

{{09-30-05 p.12422.1}}

**[¶12,422] In the Matter of First Community Bank of Batesville, Arkansas,**  
Docket No. 04-175k (7-5-05).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$16,000.

**In the Matter of  
FIRST COMMUNITY BANK OF BATESVILLE  
BATESVILLE, ARKANSAS  
(Insured State Nonmember Bank)  
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-04-175k

First Community Bank of Batesville, Batesville, Arkansas ("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 ("Part 339"), and has been further advised of its 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 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 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 \$16,000 related to the Respondent's violations of the Flood Act and Part 339 as follows:

- (a) It has made, increased, extended or renewed loans secured by a building or mobile home located or to be located in a special flood hazard area without requiring that the collateral be covered by flood insurance;
- (b) It has made, increased, extended or renewed loans secured by a building or mobile home located or to be located in a special flood hazard area without requiring that the collateral be covered by flood insurance for the term of the loan;
- (c) It has made, increased, extended or renewed loans secured by a building or mobile home located or to be located in a special flood hazard area without requiring that the collateral be covered by sufficient flood insurance; and
- (d) It has made, increased, extended or renewed a loan secured by a building or mobile home located or to be located in a special flood hazard area without notifying the borrowers that the properties were located in special flood hazard areas, and failed to notify the borrowers of the availability of flood disaster relief assistance;

which violations were cited at the FDIC's April 26, 2004, examination.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of the Respondent, the gravity of violations by the Respondent, the history of previous violations by the Respondent, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

**ORDER TO PAY**

IT IS HEREBY ORDERED, that by reason of the violations set forth in the CONSENT AGREEMENT, the Respondent is assessed a civil money penalty of \$16,000, the receipt of which is hereby acknowledged.

This Order to Pay Civil Money Penalty shall be effective upon its issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 5th day of July, 2005.

Last  
Updated [legal@fdic.gov](mailto:legal@fdic.gov)  
11/10/2005