

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

	)	
In the Matter of	)	
	)	
KAPLAN STATE BANK	)	
KAPLAN, LOUISIANA	)	ORDER TO PAY
	)	CIVIL MONEY PENALTY
	)	FDIC-12-524k
(Insured state nonmember bank)	)	
	)	

KAPLAN STATE BANK, KAPLAN, LOUISIANA (“Bank”), 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 the Bank pursuant to section 102(f)(1) of the Flood Disaster Protection Act of 1973, as amended (“FDPA”), 42 U.S.C. § 4012a(f)(1); 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 its right to a hearing on the charges under section 102(f)(4) of the FDPA, 42 U.S.C. § 4012a(f)(4); 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, the Bank 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

solely for the purpose of this proceeding and without admitting or denying any violations of law or regulation, the Bank consented and agreed to pay a civil money penalty in the amount of **\$6,160.00** related to violations of the FDPA, the National Flood Insurance Act of 1968, as amended (“NFIA”), and Part 339 of the FDIC Rules and Regulations. The FDIC considered the matter and determined that the Bank violated the FDPA, NFIA and Part 339 of the FDIC Rules and Regulations, in that:

- Bank failed to obtain flood insurance coverage at the time of origination on two (2) loans secured by a building or mobile home that is located or to be located in a special flood hazard area, as identified by the Director of the Federal Emergency Management Agency, in which flood insurance is available under the NFIA (“designated loans”), in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a);
- Bank failed to obtain an adequate amount of flood insurance coverage on nine (9) designated loans, in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a);
- Bank failed to maintain flood insurance coverage for the term of the loan on one (1) designated loan, in violation of 42 U.S.C. § 4012a(b)(1) and 12 C.F.R. § 339.3(a); and
- Bank failed to provide timely a notice of special flood hazards to the borrower on four (4) designated loans, in violation of 42 U.S.C. § 4104a(a)(1) and 12 C.F.R. § 339.9(c).

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 CIVIL MONEY PENALTY

IT IS HEREBY ORDERED, that KAPLAN STATE BANK, KAPLAN, LOUISIANA, be, and hereby is, assessed a civil money penalty of **\$6,160.00**, pursuant to section 102(f)(1) of the FDPA, 42 U.S.C. § 4012a(f)(1); 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 CIVIL MONEY PENALTY shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Dallas, Texas, this 4th day of March, 2013.

_____/s/_____
Kristie K. Elmquist
Regional Director
Dallas Regional Office