

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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	)	
In the Matter of	)	
	)	
AZTECAMERICA BANK	)	ORDER TO PAY
BERWYN, ILLINOIS	)	
	)	FDIC-10-130k
(Insured State Nonmember Bank)	)	
	)	

AztecAmerica Bank, Berwyn, Illinois ("Respondent") has been advised of the 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 issued by the Federal Deposit Insurance Corporation ("FDIC") detailing the violations for which a civil money penalty may be assessed against Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i)(2), section 305 of the Home Mortgage Disclosure Act ("HMDA"), 12 U.S.C. § 2804, and section 203.6 of Regulation C of the Board of Governors of the Federal Reserve System, 12 C.F.R. § 203.6, and has been further advised of the right to a hearing on the charges under section 8(i) of the Act, 12 U.S.C. § 1818(i), and the FDIC's Rules of Practice and Procedure, 12 C.F.R. Part 308.

Having waived those rights, the Respondent 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, Respondent consented and agreed to pay a civil money penalty in the amount of \$4,500 for violations of section 203.4 of Regulation C, 12 C.F.R. § 203.4. Specifically, the Respondent:

- omitted HMDA applications from its Loan Application Register ("LAR") for calendar year 2007; and
- submitted inaccurate data on its LARs for calendar years 2007 and 2008.

The FDIC considered the matter and determined it had reason to believe that the Respondent has engaged or participated in violations of law or regulations for which a civil money penalty of \$4,500 is appropriate to be assessed against the Respondent pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2).

The FDIC, therefore, accepted the CONSENT AGREEMENT and issued the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty of \$4,500 pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2), the receipt of which is hereby acknowledged.

Pursuant to delegated authority.

Dated at Chicago, Illinois, this 21st day of January, 2011.

_____/s/_____
M. Anthony Lowe
Regional Director
Division of Supervision and
Consumer Protection