

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of )

AMERICAN CITY BANK OF TULLAHOMA )  
TULLAHOMA, TENNESSEE )

(INSURED STATE NONMEMBER BANK) )  
\_\_\_\_\_)

ORDER TO PAY  
CIVIL MONEY PENALTY  
FDIC-11-737K

AMERICAN CITY BANK OF TULLAHOMA, Tullahoma, Tennessee (“Bank”), has been advised of its right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING (“NOTICE OF ASSESSMENT”) issued by the Federal Deposit Insurance Corporation (“FDIC”) detailing the violations for which a civil money penalty may be assessed against the Bank pursuant to section 102(f)(1) of the Flood Disaster Protection Act of 1973, as amended (“FDPA”), 42 U.S.C. § 4012a; section 1364 of the National Flood Insurance Act of 1968, as amended (“NFIA”), 42 U.S.C. § 4104a; section 8(i)(2) of the Federal Deposit Insurance Act (“FDI Act”), 12 U.S.C. § 1818(i)(2); and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339 (“Part 339”), and has been further advised of its right to a hearing on the charges under section 102(f)(4) of the FDPA, 42 U.S.C. § 4012a(f)(4); section 8(i)(2)(H) of the FDI Act, 12 U.S.C. § 1818(i)(2)(H); and Part 308 of the FDIC Rules and Regulations, 12 C.F.R. Part 308.

Having waived those rights, the Bank entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY CIVIL MONEY PENALTY

(“CONSENT AGREEMENT”) with a representative of the Legal Division of the FDIC, whereby solely for the purpose of this proceeding and without admitting or denying any violations, the Bank consented and agreed to pay a civil money penalty in the amount of **\$10,010.00** related to violations of the FDPA, the NFIA, and Part 339. The FDIC has reason to believe that the Bank violated the FDPA, the NFIA, and Part 339, as follows:

- Bank failed to obtain flood insurance coverage on three (3) loans secured by real estate located in an area determined by the Director of the Federal Emergency Management Agency to be located in a Special Flood Hazard Area (“designated loans”), in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a);
- Bank obtained flood insurance coverage on two (2) designated loans after the loan origination dates, in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a);
- Bank failed to maintain flood insurance on one (1) designated loan for the term of the loan, in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a);
- Bank obtained inadequate amounts of flood insurance coverage on three (3) designated loans, in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a);
- Bank failed to follow forced placement insurance requirements on four (4) designated loans, in violation of 42 U.S.C. § 4012a(e)(2) and 12 C.F.R. § 339.7;
- Bank failed to provide flood insurance notices to borrowers on four (4) designated loans, in violation of 42 U.S.C. § 4104a(a)(1) and 12 C.F.R. §

339.9(a); and

- Bank provided late flood insurance notices to borrowers on nine (9) designated loans, in violation of 42 U.S.C. § 4104a(a)(1) and 12 C.F.R. § 339.9(c).

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of the Bank, the gravity of the violations by the Bank, the history of previous violations by the Bank, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

**ORDER TO PAY CIVIL MONEY PENALTY**

IT IS HEREBY ORDERED, that AMERICAN CITY BANK OF TULLAHOMA, TULLAHOMA, TENNESSEE, be, and hereby is, assessed a civil money penalty of **\$10,010.00**, pursuant to section 102(f)(1) of the FDPA, 42 U.S.C. § 4012a; section 8(i)(2) of the FDI Act, 12 U.S.C. § 1818(i)(2); and Parts 308 and 339 of the FDIC Rules and Regulations, 12 C.F.R. Parts 308 and 339. The Bank shall pay the civil money penalty to the “**Treasury of the United States.**”

This ORDER TO PAY CIVIL MONEY PENALTY shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Dallas, Texas, this 30th day of January, 2012.

/s/

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Kristie K. Elmquist  
Regional Director  
Dallas Regional Office