

{#

{{06-30-05 p.12389.1}}

[¶12,388] **In the Matter of AmericanWest Bank, Spokane, Washington**, Docket No. 05-020k (4-5-05).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$9,000.

**In the Matter of
AMERICANWEST BANK
SPOKANE, WASHINGTON
(Insured State Nonmember Bank)
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-05-020k

AmericanWest Bank ("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(b) of the Home Mortgage Disclosure Act ("HMDA"), 12 U.S.C. §2804(b), 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 ("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 \$9,000.00, related to its inaccurate submission of the application and loan data for calendar years 2002 and 2003 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 or regulation for which a civil money penalty of nine thousand dollars (\$9,000.00) is appropriate to be assessed against the Respondent pursuant to section 8(i)(2) of the Act, 12 U.S.C. §1818(i)(2).

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

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty of \$9,000.00 pursuant to section 8(i)(2) of the Act, 12 U.S.C. §1818(l)(2), the receipt of which is hereby acknowledged.

Pursuant to delegated authority.

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

Last
Updated legal@fdic.gov
7/24/2005