

{{5-31-03 p.C-5676}}

[¶12,013] **In the Matter of Guaranty Bank & Trust, Huntington, West Virginia**, Docket No. 01-160k (1-28-03).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$4,200.

**In the Matter of  
GUARANTY BANK & TRUST  
HUNTINGTON, WEST VIRGINIA  
(Insured State Nonmember Bank)  
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-01-160k

Guaranty Bank & Trust, Huntington, West Virginia ("Bank"), has been advised that a penalty may be assessed under section 102 of the Flood Disaster Protection Act of 1973 ("Flood Act"), as amended, 42 U.S.C. §4012a, and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, and has been further advised of its right to a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING ("NOTICE") issued by the Federal Deposit Insurance Corporation ("FDIC") and the right to a hearing on the record on the charges pursuant to 42 U.S.C. §4012a(f)(4), and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308.

Having waived those rights, the Bank entered into a STIPULATION AND CONSENT TO ORDER TO PAY CIVIL MONEY PENALTY ("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 \$4,200 related to (a) its failure to secure or maintain flood insurance on 8 of the 13 loans located in special flood hazard areas and (b) its failure to either provide written notification to the borrower that the property was located in a flood hazard area or the notification was not provided in a timely manner for 12 of the 13 loans secured by property located within specific flood hazard areas.

The FDIC considered the matter and determined it had reason to believe that the Bank has engaged or participated in violations of law or regulations for which a civil money penalty of \$4,200 is appropriate to be assessed against the Bank, pursuant to the Flood Act, 42 U.S.C. §4012a, and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339.

*ORDER TO PAY*

IT IS HEREBY ORDERED that Guaranty Bank & Trust, Huntington, West Virginia, be, and hereby is, assessed a civil money penalty of \$4,200, pursuant to the Flood Act, 42 U.S.C. §4012a, and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, the receipt of which is acknowledged.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 28th day of January, 2003.