

From: Barry Simmons [mailto:rendexes@gmail.com]

Sent: Thursday, February 07, 2019 10:39 AM

Subject: Notice of Intent

This Letter is to inform of the CRA Protest Complaint to be filed against the Merger Application of BB&T Bank (and Suntrust Bank). The CRA Protest is timely and as there are still outstanding Issues that have not been resolved from the last RIG Complaint filed against BB&T Bank - we are entitled to and expect a real investigation into the Illegal Discrimination Claims as outlined in the RIG Complaint

Please see Attached

Thank You

Barry Simmons

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Please verify receiving

February 7, 2019

Preliminary Notice of Intent

This letter is part of the continuing communications between the **Renaissance Indexes Group** (RIG, Claimant) and the **FDIC** in the continuing and noble cause to end the Bank practices, actions (and non-actions) and patterns of illegal discrimination and redlining that continue to deny the full Equal rights of Equal access to capital, lending, credit and banking services to the class of black Americans in the specified Neighborhoods and Zip Codes of Houston, Dallas and beyond.

The RIG serves preliminary Notice of Intent to file CRA Protest Complaints to be filed against **BB&T Bank for the legally corrected Agency investigations pursuant to the Fair Housing Act Final Rule and** to deny Approval of the **Merger Applications** with Suntrust Bank

As the Merger Announcement was made this Week ending February 7 2019 the CRA Protest Complaints are timely and the Notices acts as an effective placeholder.

The RIG petitions in the preliminary Notice that the Merger Application submitted by BB&T **Bank** be placed in **indefinite suspension** – pending the full and complete exhaustion of the Agency investigations to include the following:

The RIG has been assured that each new CRA Protest Complaint stands on its own merits – with new full investigations by the FDIC. Neither the FDIC nor BB&T **Bank** gets to dismiss the Complaint based on past Complaints and certainly not based on the Banks' CRA Rating and not based on “comments considered” either. Nowhere in the law or regulations is BB&T **Bank** is not protected forever based on the Agency investigation (half-hearted “look see”) of the past.

To this extent the Claimant petitions for and is entitled to the following

The full honoring of the **Rights of Claimant (letter attached)** to include **FDIC Interviews** of the Claimant, **Zip Code Tours**, honest Agency investigations pursuant to the banking laws –to include the FHA Final Rule and to the controlling authority in the holdings of the applicable Court rulings in Supreme Court case -TDHCA V ICP, Inc, .US V Chevy Chase FSB, US V Hudson City Savings Bank, US V Midland States Bancorp and City of Miami V Bank of America

Claimant Refutations Letter to BB&T **Bank'** answers” to the clearly articulated Illegal Discrimination Claims as outlined in the CRA Protest Complaints

Freedom of Information Petitions, Appeal of any denial of the FOIA Requests, and Appeal to the US Magistrate for relief in event of Denials and actual **receiving** of the

documents petitioned for in the FOIA Petition and full Claimant Refutations in the FOIA **Petitions prior** to any FDIC decisions on the Bank Applications

Full Hearings by the Claimant – prior to any decisions on the Bank Applications

The **Renaissance Indexes Group** petitions for and is entitled to the Copies of the Merger Application filed by BB&T**Bank**

As the Claimant is entitled to Agency investigations per Bank Application the full CRA Protest Complaint will be filed to deny Approval of the BB&T **Bank** Merger Application- and we are entitled to separate Agency investigations per CRA Protest Complaint.

This will be the **TEST case** for the Agency's fulfillment and faithful execution of its sworn duties of supervision and of the faithful execution of its sworn duties of investigation and of the Agency enforcement of all of the components of the banking laws- to include the FHA Final Rule – In the laws' entirety and in the laws' full and final perfection.

POSTSCRIPT BB&T **Bank** is not automatically entitled to the back door approval – especially when the Bank has failed to answer directly a single Illegal Discrimination Claim (IDC), has failed to abide by its duties pursuant to the FHA Final Rule – has failed to provide the **legally sufficient justification** to prove that its practice of placing its Bank branches – bricks and mortar free-standing edifices – **outside** of the black American Neighborhoods (for example) is necessary to achieve one or more of the Banks' substantial legitimate nondiscriminatory interests , has failed to effectively market its real estate related transactions to the black American Neighborhoods and has failed penetrate the black American Markets in Houston and in Dallas. This practice, actions (and non-action) is inconsistent with the controlling authority of **US V Midland States Bancorp**; is in violation of the Fair Housing Act and of the Equal Credit Opportunity Act and this practice results in the disproportionate discriminatory effect and disparate impact on the protected class of black Americans and such practices discourages black Americans from applying for and is inconsistent with the controlling authority of **US V Hudson City Savings Bank**.

The RIG will Attach the Controlling authority of the Court cases but could someone there **please read the law** and abide by its holdings – we are a nation of laws and neither the FDIC nor BB&T **Bank** gets to pick and choose which banking related laws to abide by and to faithfully execute.

Please enlighten the RIG where the controlling authority of the Court holdings in banking laws **does not apply** to the FDIC and to BB&T **Bank**.

BB&T Bank is not in full compliance with all of the components of the banking laws in the laws' entirety and in the laws' full and final perfection- and therefore cannot be approved for any Bank applications

XTRA POSTSCRIPT

BB&T Bank is not automatically entitled to approval of the New bank Branch Applications based on "comments considered" – Indeed, "comments considered" is nowhere near the full-blown Agency investigation that the Complainant is entitled to; does not correct, fix or end the continuing illegal discrimination perpetrated against the protected class of black Americans in the specified Zip Codes in Houston (and in Dallas).

One of the IDC's outlined in geographical distribution and physical address reality that **BB&T Bank** is engaged in the continuing practice of placing its Bank branches – bricks and mortar free-standing edifices outside of the black American Neighborhoods in Houston. The present new **BB&T Bank Branch** locations in Houston are nowhere near the black American Neighborhoods – with the singular exception of the Scott Street proposed branch- neither were the Bank branches before now.

This practice discourages black Americans from applying for credit transactions and is violation of the Equal Credit Opportunity Act and is violation of the controlling authority in **US V Hudson City Savings** – (ATTACHED) and cannot be allowed to be approved.

The Question for approval is not whether "comments have been considered" – rather the legal standard for approval is whether the **FDIC** ca sign off on the following

That **BB&T Bank** is in full compliance with all components of all of the banking laws – to include the FHA Final Rule -and that **BB&T Bank** treatment of the black American Neighborhoods is EQUAL – not "adequate" and that **BB&T Bank** has made the same per capita Bank investments – to include bank branches, Community Development Loans, Community Outreach and Lending – in all of the lending and credit categories in both sets of Neighborhoods and Zip Codes -black American and Anglo American.

Where the FDIC cannot sign off on this statement **BB&T Bank** is not in full compliance with all the banking laws in the laws' entirety and in the laws' full and final perfection- and cannot be approved until such time that **BB&T Bank** is in full compliance.

In the Relentless Pursuit of Justice,

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AUGUST 15, 2010

This letter is part of the **RIG Complaint** File that outlines the racial and Zip Codes divisions in Houston. The banking complaints highlight the entrenched systemic, pervasive and continuing illegal discrimination, redlining and denial of equal access to capital – as a direct result of the **Bank lending and credit policies** – of whole neighborhoods of the protected class of black Americans by the Banks named in the **RIG** banking complaints.

The specific neighborhoods that are aggrieved by the **Bank lending and credit policies** that deny the equal access to capital and credit and result in the disproportionate discriminate effect perpetrated against the protected class of black Americans in **Houston** are:

77004,77003,77076,77074,77020,77035,77013,77029,77026,77023,77054, 77016,77093,77033,77009,77022,77018,77043,77006,77024 and 77021.

These neighborhoods suffer from the discriminatory effect of the bank policies that **denies equal access to Capital** – the very capital that is needed to make these neighborhoods whole. The black Americans in these **Zip Codes** are further aggrieved by the Banks deliberate refusal to solicit business and refusal to advertise the loan products and to provide the banking services in these neighborhoods – the way it does for the Anglo Zip Codes. Beyond this these neighborhoods are denied the equal **Bank branches – free-standing edifices-** and bank financed developments that stabilize neighborhoods. The citizens in these Zip Codes also are aggrieved by the unequal availability of mortgages, home equity loans and business loans and by the **Disparate Treatment** from these Banks.

The comparative neighborhoods – Anglo Zip Codes – that benefit not only from a disproportionate number of Bank branches – free-standing edifices – but also from the Bank officers actively seeking out the citizens and businesses in these Zip Codes to make sure all of their capital and credit needs are met. The Zip Codes favored by these Banks are: **77024,77063,77380,77098,77087,77057,77007,77019,77027,77009,77042,77494,77076,77077 77002,77041,77008,77056,77478,77058,77046,77062,77030,77092,77304,77384,77546, 77079 77401,77060,77065,77084, 77339, 77345, 77346, 77388, 77505 and 77055.** In these neighborhoods developers have received millions of dollars in signature loans and lines of credit with little or no collateral- similarly situated black American developers are denied same and prospective Anglo home-owners are not relegated to more costly loans the way similarly situated black Americans are

Where the homebuyers in the Anglo neighborhoods request home equity loans to maintain their property values the banks not only immediately grant these loans but have waived whatever credit marks to guarantee loan approval. Where business owners in the Anglo Zip Codes apply for loans and lines of credit the Banks counsel the applicants and waive credit marks to get the business loans approved. As no such counseling or waiver by the Banks is granted to the black American applicants the first set of Zip Codes suffer disproportionately as a result of the Bank policies. Negative credit marks are not a “**death sentence**” for the Anglo Zip Codes the way the same credit marks are for the protected class of black Americans in the first set of Zip Codes.