

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

_____)	
In the Matter of)	
CATHAY BANK)	ORDER TO PAY
LOS ANGELES, CALIFORNIA)	CIVIL MONEY PENALTY
)	
(INSURED STATE NONMEMBER BANK))	FDIC-07-280k
_____)	

Cathay Bank, Los Angeles, California (“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 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 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 \$55,500 related to the violations of the

Flood Act and Part 339. The FDIC has reason to believe that the Bank has violated the Flood Act and Part 339 in that:

(a) the Bank violated 12 C.F.R. § 339.3(a) by failing to secure at origination flood insurance on loans secured by improved real estate located in areas determined by the Director of the Federal Emergency Management Agency to have special flood hazards (“special flood hazard areas”);

(b) the Bank violated 12 C.F.R. § 339.3(a) by failing to maintain continuous flood insurance on loans secured by improved real estate in special flood hazard areas;

(c) the Bank violated 12 C.F.R. § 339.3(a) by failing to obtain adequate flood insurance on loans secured by improved real estate in special flood hazard areas;

(d) the Bank violated 12 C.F.R. § 339.7 by failing to follow forced-placement procedures upon becoming aware of either inadequate flood insurance coverage or lack of flood insurance coverage on loans secured by improved real estate in special flood hazard areas;

(e) the Bank violated 12 C.F.R. 339.9(a) by failing to provide written notice regarding the availability of flood insurance to the borrowers for loans secured by improved real estate located in special flood hazard areas;

(f) the Bank violated 12 C.F.R. § 339.9(c) by failing to provide within a reasonable time written notice regarding the availability of flood insurance to the borrowers for loans secured by improved real estate located in special flood hazard areas; and

(g) the Bank violated 12 C.F.R. § 339.9(d) by failing to retain a signed receipt of the written notice to borrowers for loans secured by improved real estate in special flood hazard areas.

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 no 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 Cathay Bank, Los Angeles, California, be, and hereby is, assessed a civil money penalty of \$55,500, 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 Civil Money Penalty shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 4th day of January, 2008.

Michael J. Dean
Acting Associate Director
Division of Supervision and Consumer Protection