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[¶11,925] **In the Matter of Fidelity Bank of Florida, Merritt Island, Florida**, Docket No. 01-161k (5-9-02).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$4,000.

**In the Matter of  
FIDELITY BANK OF FLORIDA  
MERRITT ISLAND, FLORIDA  
(Insured State Nonmember Bank)  
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-01-161k

Fidelity Bank of Florida, Merritt Island, Florida ("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") 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 alleged 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 four thousand dollars (\$4,000.00), related to its inaccurate submission of the application and loan data for calendar years 1998 and 1999 required by HMDA.

The FDIC considered the matter and determined it had reason to believe that the Respondent has engaged or participated in violations of law of regulation for which a civil money penalty of four thousand dollars (\$4,000.00) 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:

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*ORDER TO PAY CIVIL MONEY PENALTY*

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty of four thousand dollars (\$4,000.00) pursuant to section 8(i)(2) of the Act, 12 U.S.C. §1818(i)(2).

IT IS FURTHER ORDERED that the Respondent fully pay the civil money penalty of four thousand dollars (\$4,000.00) in the form of a cashier's check, payable to the Treasurer of the United States.

Pursuant to delegated authority.

Dated at Washington, D.C., this 9th day of May, 2002.