

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

In the Matter of:)
Robert H. Ranzinger, Jr.)
President and Senior Loan Officer)
Wavel Bank)
Wallington, New Jersey)

AA-EC-14-80

CONSENT ORDER

WHEREAS, the Comptroller of the Currency of the United States of America (“Comptroller”), intends to assess a civil money penalty against Robert Ranzinger, Jr. (“Respondent”) pursuant to 12 U.S.C. § 1818(i) on the basis of Respondent’s actions while serving as the President and Senior Loan Officer of Wavel Bank, Wallington, New Jersey (“Association”); and

WHEREAS, in the interest of cooperation and to avoid the costs associated with future administrative and judicial proceedings with respect to this matter, Respondent, without admitting or denying any wrongdoing, desires to enter into this Consent Order (“Order”) issued pursuant to 12 U.S.C. § 1818(i);

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

ARTICLE I

JURISDICTION

(1) The Association is a federal savings associations, within the meaning of 12 U.S.C. § 1813(u) and 12 U.S.C. § 1462(4). Accordingly, the Association is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2).

(2) Respondent was the President and Senior Loan Officer of the Association and is an “institution-affiliated party” of the Association as that term is defined in 12 U.S.C. § 1813(u), having served in such capacity within six (6) years from the date hereof (see 12 U.S.C. § 1818(i)(3)).

(3) Pursuant to 12 U.S.C. § 1813(q), the Comptroller is the “appropriate Federal banking agency” to maintain an enforcement proceeding against institution-affiliated parties. Therefore, Respondent is subject to the authority of the Comptroller to initiate and maintain civil money penalty assessment proceedings against him pursuant to 12 U.S.C. § 1818(i).

ARTICLE II

COMPTROLLER’S FINDINGS

The Comptroller finds, and Respondent neither admits nor denies, the following:

(1) On May 21, 2013, Respondent originated and approved a demand consumer loan of \$50,000 (“Monkowski Loan”) to Henry J. Monkowski (“Director Monkowski”), a director of the Association. The loan was secured by 3,400 shares of Agnico-Eagles Mines common stock.

(2) The terms of the Monkowski Loan were representative of preferential treatment because:

(a) the amount of the Monkowski Loan exceeded the Association’s policy maximum of \$10,000 for secured consumer loans;

(b) the amortization rate of the Monkowski Loan, given the fixed monthly payment of \$1,000 and the variable rate, was approximately 4.5 years which is above the Association’s policy maximum of 3 years for secured consumer loans;

(c) no financial analysis was performed to ensure that Director Monkowski was able to service this debt in addition to his existing obligations.

(3) The Respondent caused the Association to extend credit on preferential and non-market terms to an insider of the Association in violation of Regulation O, 12 C.F.R. § 215.4(a)(1)(i).

(4) The Association is also under a Consent Order from the OCC dated October 26, 2011. Article V of the Consent Order addressed the weaknesses identified in the Association's conflict of interest policy and previously identified insider lending. Paragraph 4 of Article V states that the Compliance Committee shall conduct a review of the Association's existing relationships with its insiders, identify any relationships not in conformance with the Association's conflict of interest policy, and bring those relationships into conformance. Paragraph 4 also states that following this process, "the Board shall review all proposed transactions, or modifications of existing relationships, between the [Association] and any of its Insiders."

(5) The Respondent underwrote and approved the Monkowski Loan prior to presenting the loan to the Board and obtaining Board approval, in violation of the Consent Order. The loan was ratified a month later on June 26, 2013, after it had already been funded.

(6) By reason of the foregoing conduct, Respondent's individual actions violated Regulation O, 12 C.F.R. § 215.4(a)(1)(i) and the Consent Order as his individual actions brought about these violations (as defined in 12 U.S.C. § 1813(v)).

ARTICLE III

ORDER FOR CIVIL MONEY PENALTY

Respondent hereby consents to, and it is ORDERED that:

(1) Respondent shall pay a civil money penalty in the amount of two thousand dollars (\$2,000.00), which shall be paid in full upon execution of this Order.

(2) Respondent shall make payment by cashier's check or money order made payable to the Treasurer of the United States, and shall deliver the payment to: Comptroller of the Currency, P.O. Box 979012, St. Louis, Missouri 63197-9000. The docket number of this case (AA-EC-14-80) shall be entered on the submitted payment, and a copy of the check.

(3) 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) (as amended).

ARTICLE IV

CLOSING

- (1) By executing this Order, Respondent waives:
- (a) the right to the issuance of a Notice of Civil Money Penalty Assessment under 12 U.S.C. § 1818(i);
 - (b) all rights to a hearing and a final agency decision pursuant to 12 U.S.C. § 1818(i) and 12 C.F.R. Part 109;
 - (c) all rights to seek judicial review of this Order;
 - (d) all rights in any way to contest the validity of this Order; and
 - (e) any and all claims for fees, costs or expenses against the Comptroller, or any of his agents or employees, related in any way to this enforcement matter or this Order, whether arising under common law or under the terms of any statute, including, but not limited to, the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412; and

(f) any and all rights to assert a “double jeopardy” claim in the event of a criminal prosecution brought by the Department of Justice, and any and all rights to assert a “res judicata” claim in the event of a civil action brought by another agency within the United States government, for the acts which form the basis for the issuance of this Order.

(2) Respondent shall not cause, participate in or authorize the Association (or any subsidiary or affiliate thereof) to incur, directly or indirectly, any expense for the payment of the civil money penalty under this Order, or any legal (or other professional) expense relative to the negotiation and issuance of this Order except as permitted by 12 C.F.R. § 7.2014 and Part 359. In addition, Respondent shall not, directly or indirectly, obtain or accept any indemnification (or other reimbursement) from the Association (or any subsidiary or affiliate thereof) with respect to such amounts except as permitted by 12 C.F.R. § 7.2014 and Part 359.

(3) Respondent acknowledges that he has read and understands the premises and obligations of this Order and declares that no separate promise or inducement of any kind has been made by the Comptroller, or his agents or employees, to cause or induce Respondent to agree to consent to the issuance of this Order and/or to execute this Order.

(4) This Order constitutes a settlement of any proceedings arising out of the facts, omissions, or violations described in the Comptroller’s Findings (Article II of this Order). The Comptroller agrees not to institute proceedings for the specific acts, omissions, or violations referenced in Article II of this Order, unless such acts, omissions, or violations reoccur. However, the specific acts, omissions, or violations described in Article II may be used by the Comptroller in future enforcement actions to establish a pattern of misconduct or the continuation of a pattern of misconduct.

(5) This Order shall not be construed as an adjudication on the merits and, except as set forth in paragraph (4) above, shall not inhibit, estop, bar, or otherwise prevent the Comptroller from taking any action affecting Respondent if, at any time, he deems it appropriate to do so to fulfill the responsibilities placed upon him by the several laws of the United States of America.

(6) Respondent agrees not to take any action or to make or permit to be made any public statement denying, directly or indirectly, the specific acts, omissions, or violations referenced in this Order, or otherwise creating the impression that this Order is without factual basis. If Respondent violates this provision, the OCC may set aside this settlement and commence administrative proceedings on the actions alleged herein. Nothing in this paragraph shall affect Respondent's testimonial obligations.

(7) Nothing herein shall preclude any proceedings brought by the Comptroller to enforce the terms of this Order, and nothing herein constitutes, nor shall Respondent contend that it constitutes, a waiver of any right, power, or authority of any other representatives of the United States or agencies thereof, including the Department of Justice, to bring other actions deemed appropriate.

(8) This Order is intended to be, and shall be construed to be, a final order issued pursuant to 12 U.S.C. § 1818, and expressly does not form, and may not be construed to form, a contract binding the Comptroller or the United States. Respondent expressly acknowledges that no officer or employee of the Comptroller has the statutory or other authority to bind the United States, the United States Treasury Department, the Comptroller, or any other federal bank regulatory agency or entity, or any officer or employee of those entities, to a contract affecting the Comptroller's exercise of this supervisory responsibilities.

(9) This Order is “issued with the consent of . . . the institution-affiliated party concerned,” pursuant to 12 U.S.C. § 1818(h)(2).

(10) The Terms of this Order, including this paragraph, are not subject to amendment or modification by any extraneous expression, prior agreements, or prior arrangements between the parties, whether oral or written.

(11) The provisions of this Order are effective upon issuance by the Comptroller through his authorized representative whose hand appears below, and shall remain effective and enforceable, except to the extent that, and until such time as, any provisions of this Order shall have been amended, suspended, waived, or terminated in writing by the Comptroller, through his authorized representative.

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand.

/S/
Robert H. Ranzinger, Jr.

9/7/2014
Date

IT IS SO ORDERED.

/S/
Kristin A. Kiefer
Acting Deputy Comptroller
Northeastern District

9/10/2014
Date