

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of	)	
	)	ORDER TO PAY A
HERITAGE BANK OF FLORIDA	)	CIVIL MONEY PENALTY
LUTZ, FLORIDA	)	
	)	FDIC-12-242k
(Insured State Nonmember Bank)	)	
_____	)	

HERITAGE BANK OF FLORIDA, LUTZ, FLORIDA (“Bank”), has been advised of its right to receive a NOTICE OF ASSESSMENT OF A CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING (“NOTICE OF ASSESSMENT”) 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 of 1973 (“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 charges under the Flood Act, 42 U.S.C. § 4012a(f)(4), and Part 308 of 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 THE ISSUANCE OF AN ORDER TO PAY A 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, the Bank consented and agreed to pay a civil money penalty in the amount of \$12,825.00. The FDIC has reason to believe that the Bank has violated the Flood Act and Part 339 in that on or after December 29,

2007 through December 29, 2011, the Bank failed to obtain flood insurance at loan origination on 13 loans; failed to obtain adequate insurance on 12 loans; failed to maintain insurance on 11 loans; and failed to notify, or timely notify, the borrower that the property was located in a special flood hazard area on 18 loans. The Bank also failed to timely force place insurance on 3 loans.

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

ORDER TO PAY A CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that HERITAGE BANK OF FLORIDA, LUTZ, FLORIDA, be, and hereby is, assessed a civil money penalty of \$12,825.00, 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 Parts 308 and 339 of the FDIC Rules and Regulations, 12 C.F.R. Parts 308 and 339. The Bank shall pay the civil money penalty to the Treasury of the United States.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Atlanta, Georgia this 2nd day of July, 2012.

/s/

Thomas J. Dujenski
Regional Director
Atlanta Regional Office
Division of Depositor and
Consumer Protection