

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of)
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FIRST WESTERN TRUST BANK)
DENVER, COLORADO)
)

(INSURED STATE NONMEMBER BANK))
_____)

ORDER TO PAY
CIVIL MONEY PENALTY
FDIC-12-266K

FIRST WESTERN TRUST BANK, DENVER, COLORADO (“Respondent”), has been advised of its 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 OF ASSESSMENT”) 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 305 of the Home Mortgage Disclosure Act (“HMDA”), 12 U.S.C. § 2804; section 203.6 of the Federal Reserve Board’s Regulation C, 12 C.F.R. § 203.6; and section 8(i)(2) of the Federal Deposit Insurance Act (“FDI Act”), 12 U.S.C. § 1818(i)(2), and has been further advised of its right to a hearing on the charges pursuant to section 8(i)(2)(H) of the FDI Act, 12 U.S.C. § 1818(i)(2)(H), and Part 308 of the FDIC Rules and Regulations, 12 C.F.R. Part 308.

Having waived those rights, Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY CIVIL MONEY PENALTY (“CONSENT AGREEMENT”) with a representative of the Legal Division of the FDIC, whereby Respondent,

solely for the purpose of this proceeding and without admitting or denying any violations of law or regulation for which a civil money penalty may be assessed, consented and agreed to the issuance of an ORDER TO PAY CIVIL MONEY PENALTY by the FDIC and agreed to pay a civil money penalty in the amount of \$9,500.00 to the Treasury of the United States, related to Respondent's inaccurate collection and reporting of loan application data for the 2009 and 2010 calendar years, as required by the HMDA.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of the violation by Respondent, the history of previous violations by Respondent, and such other matters as justice may require, the FDIC considered the matter and determined it had reason to believe that Respondent has engaged or participated in violations of law or regulation for which a civil money penalty of \$9,500.00 is appropriate to be assessed against Respondent pursuant to section 8(i)(2) of the FDI Act, 12 U.S.C. § 1818(i)(2).

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty in the amount of \$9,500.00 pursuant to section 8(i)(2) of the FDI Act, 12 U.S.C. § 1818(i)(2), the receipt of which is hereby acknowledged.

Pursuant to delegated authority.

Dated at Dallas, Texas, this 22nd day of June, 2012.

/s/

Kristie K. Elmquist
Regional Director
Dallas Regional Office