

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

---

In the Matter of )  
 )  
 )  
FIRSTBANK OF COLORADO ) ORDER TO PAY  
LAKEWOOD, COLORADO )  
 ) FDIC-10-480K  
(Insured State Nonmember Bank) )  

---

FirstBank of Colorado, Lakewood, Colorado (Bank), and a representative of the Legal Division of the Federal Deposit Insurance Corporation (FDIC) executed a “Stipulation and Consent to the Issuance of an Order to Pay” (Stipulation) dated October 6, 2010, whereby the Bank, solely for the purpose of this proceeding and without admitting or denying any and all charges of violations of any law, rule or regulation, consented and agreed to pay civil money penalties in the amount specified below to the Treasury of the United States.

The FDIC considered the matter and determined that the Bank violated the Real Estate Settlement Procedures Act (RESPA), 12 U.S.C. §§ 2601 *et seq.*, by creating and operating in concert with other parties a mortgage company that was used by Respondent as a conduit for paying unlawful referral fees to Properties of the Summit Joint Venture, R.L.L.P., a real estate office operating under the RE/MAX franchise name, for the referral of mortgage loan customers to the Bank.

After taking into account the Stipulation, the appropriateness of the penalty with respect to the financial resources and good faith of the Bank, the gravity of the conduct by the Bank, the history of previous conduct by the Bank, and such other matters as justice may require, the FDIC accepts the Stipulation and issues the following:

ORDER TO PAY

IT IS HEREBY ORDERED, that by reason of the alleged violations set forth in the Stipulation, a penalty of \$50,000.00 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 will become effective upon its issuance by the FDIC.

Pursuant to delegated authority.

Dated at Washington, D.C. this 10<sup>th</sup> day of November ,2010.

\_\_\_\_\_/s/\_\_\_\_\_  
Sylvia H. Plunkett  
Associate Director  
Division of Supervision and  
Consumer Protection