bank that:

#### Article I

### **JURISDICTION**

(1) The Bank is a national banking association, chartered and examined by the Comptroller pursuant to the National Bank Act of 1864, as amended, 12 U.S.C. § 1 *et seq.* Accordingly, the Bank is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2) and is a “regulated lending institution” as that term is defined in 42 U.S.C. § 4003(a)(10).

(2) Pursuant to 42 U.S.C. §§ 4003(a)(5) and 4012a(f), the Comptroller is “the appropriate Federal entity for lending regulation” to maintain an enforcement proceeding against the Bank for Flood Act violations.

#### Article II

### **ORDER FOR CIVIL MONEY PENALTY**

The Bank hereby consents, and the Comptroller Orders that:

(1) The Bank shall pay a civil money penalty in the amount of one thousand dollars (\$1,000.00) upon execution of this Order.

(2) The Bank shall make payment in full by check made payable to the National Flood Insurance Program and shall deliver the payment to: Kevin Montgomery,

Federal Emergency Management Agency, Room 510, Arlington, Virginia 20598-3010.

The docket number of this action shall be entered on the check.

(3) The Bank shall submit a copy of the check to Coreen Arnold, District Counsel, Office of the Comptroller of the Currency, 440 South LaSalle, Chicago, Illinois 60605.

(4) This Order shall be enforceable to the same extent and in the same manner as an effective and outstanding order that has been issued and has become final pursuant to 12 U.S.C. §§ 1818(h) and (i) and 42 U.S.C. § 4012a.

### Article III

#### **WAIVERS**

- (1) By executing this Order, the Bank waives:
  - (a) the right to the issuance of a Notice under 12 U.S.C. § 1818(i) and 42 U.S.C. § 4012a(f)(4) and recognizes that the letter dated July 21, 2009, from Bert Otto, Deputy Comptroller, constitutes a valid substitute notice;
  - (b) all rights to a hearing and a final agency decision pursuant to 12 U.S.C. § 1818(i), 12 C.F.R. Part 19, and 42 U.S.C. § 4012a(f)(4);
  - (c) all rights to seek judicial review of this Order; and
  - (d) all rights in any way to contest the validity of this Order.
- (2) The Bank declares that no separate promise or inducement of any kind has been made by the Comptroller, his agents or employees to cause or induce the Bank to agree to consent to the issuance of this Order and/or to execute this Order.



