

{{11-30-01 p.C-5202}}

[¶11,837] **In the Matter of Ranchers Banks, Belen, New Mexico**, Docket No. 01-096k (9-24-01)

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$35,950.

**In the Matter of
RANCHERS BANKS
BELEN, NEW MEXICO
(Insured State Nonmember Bank)
ORDER TO PAY
CIVIL MONEY PENALTY**

FDIC-01-096k

Ranchers Banks, Belen, New Mexico ("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 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 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 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 \$35,950.00 related to (a) its failure to ensure there was flood insurance in place at the time of origination on 58 Designated Loans; (b) its failure to secure executed flood hazard determination forms prior to the origination of 190 loans secured by a building or a mobile home; (c) its failure to ensure flood insurance policies were in place for the term of five Designated Loans; and (d) its failure to provide on five Designated Loans notices to the borrowers of the availability, or lack thereof, of flood insurance under the FDPA.

The FDIC considered the matter and determined it had reason to believe that the Bank has engaged or participated in violations

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of law or regulations for which a civil money penalty of \$35,950.00 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 Ranchers Banks, Belen, New Mexico be, and hereby is, assessed a civil money penalty of \$35,950.00, 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 24th day of September, 2001.

