

{{7-31-02 p.C-5439}}

[¶11,926] **In the Matter of Mercantile-Safe Deposit & Trust Company, Baltimore, Maryland**, Docket No. 01-185k (5-9-02).

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

**In the Matter of  
MERCANTILE-SAFE DEPOSIT & TRUST COMPANY  
BALTIMORE, MARYLAND  
(Insured State Nonmember Bank)  
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-01-185k

MERCANTILE-SAFE DEPOSIT & TRUST COMPANY, BALTIMORE, MARYLAND ("Bank") has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, 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 the Bank pursuant to the Flood Disaster Protection Act ("Flood Act"), as amended, 42 U.S.C. §4012a, section 8(i)(2) of the Federal Deposit Insurance Act ("FDI Act"), 12 U.S.C. §1818(i)(2), and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, and has been and has been further advised of the right to a hearing on the alleged charges under the Flood Act, 42 U.S.C. §4012a(f), section 8(i) of the FDI 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 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 \$21,650.00 related to its failure to make flood hazard determinations and failing to use flood hazard determination forms prior to originating a total of 204 loans and failure to secure flood insurance on 5 parcels of improved real estate located in an area determined by the Director of the Federal Emergency Management Agency to have special flood hazards since the examination on November 16, 1998.

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 \$21,650.00 is appropriate to be assessed against the Bank, pursuant to the Flood Act, 42 U.S.C. §4012a, section 8(i)(2) of the FDI Act, 12 U.S.C. §1818(i)(2), and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339.

*ORDER TO PAY*

IT IS HEREBY ORDERED that MERCANTILE-SAFE DEPOSIT & TRUST COMPANY, BALTIMORE, MARYLAND be, and hereby is, assessed a civil money penalty of \$21,650.00, pursuant to the Flood Act, 42 U.S.C. §4012a, section 8(i)(2) of the FDI Act, 12 U.S.C. §1818(i)(2), 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 9th day of May, 2002.