

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

In the Matter of:)
)
)
FNB Bank, N.A.) AA-EC-13-56
Danville, Pennsylvania)
_____)

STIPULATION AND CONSENT TO A CIVIL MONETARY PENALTY

WHEREAS, the Comptroller of the Currency of the United States of America (“Comptroller”), through his National Bank Examiners, has supervisory authority over FNB Bank, N.A., Danville, Pennsylvania (“Bank”);

WHEREAS, the Comptroller intends to initiate a civil monetary penalty proceeding against the Bank pursuant to section 102(f) of the Flood Disaster Protection Act, as amended, (“Flood Act”) (42 U.S.C. § 4012a(f)), based on the Bank's pattern or practice of violations of the Flood Act and its implementing regulations, specifically 12 C.F.R. §§ 22.3, 22.5, 22.6, 22.7 and 22.9;

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 MONETARY PENALTY

The Bank hereby consents, and the Comptroller Orders that:

(1) The Bank shall pay a civil monetary penalty in the amount of forty-three thousand one hundred twenty dollars (\$43,120) 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, FEMA, 1800 South Bell Street, Room 510, Arlington, VA 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 the Director, Enforcement & Compliance Division, 400 7th Street, S.W., Washington, DC 20219.

(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 January 9, 2013 from James M. Calhoun, Assistant Deputy Comptroller, constitutes a valid substitute notice (“Notice Letter”);
 - (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.
- (3) It is hereby agreed that the provisions of this Order constitute a settlement of the civil monetary penalty proceeding contemplated by the Comptroller on the basis of the Bank’s violations of the Flood Act and its implementing regulations as described in this Order and in the Notice Letter. However, the specific violations described herein and

IN TESTIMONY WHEREOF, the undersigned, as the duly elected and acting

Board of Directors of the FNB Bank, N.A., have hereunto set their hands on behalf of the FNB Bank, N.A.

/s/

Robert O. Booth

8/29/2013

Date

/s/

James D. Hawkins

8/28/2013

Date

/s/

Bryan L. Holmes

8/28/2013

Date

/s/

Wendy S. Tripoli

8/28/2013

Date

/s/

Gerald A. Nau

8/28/2013

Date

Date