

UNITED STATES OF AMERICA  
BEFORE THE  
OFFICE OF THRIFT SUPERVISION

\_\_\_\_\_)  
IN THE MATTER OF )  
 )  
First Federal Savings and Loan )  
Association of Allen Parish )  
 )  
Oakdale, Louisiana )  
 )  
\_\_\_\_\_)

Resolution No.: DAL-91-63

Dated: June 20, 1991

STIPULATION AND CONSENT TO ISSUANCE OF  
ORDER OF CIVIL MONEY PENALTY ASSESSMENT

The Office of Thrift Supervision ("OTS"), by and through the Regional Director for the Midwest Region and First Federal Savings and Loan Association of Allen Parish, Oakdale, Louisiana ("Respondent") stipulate and agree as follows:

1. CONSIDERATION

The OTS, based upon information reported to it, is of the opinion that grounds exist to initiate an administrative civil money penalty assessment proceeding against the Respondent, pursuant to 12 U.S.C. § 1818(i)(2). The Respondent desires to cooperate with OTS and to avoid the time and expense of such administrative litigation and, without admitting or denying that such grounds exist, hereby stipulates and agrees to the following terms in consideration of the forbearance by the OTS from initiating such administrative civil money penalty assessment proceeding against the Respondent with respect to the following matters as noted in the December 10, 1990 examination report:

- (a) Failure to provide all information as required by 31 C.F.R. § 103.27(d);
- (b) Failure to maintain an adequate exemption list as required by 31 C.F.R. § 103.22(f);
- (c) Failure to disclose adequate documentation as required by 31 C.F.R. § 103.28;
- (d) Failure to disclose documentation adequately as required by 31 C.F.R. § 103.33(a);
- (e) Failure to provide accurate disclosures as required by 12 C.F.R. §§ 226.18(d), (g), and (h);
- (f) Failure to require appropriate waivers as required by 12 C.F.R. § 226.23(e);
- (g) Failure to provide in a timely manner Good Faith Estimates as required by 12 C.F.R. § 226.19(a)(1);
- (h) Failure to make proper disclosures as required by 12 C.F.R. §§ 563.99(b)(2)(viii) and (ix);
- (i) Failure to maintain a proper loan application register as required by 12 C.F.R. § 528.6(d)(1);
- (j) Failure to require at least seven days advance notice of withdrawal on certain accounts as required by 12 C.F.R. §§ 545.15(a), 561.28(a)(1), and 561.29(a);
- (k) Failure to provide information as required by 15 U.S.C. 1681m;
- (l) Failure to provide certain disclosures in a proper manner as required by 12 C.F.R. § 205.7(a); and

- (m) Failure to provide certain information as required by 12 C.F.R. § 205.8(b).

2. JURISDICTION

- (a) The Respondent is a "savings association" within the meaning of Section 3 of the Federal Deposit Insurance Act ("FDIA") and Section 2 of the Home Owners' Loan Act of 1933, as amended by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183. Accordingly, it is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1813(c).
- (b) Pursuant to Section 3 of the FDIA, as amended by FIRREA, OTS is the "appropriate Federal banking agency" to maintain civil money penalty assessment proceedings against such a savings association. Therefore, Respondent is subject to the authority of OTS to initiate and maintain the assessment of a civil money penalty pursuant to 12 U.S.C. § 1818(i)(2).

3. CONSENT

Respondent consents to the issuance by OTS of the accompanying Order and further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

4. FINALITY

The Order is issued under 12 U.S.C. § 1818(i)(2). Upon its issuance by the Regional Director for the Midwest Region, it shall be a final order, effective and fully enforceable by OTS under the provisions of Section 8(i) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(i)).

5. WAIVERS

Respondent waives the right to a Notice of Assessment of Civil Money Penalty provided by Section 8(i) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(i)) and the administrative hearing provided by 12 U.S.C. § 1818(i)(2)(H), and further waives his right to seek judicial review of the Order, including any such right provided by Section 8(h) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(h)) or to otherwise challenge the validity of the Order.



