

{{2-28-99 p.C-4669}}

[11,577] **In the Matter of Kenly Savings Bank, Inc., SSB, Kenly, North Carolina**, Docket No. 98-086k (12-15-98)

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$2,000.
In the Matter of

**KENLY SAVINGS BANK, INC., SSB
KENLY, NORTH CAROLINA
(Insured State Nonmember Bank)
ORDER TO PAY
CIVIL MONEY PENALTY
FDIC-98-086k**

Kenly Savings Bank, Inc., SSB, Kenly, North Carolina ("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 ("NOTICE OF ASSESSMENT") issued by the Federal Deposit Insurance Corporation ("FDIC") detailing the violations of law and regulations for which a civil money penalty may be assessed against the 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. Section 203.6 of Regulation C of the Board of Governors of the Federal Reserve System, 12 C.F.R. Section 203.6, and has been further advised of the right to a hearing on the alleged charges under section 8(i)(2)(H) of the Act, 12 U.S.C. §1818(i)(2)(H), and the FDIC 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 of law or regulations, the Respondent has agreed to pay a civil money penalty of two thousand dollars (\$2,000.00), related to its inaccurate submission of the application and loan data for the years 1995, 1996, and 1997 required by HMDA.

The FDIC considered the matter and determined it had reason to believe that Respondent had engaged in violations of law and regulations for which a civil money penalty of two thousand dollars (\$2,000.00) 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:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty of two thousand dollars (\$2,000.00), pursuant to 12 U.S.C. Section 1818(i)(2).

IT IS FURTHER ORDERED that the Respondent fully pay the civil money penalty of two thousand dollars (\$2,000.00) in the form of a cashier's check, payable to the Treasurer of the United States, within ten days from the date of this ORDER TO PAY CIVIL MONEY PENALTY.

Pursuant to delegated authority.

Dated at Washington, D.C., this 15th day of December, 1998.