

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

_____)	
In the Matter of)	
)	ORDER TO PAY
BANK OF ENGLAND)	CIVIL MONEY PENALTY
ENGLAND, ARKANSAS)	
)	FDIC-24-0023k
(Insured State Nonmember Bank))	
_____)	

BANK OF ENGLAND ("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 violation(s) of law and regulation for which a civil money penalty may be assessed against the Bank pursuant to section 8(i)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i)(2), and has been further advised of the right to a hearing with respect to the foregoing, under section 8(i) of the Act, 12 U.S.C. § 1818(i), 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 May 2, 2024, whereby, solely for the purpose of this proceeding and without admitting or denying the violations of law or regulation, the Bank consented to the issuance of this ORDER TO PAY CIVIL MONEY PENALTY ("ORDER") by the FDIC.

The FDIC determined and the Bank neither admits nor denies that the Bank's mortgage division, commonly known as Bank of England Mortgage (the "Mortgage Division"), engaged in violations of law and regulation, including the following: engaging in violations of the Real Estate Settlement Procedures Act ("RESPA"), 12 U.S.C. § 2601, et seq., as implemented by Regulation X, 12 C.F.R. § 1024.14, by paying and receiving fees for the referral of mortgage borrowers; failing to comply with the requirements of the Home Mortgage Disclosure Act ("HMDA"), 12 U.S.C. § 2801 et seq., as implemented by Regulation C, 12 C.F.R. § 1003.4(a), by reporting inaccurate data; engaging in deceptive acts and practices in or affecting commerce, in violation of Section 5 of the Federal Trade Commission Act ("Section 5"), 15 U.S.C. § 45(a)(1), at the Mortgage Division's former West Bloomfield, Michigan loan production office ("LPO"), in the sales and marketing of refinance loans backed by the Department of Veterans Affairs; and engaging in violations of Section 615(d) of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681m(d) and § 1022.54 of Regulation V, 12 C.F.R. § 1022.54, at the Mortgage Division's former West Bloomfield, Michigan LPO, by failing to comply with the FCRA requirements for prescreened reports.

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 violation(s) of law and regulation set forth herein, and after taking into account the appropriateness of the penalty with respect to the size of 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, pursuant to 12

U.S.C. § 1818(i)(2), a penalty of \$1,500,000 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 shall become 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.

/s/ _____ Date: 2024.05.17
G. Chris Finnegan
Senior Deputy Director
Division of Depositor and Consumer Protection