

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

	)	
In the Matter of	)	
	)	ORDER TO PAY
METRO BANK	)	CIVIL MONEY PENALTY
PELL CITY, ALABAMA	)	
	)	FDIC-13-0340k
(Insured State Nonmember Bank)	)	
	)	

METRO BANK, PELL CITY, ALABAMA (“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 issued by the Federal Deposit Insurance Corporation (“FDIC”) detailing the violations of law and regulation 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), and has been further advised of the right to a hearing with respect to the foregoing under section 102(f)(4) of the FDPA, 42 U.S.C. § 4012a(f)(4) and the FDIC 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 September 9, 2013 whereby, solely for the purpose of this proceeding and without admitting or denying any violations of law, the Bank consented to the issuance of this ORDER TO PAY CIVIL MONEY PENALTY (“ORDER”) by the FDIC.

The FDIC considered the matter and determined that the Bank has engaged in a pattern or

practice of committing violations of the FDPA and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, between January 9, 2009 and January 9, 2013, by failing to (a) obtain flood insurance prior to loan origination on 24 loans; (b) maintain adequate insurance coverage on five loans; (c) provide the required notification on 35 loans and timely notification on 11 loans; (d) notify the borrower on 18 loans that flood insurance would be force placed; and (e) force place flood insurance after the timeframe had expired on two loans.

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 of law set forth herein, METRO BANK, PELL CITY, ALABAMA, be, and hereby is, assessed a civil money penalty of \$24,200.00, pursuant to section 102(f) of the FDPA, 42 U.S.C. § 4012a(f). The Bank shall pay the civil money penalty 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 shall be effective upon its issuance by the FDIC.

The provisions of this ORDER shall not bar, estop, or otherwise prevent the FDIC or any other federal or state agency or department from taking any other action against the Bank or any of the Bank's current or former institution-affiliated parties, as that term is defined in Section 3(u) of the Act, 12 U.S.C. § 1813(u).

Pursuant to delegated authority.

Dated at Atlanta, Georgia this 11th day of October, 2013.

/s/

Thomas J. Dujenski
Regional Director
Federal Deposit Insurance Corporation
Atlanta Regional Office
Division of Depositor and Consumer Protection
Consumer Protection