

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

_____)	
In the Matter of)	
)	
FIDELITY BANK & TRUST)	ORDER TO PAY
DUBUQUE, IOWA)	CIVIL MONEY PENALTY
)	
(Insured State Nonmember Bank))	FDIC-13-037k
_____)	

Fidelity Bank & Trust, Dubuque, Iowa ("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 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 section 8(i) of the Act, and the FDIC's Rules of Practice and Procedure, 12 C.F.R. Part 308.

The Bank, having waived those rights, entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY CIVIL MONEY PENALTY ("CONSENT AGREEMENT") with counsel for the FDIC dated February 20, 2013, whereby, solely for the purpose of this proceeding and without admitting or denying any violations, the Bank consented to the issuance of this ORDER TO PAY CIVIL MONEY PENALTY by the FDIC.

The FDIC considered the matter and determined that the Bank violated the Flood Act and Part 339 in that:

(a) It has failed to timely notify the borrower that the borrower should obtain flood insurance at the borrower's expense, upon determining that the collateral was not covered by flood insurance at some time during the term of the loan; and

(b) It has failed to purchase insurance on the borrower's behalf after the borrower failed to obtain flood insurance within 45 days after notification; which violations were cited at the FDIC's August 13, 2012, examination.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the size of the financial resources and good faith of the Bank, the gravity of the violations, 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 by reason of the violations set forth in the CONSENT AGREEMENT, and after taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the size of the financial resources and good faith of the Bank, the gravity of the violations, the history of previous violations by the Bank, and such other matters as justice may require, a penalty of \$1,980 is assessed against the Bank. The Bank shall pay such amount to the Treasury of the United States.

IT IS FURTHER ORDERED that the Bank is prohibited from seeking or accepting indemnification from any third party for the civil money penalty assessed and paid in this matter.

This ORDER TO PAY CIVIL MONEY PENALTY shall become effective upon its issuance by the FDIC.

Pursuant to delegated authority.

Dated this 11th day of March, 2013.

/s/ _____
Todd L. Hendrickson
Deputy Regional Director
(Compliance)
Kansas City Regional Office