

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

|                                |   |              |
|--------------------------------|---|--------------|
| _____                          | ) |              |
| In the Matter of               | ) |              |
|                                | ) | ORDER TO PAY |
| THE HEIGHTS BANK               | ) |              |
| PEORIA HEIGHTS, ILLINOIS       | ) |              |
|                                | ) | FDIC-07-064k |
| (INSURED STATE NONMEMBER BANK) | ) |              |
| _____                          | ) |              |

THE HEIGHTS BANK, PEORIA HEIGHTS, ILLINOIS ("Bank") 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 the Bank 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 Part 308 of the FDIC's Rules of Practice and Procedure, 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

("CONSENT AGREEMENT") with a representative of the Legal Division of the FDIC, whereby the Bank, solely for the purpose of this proceeding and without admitting or denying any violations of law and/or regulations for which civil money penalties may be assessed, consented to the issuance of an ORDER TO PAY by the FDIC and agreed to pay a civil money penalty in the amount of \$9,000.00 to the Treasury of the United States.

Specifically, the Bank:

- Omitted information related to certain loans recorded in its HMDA Loan Application Registers ("LARs") for calendar years 2004 and 2005;
- Submitted inaccurate information on its HMDA LARs for calendar years 2004 and 2005; and
- Failed to include denied loans on its HMDA LARs for calendar years 2004 and 2005.

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 considered the matter and determined it had reason to believe that the Bank engaged or participated in violations of

law or regulation for which a civil penalty of \$9,000.00 is appropriate to be assessed against the Bank.

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY

IT IS HEREBY ORDERED that the Bank be, and hereby is, assessed a civil money penalty of \$9,000.00 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 Washington, D.C., this 24<sup>th</sup> day of June, 2008.

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Scott D. Strockoz  
Acting Associate Director  
Division of Supervision and  
Consumer Protection