

Customer Assistance Form

FDIC 3064-0134 Expiration Date: XX/XX/XXXX

Privacy Act Statement

Collection of this information is authorized by 12 U.S.C. §§ 1818 and 1819 and 15 U.S.C. § 57a(f). The information you provide to the FDIC on this form will be used to investigate and respond to your complaint or inquiry. The information you provide may be disclosed to the institution which is the subject of the complaint or inquiry and to any third party sources, when necessary to investigate or resolve the complaint or inquiry; to the Federal or State supervisory authority that has direct supervision over the financial institution that is the subject of the complaint or inquiry; to appropriate Federal, state or local authorities agencies if a violation or possible violation of a civil or criminal law is apparent; to a congressional office in response to an inquiry made at your request; to a court, magistrate or administrative tribunal in the event of litigation, or in accordance with the other "routine uses of records" listed in the FDIC's Consumer Complaint and Inquiry System of Records, # 30-64-0005. Completing this form is voluntary, but failure to provide all of the information may delay or preclude investigation of your complaint or inquiry.

Last Updated 09/23/2015

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Last Updated 09/23/2015

Please complete this form if you have an inquiry or a complaint regarding your financial institution. Once the form has been submitted you will receive the Customer Assistance Confirmation page indicating that your request has been received.

Please note:

- We cannot act as a court of law or as a lawyer on your behalf.
- We cannot give you legal or financial advice.
- We cannot become actively involved in complaints that are in litigation or have been litigated.

* Required Fields

Indicate whether you are a: Consumer

Requester Information:

Salutation Mr.

*Last Name Washington

*First Name Arlo

Middle Name Darnell

*Email arlo@providingequalopportunities.org

Home Phone (501) 590-1700 Business Phone 5014044857 Mobile Phone 5015901700

*Mailing Street 5300 West 65th Street

*Mailing City Little Rock

*Mailing State/Province AR

*Mailing Zip/Postal Code 72209

*Mailing Country United States

Best Way to Contact Email

Best Time to Contact Morning

Is this request submitted on behalf of you and another individual? No

*Last Name

*First Name

Email

Home Phone

Business Phone

Mobile Phone

*Mailing Street

*Mailing City

*Mailing State/Province

*Mailing Zip/Postal Code

*Mailing Country

Additional Contact Information:

Do you want us to communicate with another individual on your behalf, such as a family member, attorney, or other person representing you about this complaint? No

If you list someone you authorize us to communicate with the listed individual and provide information to that individual as well.

*Representative Last Name

First Name

Relationship

Email

Home Phone

Business Phone

Mobile Phone

*Mailing Street

*Mailing City

*Mailing State/Province

*Mailing Zip/Postal Code

*Mailing Country

Does your request involve a specific financial institution? Yes

*Financial Institution Bank OZK

Mailing Street 18000 Cantrell Rd,

*Mailing City LITTLE ROCK

*Mailing State/Province AR

*Mailing Zip/Postal Code 72223

*Mailing Country United States

Institution Phone

Number

FI: Type of accounts

Have you tried to resolve your complaint with your financial institution or company? Yes

*When? 06/29/2022

*Resolve: How In Person

Resolve: Contact

Community

Have you filed a complaint or contacted another government agency?

No

*Gov Agency:
Agency Name**Complaint Information:**

Describe events in the order in which they occurred, including any names, phone numbers, and a full description of the problem with the amount(s) and date(s) of any transaction(s). Do not include personal or confidential information such as your social security, credit card, or bank account numbers. If you need to provide **COPIES** of any supporting documentation such as contracts, monthly statements, receipts or any correspondence with the bank (do not send original documents), you may mail or fax this information to:

***Please describe below the nature of your complaint or inquiry.**

On June 29, 2022, I entered Bank Ozk and requested to speak with the Community Development Manager to discuss strategies for the banks affirmative obligation to the Community Reinvestment Act, after several emails went without response. I approach the guard desk and after making a phone call the security guard at the front desk stated that both Angela Hudson and Lasha Marshall were not in today. After asking for the Public File to submit a comment, they both came down to talk with me. I was met with hostility immediately. After I explained that I had sent several emails that went without a response I was told that I was being hostile and that they had only received 1 email the night prior. I was very polite and nonconfrontational. I was then asked by Angela Hudson to place my public comment in her hand and denied access to a hard copy of the file that I could place my public comment in. The comment below is found on Bank Ozk's website regarding the Public File: "Bank OZK is able to provide hard copies of these documents; however, please note we may charge a reasonable fee to cover copying and mailing expenses. Please contact CRA Public File Management at the address listed below." <https://www.ozk.com/community/> When I declined to give her my public comment in hand, they both walked away and instructed security to escort me off of the premises. Security was informed that my comment would need to be submitted online at Bank Ozk's website, and was very disrespectful calling my out of my name and told me I was trespassing, that he would contact the police and that I was not welcome there. However, on the door of the building there is a message that says "Open to the Public from 8 AM - 5 PM". I left respectfully and searched Bank Ozk's website to submit my comment and there is no where to upload or leave a comment as Angela Hudson stated. Here is the only information provided on Bank Ozk's Public File Page: "Bank OZK is able to provide hard copies of these documents; however, please note we may charge a reasonable fee to cover copying and mailing expenses. Please contact CRA Public File Management at the address listed below." Any comments or questions about this portion of the website or about Bank OZK's CRA performance may be addressed to: CRA Public File Management CRA Department Bank OZK 18000 Cantrell Road Little Rock, AR 72223 angela.hudson@ozk.com I was denied a hard copy of the public which is stated to be provided on Bank Ozk's website. Not only that, the information listed goes directly to Angela Hudson, Director of Community Responsibility who denied me access to a hard copy of the public file in person and is nonresponsive to my attempts to communicate. Please be advised Angela Hudson is assisting Bank Ozk in breaking CRA law in Arkansas. The Community Development Lending test is Low Satisfactory as well as the Community Development Service Test as found in their 2019 Public Evaluation.

Please be advised that the issues described in this complaint will be shared with the financial institution or company in question for their response.

***Desired Resolution**

What action by the financial institution or company would resolve this matter to your satisfaction?

My desired resolution is to speak with Bank Ozk's primary regulator regarding my public comment. I would like to speak with someone within Bank Ozk regarding the bank's CRA performance other than Angela Hudson or Lasha Marshall due to previous failed attempts. I feel as though my public comment

will be swept under the rug if it goes to Angela Hudson or Lasha Marshall. It is very important that the primary regulator is aware of this banks BLATANT noncompliance with CRA law in low and moderate income communities in Pulaski County.

***Checking this box authorizes the FDIC to respond to your inquiry**

FDIC 6422/04 (9-12)

Page Updated 12/11/2018



July 7, 2022

Arlo Darnell Washington
5300 West 65th Street
Little Rock, AR 72209

Dear Mr. Washington,

Bank OZK ("Bank") received your complaint submitted to the Federal Deposit Insurance Corporation ("FDIC"). We appreciate the opportunity to reply.

In your comments to the FDIC, received by the Bank on June 30, 2022, you stated that you were denied access to a hard copy of the Bank's CRA Public File ("File"). Pursuant to 12 CFR § 228.43 – content and availability of public file, a bank must make available to the public for inspection a copy of the CRA Public File within five (5) calendar days of the request. Your verbal request for a hard copy of the Bank's File was received on June 29, 2022. Our records indicate that a hard copy of the File was shipped to the address noted above via FedEx Priority Overnight Delivery on 06/30/2022 and it was accepted by J. Robertson on 07/01/2022 at 10:39 am.

You also noted in your comments to the FDIC that you were denied access to a hard copy of the File so that you could include your public comment. Bank OZK has leveraged technology to publish its File for viewing at any time via its website. This option afforded and permissible by the joint agencies is as opposed to paper versions of the File. As a reminder, the Bank's CRA Public File is publicly available, accessible and can be viewed online at your convenience at the following link: www.ozk.com/community. Upon receipt of comments, the Bank will update its File according and pursuant to 12 CFR § 228.43 – content and availability of public file. In accordance with the same section, the Bank is responsible for publishing comments it receives from the public in the required timeframe.

Bank OZK takes all comments seriously and encourages you to view the published CRA Performance Evaluation located on the FDIC's website at www.fdic.gov for details regarding the Bank's responsiveness to the community needs commensurate with its size and complexity in a fair manner.

We are proud of the impact made through our CRA efforts by offering a wide range of products and services to meet the needs of low- and moderate-income individuals, families, and small businesses throughout the Bank OZK's footprint. In addition, we pride ourselves on being a leader in making community development loans in the state of Arkansas.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela M. Hudson".

Angela M. Hudson

Enclosure: FedEx Tracking Receipt



Improving Lives, One Community at a Time

December 23, 2022

Bank OZK
17901 Chenal Parkway
Little Rock, Arkansas 72223

Federal Deposit Insurance Corporation
Division of Depositor and Consumer Protection
Dallas Region – Memphis Area Office
6060 Primacy Parkway, Suite 300
Memphis, Tennessee 38119

RE: Discrimination Compliant

Dear FDIC,

The undersigned community organization is submitting this letter to file a complaint against Bank Ozk.

The Community Reinvestment Act (CRA) is a law intended to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income (LMI) neighborhoods.

Bank Ozk is not meeting the needs the needs of our community, which specifically includes low- and moderate-income neighbor located in Southern Dallas and Fort Worth. Bank Ozk *fails* to provide small business and/or consumer lending services in Southern Dallas and Fort Worth's majority African American communities.

Southern Dallas Zip Codes (LMI/High Minority Areas)

75203, 75207, 75208, 75210, 75211, 75212, 75215, 75216, 75217, 75223, 75224, 75226, 75227, 75228, 75232, 75233, 75236, 75237, 75241, 75249, 75253

Fort Worth Zip Codes (LMI/High Minority Areas)

76107 (MSA-State-County-Tract: 23104-48-439-1025.00)

76103, 76105, 76112, 76119

Concerns:

- Bank Ozk does not have a branch located in a low-income census tract in the DFW MSA.
- Bank Ozk does not have a branch located in a high minority/high poverty¹ census tract in the DFW MSA.
- Bank Ozk does not originate any commercial loans in low-income census tracts in the DFW MSA.
- Bank Ozk does not originate any commercial loans in high minority/ high poverty² census tracts in the DFW MSA.
- Bank Ozk does not originate any small business loans to businesses with less than a million dollar in revenue that was in low-income census tracts in the DFW MSA.
- Bank Ozk does not originate small business loans to businesses with less than a million dollar in revenue that was in high minority/ high poverty census tracts in the DFW MSA.
- Bank Ozk does not offer any solutions for the 163,000 unbanked/underbanked residents in the DFW MSA

The Dallas–Fort Worth–Arlington metropolitan statistical area's population was 7,573,136 according to the U.S. Census Bureau's 2019 population estimates, making it the most populous metropolitan area in both Texas and the Southern United States, the fourth largest in the U.S., and the tenth largest in the Americas. **The Dallas–Fort Worth metroplex has over one million African-American and the second-largest metro population of African-Americans in Texas.**

Bank Ozk engages in unlawful discrimination by acting to meet the credit needs of majority-White neighborhoods in the Dallas-Fort Worth Metropolitan Statistical Area ("DFW MSA" or "MSA") while avoiding the credit needs of majority-minority neighborhoods.

In addition, Bank Ozk engages in lending discrimination by “redlining” predominantly African American and Hispanic neighborhoods in Southern Dallas & Fort Worth. “Redlining” is a term describing an illegal practice in which lenders intentionally avoid providing services to individuals living in predominantly minority neighborhoods because of the race of the residents in those neighborhoods.

Dallas is a majority minority city (66.1 percent of population) with 41.8 percent of residents identifying as Hispanic and 24.3 percent identifying as Black.

Dallas is a city with a population of just under 1,344,000, including 24.3 percent African American residents, 41.8 percent Hispanic/Latinx residents, and 3.4 percent Asian residents; and 30.5 White (Non-Hispanic)

¹ High Minority/High Poverty=Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e_0

Fort Worth is a majority-minority city (60.6 percent of the population) with 36.1 percent of residents identifying as Hispanic and 17.7 percent identifying as Black.

Fort Worth is a city with a population of just under 1,000,000.

Equal Credit Opportunity Act (ECOA) and Fair Housing Act (FHA)

Bank Ozk violates Equal Credit Opportunity Act (ECOA) and the Fair Housing Act (FHA) by discriminating against African Americans and other minority consumers. The Equal Credit Opportunity Act (ECOA) prohibits lenders from discriminating based on race and other characteristics.

In terms of the discrimination, we assert that Bank Ozk does engage in the following:

- All Bank Ozk branches are located in white-majority neighborhoods, compared to having none in majority-minority neighborhoods³
- Made no efforts to market to African Americans and/or Hispanics in Southern Dallas & Fort Worth
- Does not specifically target any marketing toward Hispanic and/or African Americans in the DFW MSA and specifically Southern Dallas & Fort Worth
- Does not employ an African American and/or Hispanics commercial loan officers in the DFW MSA

Regulation B, the ECOA's implementing regulation, provides that a creditor shall not make any oral or written statement, in advertising or otherwise, to applicants or prospective applicants that would discourage on a prohibited basis a reasonable person from making or pursuing an application. But the ECOA itself does not set forth such a prohibition.

Fair Lending Concerns

I worked with the National Community Reinvestment Coalition (NCRC) to analyze the small business lending of Bank Ozk in the DFW MSA. This is what NCRC found.

- According to the Home Mortgage Disclosure Act (HMDA) data from 2018 to 2019, Bank OZK made a total of 111 in Dallas County. This data demonstrated that in 2019, 62.16% (69) of all home loans in Dallas went to minorities however only 11.71% (13) of Bank OZK's home loans were extended to Blacks (African Americans).
 - Made a smaller percentage of HMDA-reportable residential mortgage loans in majority-Black and Hispanic neighborhoods compared to its peers in the DFW MSA
- According to the Home Mortgage Disclosure Act (HMDA) data from 2019 to 2020, Bank Ozk Bank made a total of 330 in the DFW MSA. This data demonstrated that in 2020, 66.36% (219) of all home loans in Dallas went to minorities however only 17.27% (57) of Bank Ozk Bank's home loans were extended to Blacks (African Americans).
 - Made a smaller percentage of HMDA-reportable residential mortgage loans in majority-Black and Hispanic neighborhoods compared to its peers in the DFW MSA

³ DOJ Redlining Cases/ Few or no branches; <https://www.fhcci.org/wp-content/uploads/2013/08/Jonathan-Bont-Redlining.pdf>

- Small Business Lending
 - Received almost no applications from applicants for properties located in African American and Hispanic Low to Moderate Income neighborhoods in the DFW MSA
 - Bank Ozk does not originate any commercial loans in low-income census tracts in the DFW MSA.
 - Bank Ozk does not originate any commercial loans in high minority/ high poverty⁴ census tracts in the DFW MSA.
 - Bank Ozk does not originate any small business loans to businesses with less than a million dollar in revenue that was in low-income census tracts in the DFW MSA.
 - Bank Ozk does not originate small business loans to businesses with less than a million dollar in revenue that was in high minority/ high poverty census tracts in the DFW MSA.

Products available for the Underserved/Minority Communities

Access to affordable credit is a key component of an individual's ability to cultivate a strong financial position and participate fully in the DFW economy. The Equal Credit Opportunity Act of 1974 was passed to protect all consumers, yet the effects of the discrimination endure today.

Bank Ozk does not offer any solutions for the 163,000 unbanked/underbanked residents in the DFW MSA.

- https://household-survey.fdic.gov/place-data?type=msa&area=Dallas_Fort_Worth_Arlington_TX
 - The underbanked/unbanked information is available on the FDIC website.
- <https://www.aba.com/about-us/press-room/press-releases/aba-urges-americas-banks-to-offer-bank-on-certified-accounts>

Bank Ozk does not have any special-purpose credit programs to address their disparities in small business lending in underserved high minority communities in Southern Dallas & Fort Worth.

- <https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-issues-advisory-opinion-to-help-expand-fair-equitable-and-nondiscriminatory-access-to-credit/>
- https://www.hud.gov/sites/dfiles/GC/documents/Special_Purpose_Credit_Program_OGC_guidance_12-6-2021.pdf
- [12 CFR § 202.8 - Special purpose credit programs.](#)
 - <https://www.ffiec.gov/PDF/fairlend.pdf>

Community Development Lending

Bank Ozk failed to provide the number of loans made in Low to Moderate Income census tracts versus Middle to Upper Income census tracts

Small Business/Commercial Lending

Bank Ozk failed to provide the number of loans made in Low to Moderate Income census tracts versus Middle to Upper Income census tracts.

Lack of Staff and Board Diversity

Bank Ozk does not have any African Americans and/or Hispanics on the Board of Directors.

Bank Ozk does not have any Commercial Loans Officers in the DFW MSA that are African Americans and/or Hispanics.

Bank Ozk does not have any Mortgage Loans Officers in the DFW MSA that are African Americans and/or Hispanics.

Bank Ozk does not participate in the Dodd-Frank Act Section 342(b)(2)(C) Diversity self-assessment.

The DFW MSA is majority minority.

Bank Ozk is not a member of any of the Minority Trade Organizations below:

<https://regionalhca.org/>

<https://www.namcdfw.org/>

<https://blackcontractors.org/>

<https://aacatx.com/>

Bank Ozk is not a member of any of the Minority Real Estate Trade Organizations below:

<https://www.narebdallas.org/>

<http://nahrepdallas.org/>

<https://www.varep.net/index.php/dallas-chapter>

<https://narebnorthtexas.org/nareb-north-texas>

<https://wcdallas.com/>

<https://realestatealliance.org/>

<https://www.areaa.org/dfw>

Bank Ozk is not a member of any of the Minority Chambers below:

<https://dallasblackchamber.org/>

<https://arlingtonblackchamber.org/>

<https://fwmbcc.org/>

<https://fwhcc.org/>

<https://www.gdhcc.com/>

Discrimination Cases/DOJ Redlining Cases

Justice Department Secures Agreement with Lakeland Bank to Address Discriminatory Redlining

<https://www.justice.gov/opa/pr/justice-department-secures-agreement-lakeland-bank-address-discriminatory-redlining>

Justice Department and Consumer Financial Protection Bureau Secure Agreement with Trident Mortgage Company to Resolve Lending Discrimination Claims

<https://www.justice.gov/opa/pr/justice-department-and-consumer-financial-protection-bureau-secure-agreement-trident-mortgage>

DOJ, CFPB and OCC Announce Resolution of Lending Discrimination Claims Against Trustmark National Bank

<https://www.justice.gov/opa/pr/justice-department-announces-new-initiative-combat-redlining>

Justice Department and Office of the Comptroller of the Currency Announce Actions to Resolve Lending Discrimination Claims Against Cadence Bank

<https://www.justice.gov/opa/pr/justice-department-and-office-comptroller-currency-announce-actions-resolve-lending>

CFPB Files First Ever Redlining Complaint Against a Non-Bank Mortgage Lender

<https://www.consumerfinance.com/2020/07/20/cfpb-files-first-ever-redlining-complaint-against-a-non-bank-mortgage-lender/>

Regulation B prohibits discouragement of “applicants or prospective applicants”. Specifically, it states: “A creditor shall not make any oral or written statement, in advertising or otherwise, to applicants or prospective applicants that would discourage on a prohibited basis a reasonable person from making or pursuing an application.” The Official Interpretations of Regulation B also explain that this prohibition “covers acts or practices directed at prospective applicants that could discourage a reasonable person, on a prohibited basis, from applying for credit.”

https://files.consumerfinance.gov/f/documents/cfpb_supervisory-highlights_issue-24_2021-06.pdf

Conclusion

The CRA regulation is very clear — a finding that a bank failed to comply with laws on fair and responsible lending trumps otherwise satisfactory or even outstanding CRA performance. The CRA regulations specifically state that a rating will be "adversely affected by evidence of discriminatory or other illegal credit practices," including but not limited to violations of the Equal Credit Opportunity Act, the Fair Housing Act, the Home Ownership and Equity Protection Act, the Federal Trade Commission Act, the Real Estate Settlement Procedures Act and the Truth in Lending Act.

Sincerely,

James McGee

James McGee
President/Chair

JMcGee@SouthernDallasProgress.com

Southern Dallas Progress Community Development Corporation



January 13, 2023

Via U.S. Mail and Electronic Mail Delivery

James McGee
President/Chair
Southern Dallas Progress Community Development Corporation
1402 Corinth St #147
Dallas, Texas 75215
jmcgee@southerndallasprogress.com

Dear Mr. McGee,

This letter comes to you in follow up to your comment letter dated December 23, 2022. We appreciate the opportunity to reply.

Local communities are the heart and soul of Bank OZK as they are where we work and live. We are proud to have a presence, lend, serve, and give back through our products, services, philanthropic resources, and employees' time and expertise to make our communities even stronger. We are also proud of the impact made through our outreach and marketing related efforts to offer and deliver a wide-range of products and services to meet the needs of low- and moderate-income ("LMI"), Small Business and Minority segments throughout the Bank's Assessment Areas, which includes various counties within the Dallas and Fort Worth MSAs. We have partnered with and financially supported a number of organizations (including Southern Dallas Progress CDC), and have provided a number of different investment opportunities within the market to aid us in reaching underserved communities and populations. Bank OZK is committed to serving the credit needs of our communities, and we look forward to continuing to build our outreach and relationships with equally committed partners.

We recognize that fostering diversity and inclusion throughout our operations and workplace culture is critical to our long-term success and the Bank strives to create a culture that respects and values each other's differences, promotes dignity and respect, and encourages employees to develop and maximize their full potential. The Bank publicly discloses the demographics of its workforce by gender, age, race, and ethnicity in the Bank's annual Environmental, Social & Governance Report, which is available on the Bank's investor relations website at ir.ozk.com under "ESG." In addition, the Bank publicly discloses the diverse characteristics of each member of its Board of Directors in its annual proxy statement, which is available on the Bank's investor relations website at ir.ozk.com under "Filings."

Per your request, a hard copy of the Bank's CRA Public File was shipped to you at the above address, however, was returned after several attempts to delivery were made by the courier. As a reminder, the Bank's CRA Public File is publicly available, accessible and can be viewed online at your convenience at the following link: www.ozk.com/community. Upon receipt of comments, the Bank will update its File according and pursuant to 12 CFR § 228.43 – content and availability of public file. In accordance with the same section, the Bank is responsible for publishing comments it receives from the public in the required timeframe.

Bank OZK takes all comments seriously and encourages you to view the published CRA Performance Evaluation located on the FDIC's website at www.fdic.gov for details regarding the Bank's responsiveness to the community needs commensurate with its size and complexity in a fair manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela M. Hudson', with a long horizontal flourish extending to the right.

Angela M. Hudson
Director of Community Responsibility & CRA Officer

cc: Rafael Valle, FDIC Assistant Regional Director



September 29, 2023

Bank OZK
17901 Chenal Parkway
Little Rock, Arkansas 72223

Federal Deposit Insurance Corporation
Division of Depositor and Consumer Protection
Dallas Region – Memphis Area Office
6060 Primacy Parkway, Suite 300
Memphis, Tennessee 38119

RE: NOTICE OF APPLICATION TO ESTABLISH A BRANCH

Dear Federal Regulator,

The undersigned community organization is submitting this letter to Protest Bank OZK’s Notice of Application to Establish a Branch. **We do not support the** application submitted by Bank OZK to establish a branch office at 2303 Red Wolf Blvd. JONESBORO, AR.

The passing of the 1977 Community Reinvestment Act aimed at reversing the practice of redlining when banks and the government would restrict credit in communities deemed “risky” — based on the race and background of that community’s residents.

The Community Reinvestment Act (CRA), enacted by Congress in 1977 (12 U.S.C. 2901) and implemented by Regulations 12 CFR parts 25, 228, 345, and 195, is intended to encourage depository institutions to help meet the **credit needs** of the communities in which they operate, including low- and moderate-income (LMI) neighborhoods.

Bank OZK is not meeting the needs the needs of our community, which specifically includes low- and moderate-income neighbor located in Southern Dallas. Bank OZK fails to provide small business and/or consumer lending services in Southern Dallas’ majority African American/Hispanic communities.

Lending Concerns

I worked with the National Community Reinvestment Coalition (NCRC) to analyze the small business lending of Bank OZK in Dallas. This is what NCRC found.¹

¹ See lending mentioned CRA Report. https://www7.fdic.gov/CRAPES/2019/00110_190520.PDF

- According to the Home Mortgage Disclosure Act (HMDA) data from 2021 to 2022, Bank OZK made **only 1 home loans** to an African American.
- Small Business Lending
 - NCRC compared Bank OZK small business lending to other non-credit card small business lenders in Dallas and found that Bank OZK trailed in lending to businesses with less than \$1 million in annual revenue.

Gaps in lending to people of color, borrowers with LMI, and small businesses are usually the result of a lack of products that meet the credit needs, gaps in marketing, or a lack of partnerships.

Conclusion

On behalf of the Southern Dallas County Community, would ask that you deny this application.

Sincerely,

James McGee

James McGee
President/Chair
JMcGee@SouthernDallasProgress.com
Southern Dallas Progress Community Development Corporation



October 16, 2023

Via Email & U.S. Mail

Kristie K. Elmquist, Regional Director
Federal Deposit Insurance Corporation
Dallas Regional Office
600 North Pearl Street, Suite 700
Dallas, Texas 75201

Re: Branch Application for Jonesboro, Arkansas (Jonesboro Red Wolf Branch)

Dear Mr. McGee:

Bank OZK ("Bank") is in receipt of your letter dated October 6, 2023, along with a copy of a letter dated September 29, 2023, from James McGee on behalf of the Southern Dallas Progress Community Development Corporation concerning the Bank's branch application for Jonesboro, Arkansas (Jonesboro Red Wolf Branch) filed with the Federal Deposit Insurance Corporation ("FDIC") on September 15, 2023. According to your letter, the FDIC is considering the correspondence from Mr. McGee a CRA protest pursuant to 12 CFR Section 303.2(l) for purposes of the Bank's Jonesboro Red Wolf Branch application. We take all comments seriously and appreciate the opportunity to respond to the allegations in Mr. McGee's letter.

The Bank is proud to have a presence, lend, and serve through our products, services, philanthropic and human resources with the goal of strengthening and/or sustaining our communities throughout its CRA Assessment Area which includes several counties in the Dallas Metropolitan Statistical Area ("MSA"). We are also proud of the impact made through our outreach and marketing efforts to offer and deliver a wide-range of products and services to meet the needs of our low- and moderate-income, small businesses and communities of color including African American and Hispanic.

The Bank operates nine full-service branches in the Dallas market area, five of which are located in and serving Majority Minority census tracts, including one branch in Dallas County. The Bank offers consumer non-real estate, mortgage, construction, small business, and commercial loans. As a Preferred SBA Lender, Bank OZK helps with financing to start or expand businesses. Additionally, two of the Bank's CRA Mortgage Loan Originators are located in and serve the area to assist customers with our Freedom Advantage Mortgage product which is available to eligible Low- and Moderate-Income ("LMI") customers and for owner-occupied properties located in an LMI Census Tract, as well as in designated Majority-Minority Census Tracts in the Bank's Dallas market area which includes southern Dallas County. The Freedom Advantage Mortgage product is a long-term fixed-rate home loan that offers qualified applicants up to 100% financing and allows for the use of down payment assistance and federal grants. The Bank welcomes consumer and business loan applications and will make loans that meet our credit criteria.

We continue to partner with and financially support several organizations (including Southern Dallas Progress CDC) and provide investment to aid us in reaching individuals, families, and Small Businesses. Other partnerships with local Non-Profit Organizations serving the local community include Dallas Area Habitat For Humanity, Jewish Family Services, Beacon Hill Preparatory Institute, and PeopleFund. While not an exhaustive list, these partnerships have been instrumental in assisting the Bank with reaching the LMI and Minority population the Bank desires and is expected to serve.

The FDIC performed a CRA examination, dated July 11, 2022, which included analysis of the Bank's 2021 HMDA and Small Business lending and a review of the Bank's CRA Public File, which included a comment letter from Southern Dallas Progress dated January 14, 2021. The examination found the Bank demonstrated the ability to serve the LMI and minority communities by meeting and/or exceeding regulatory performance expectations and measurements as well as its peers and competitors resulting in a "Satisfactory" rating.

The Bank continues to implement a variety of strategies to meet its communities' needs with results evaluated during its next examination when 2022 performance will be evaluated.

Bank OZK is committed to serving the credit needs of our communities and look forward to continuing to build upon outreach efforts and deepening relationships with equally committed partners. We appreciate the opportunity to address the comments made by Mr. McGee in his letter and we stand available to discuss this important matter as the FDIC may require.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela M. Hudson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Angela M. Hudson
Director of Community Responsibility & CRA Officer

Cc: James McGee
Southern Dallas Progress Community Development Corporation
1402 Corinth St #147
Dallas, Texas 75215

Rafael S. Valle, FDIC Assistant Regional Director



October 21, 2023

Bank OZK
17901 Chenal Parkway
Little Rock, Arkansas 72223

Federal Deposit Insurance Corporation
Division of Depositor and Consumer Protection/Dallas Region
600 North Pearl Street, Suite 700
Dallas, Texas 75201

RE: NOTICE OF APPLICATION TO ESTABLISH A BRANCH

Dear Federal Regulator,

The undersigned community organization is submitting this letter in response to the letter dated October 16, 2023, received from Bank OZK.

Bank OZK failed to provide any lending data for Dallas County, specifically for Southern Dallas.

As mentioned in my letter dated Septmber 29,2023, Bank OZK is not meeting the needs the needs of our community, which specifically includes low- and moderate-income neighborhoods located in Southern Dallas. We do not support the application submitted by Bank OZK to establish a branch office at 2303 Red Wolf Blvd. JONESBORO, AR.

Fair Lending Concerns

I worked with the National Community Reinvestment Coalition (NCRC) to analyze the small business lending of Bank OZK in Dallas. This is what NCRC found.

- According to the Home Mortgage Disclosure Act (HMDA) data from 2017 to 2018, Bank OZK made **only 1 home loans** to an African American.
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 - NCRC compared Bank OZK small business lending to other non-credit card small business lenders in Dallas and found that Bank OZK trailed in lending to businesses with less than \$1 million in annual revenue.
 - Disparity of lending in Southern Dallas

Gaps in lending to people of color, borrowers with LMI, and small businesses are usually the result of a lack of products that meet the credit needs and gaps in marketing.

Products available for the Underserved/Minority Communities

Access to affordable credit is a key component of an individual’s ability to cultivate a strong financial position and participate fully in the DFW economy. The Equal Credit Opportunity Act of 1974 was passed to protect all consumers, yet the effects of the discrimination endure today.

Bank OZK fails to offer any solutions for the 163,000 unbanked/underbanked residents in the DFW MSA.

- https://household-survey.fdic.gov/place-data?type=msa&area=Dallas_Fort_Worth_Arlington_TX
 - The underbanked/unbanked information is available on the FDIC website.
- <https://www.aba.com/about-us/press-room/press-releases/aba-urges-americas-banks-to-offer-bank-on-certified-accounts>

Bank OZK does not have any special-purpose credit programs to address disparities in small business & mortgage lending in underserved high minority communities like Southern Dallas.

- <https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-issues-advisory-opinion-to-help-expand-fair-equitable-and-nondiscriminatory-access-to-credit/>
- https://www.hud.gov/sites/dfiles/GC/documents/Special_Purpose_Credit_Program_OGC_guidance_12-6-2021.pdf
- [12 CFR § 202.8 - Special purpose credit programs.](#)
 - <https://www.ffiec.gov/PDF/fairlend.pdf>

Bank OZK declined to sign up to be part of the City of Dallas Down Payment Assistance Program

- <https://dallascityhall.com/departments/housing-neighborhood-revitalization/Pages/Apply%20to%20be%20an%20Approved%20Lender.aspx>

Bank OZK is not signed up to be part of the Texas State Affordable Housing Corporation (TSAHC) Down Payment Assistance Program

- <https://www.tsahc.org/lenders/become-an-approved-lender>

Activities since the most recent CRA Performance Evaluation

Bank OZK failed to describe any significant CRA initiatives undertaken, particularly with respect to credit and deposit products and retail banking services targeted toward low- and moderate-income geographies, African American/Hispanic geographies, and individuals, identifying key elements of the products and services, the approximate date introduced, and results achieved to date.

Bank OZK failed to provide any details current community outreach and marketing efforts to residents and businesses throughout Bank's low-income census tracts, moderate-income census tracts, and major minority census tracts, specifically in Southern Dallas.

Community Development Lending

Bank OZK failed to provide the number of loans made in Southern Dallas compared to Northern Dallas.

Small Business/Commercial Lending

Bank OZK failed to provide the number of loans made in Southern Dallas compared to Northern Dallas.

Mortgage Lending

Bank OZK failed to provide the number of loans made in Southern Dallas compared to Northern Dallas.

Lack of Staff and Board Diversity

Bank OZK does not have any African Americans on the Board of Directors.

Bank OZK does not have any African Americans on the DFW MSA Leadership Team.

Bank OZK does not have any Commercial Loans Officers in the DFW MSA that are African Americans.

Bank OZK does not have any Mortgage Loans Officers in the DFW MSA that are African Americans.

Bank OZK does not participate in the Dodd-Frank Act Section 342(b)(2)(C) Diversity self-assessment.

<https://www.fdic.gov/about/diversity/analysisdsa.html>

Bank OZK is not a member of any of the Minority Trade Organizations below:

<https://regionlhca.org/>

<https://www.namcdfw.org/>

<https://blackcontractors.org/>

<https://aacatx.com/>

Bank OZK is not a member of any of the Minority Chambers below:

<https://dallasblackchamber.org/>

<https://arlingtonblackchamber.org/>

<https://fwmbcc.org/>

<https://fwhcc.org/>

<https://www.gdhcc.com/>

Bank OZK is not a member of any of the Minority Real Estate Trade Organizations below:

<https://www.narebdallas.org/>

<http://nahrepdallas.org/>

<https://www.varep.net/index.php/dallas-chapter>

<https://narebnorthtexas.org/nareb-north-texas>

<https://wcdallas.com/>

<https://realestatealliance.org/>

<https://www.areaa.org/dfw>

Per the Performance Evaluation dated 07/11/2022

https://crapes.fdic.gov/publish/2022/110_220711.PDF

SERVICE TEST

Bank OZK demonstrated a low satisfactory record for the State of Texas regarding the Service Test. The adequate level regarding the bank's CD services, its improved accessibility of its delivery systems for its changes in branch locations, and its reasonableness of business hours and services outweighed the limited accessibility of its delivery systems to support this conclusion. While the Austin MSA, Dallas MD, and Houston MSA assessment areas reflects consistent performance regarding the Service Test, the Fort Worth MD and San Antonio MSA assessment areas reflect performance below that of the state level. The appendices list the criteria considered under this test.

Home Mortgage Loans

Home mortgage lending levels reflect poor responsiveness to the credit needs in the Dallas MD assessment area. For 2020, the bank originated 74 total reportable home mortgage loans totaling approximately \$21.7 million. Bank OZK captured a 0.03 percent market share of the total number and a 0.03 percent market share of the total dollar volume of home mortgage loans. The bank's activity by number of loans ranks it 281st out of 964 total lenders and 534 lenders granting at least 10 home mortgage loans in the Dallas MD assessment area. These ranking lands the bank in the bottom half of the second group of lenders, at 52.6 percent, thereby reflecting a poor level. The ranking considers the total number and dollar amount of loans made by each institution. Given the considerations previously noted, the activity level reflects poor performance for home mortgage loans.

Small Business Loans

The geographic distribution of small business loans reflects poor performance in the Dallas MD assessment area. Poor performance in moderate-income geographies outweighs adequate performance in low-income geographies, supporting this conclusion.

SERVICE TEST

Bank OZK demonstrated a low satisfactory record in the Dallas MD assessment area regarding the Service Test. The adequate level regarding the bank's CD services, its changes in branch locations, and its reasonableness of business hours and services outweighed limited accessibility of delivery systems to support this conclusion. The appendices list the criteria considered under this test.

Conclusion

On behalf of the Southern Dallas County Community, we ask that you deny this application and put Bank OZK on an FDIC Action Plan.

Sincerely,

James McGee

James McGee
President/Chair
JMcGee@SouthernDallasProgress.com
Southern Dallas Progress Community Development Corporation



November 9, 2023

Via U.S. Mail and Electronic E-Mail Delivery

Kristie K. Elmquist, Regional Director
Federal Deposit Insurance Corporation
Dallas Regional Office
600 North Pearl Street, Suite 700
Dallas, Texas 75201

Re: Branch Application for Jonesboro, Arkansas (Jonesboro Red Wolf Branch)

Dear Ms. Elmquist,

This letter comes in follow up to a letter from James McGee on behalf of the Southern Dallas Progress Community Development Corporation (“Commenter”) dated October 21, 2023, which is a response to Bank OZK’s (“Bank”) letter dated October 16, 2023, concerning the Community Reinvestment Act (“CRA”) protest of the Bank’s Jonesboro, Arkansas Branch application. We appreciate the opportunity to respond to the aforementioned letter.

The Bank offers a variety of deposit and loan products for the communities we serve, which includes the unbanked, under-banked and minority segments of the population. Specifically, the Bank offers its Freedom Advantage Checking product, a certified Bank On checkless deposit account with no overdraft fees. In addition, our Freedom Advantage Mortgage product is available to eligible Low- and Moderate-Income (“LMI”) customers and for owner-occupied properties located in an LMI Census Tract. It is a long-term fixed-rate home loan that offers qualified applicants up to 100% financing and allows for the use of down payment assistance and federal grants. Our Special Purpose Credit Program expands the Freedom Advantage Mortgage product to customers and owner-occupied properties located in Majority Minority Census Tracts (“MMCTs”) in designated areas. The areas included in this program are evaluated annually and, in January 2023, the Dallas MSA was added to our Special Purpose Credit Program. Additionally, the Bank has begun implementation of a mortgage department to further expand our home loan offerings. We expect to begin accepting applications through the mortgage department in 2024. The Bank also offers other consumer and business loan products, deposit products available for in-person or online opening, online banking, and an online credit card application in the communities that we serve.

Bank OZK is committed to serving the needs in our community via a variety of delivery channels, including branch locations. The Bank seeks to expand its branch presence in many areas including LMI and MMCTs as evidenced by its branch application for the subject site.

The Bank has a comprehensive outreach strategy to support our CRA satisfactory rated performance, examination-over-examination. This strategy includes partnering, supporting, and volunteering with organizations that serve many segments in our diverse community. Partnerships include membership with trade organizations, associations, chambers of commerce as well as leveraging of down payment assistance programs that are evaluated with participation determined at the Bank's discretion. We appreciate the information provided by the Commenter and will explore opportunities.

Bank OZK has demonstrated a high satisfactory record in the Dallas MD portion of its Assessment Area ("AA") regarding the Lending Test. More specifically, the Bank has an excellent record regarding borrower profile distribution, is considered a leader regarding Community Development ("CD") loans and made extensive use of innovative and flexible lending practices which supported the FDIC's conclusions during the last CRA Examination.

As mentioned above and in the 2022 CRA Performance Evaluation ("CRA PE") details, the Bank is a leader in making CD loans in the Dallas MD. Our excellent dollar volume of CD loans and the CD loans' responsiveness is a result of thirteen (13) CD loans totaling approximately \$247.7 million in the MSA. The level of CD loans made during the 2022 Examination Cycle was significantly higher than the \$20.0 million noted at the previous evaluation conducted in 2019 also considered excellent, leader performance. The CD loans reflect excellent responsiveness to the CD needs of the MD.

Bank OZK has also demonstrated a high satisfactory record in the Dallas MD regarding the Investment Test. The adequate level of Qualified Investments ("QIs") rating in 2019 was uplifted by the excellent responsiveness to CD needs and the extensive use of complex investments to support the FDIC's conclusion. The Bank's CD activities showed excellent responsiveness through use of QIs that directly address identified needs in the Dallas MD portion of the AA by the dollar amount to three of the four CD purpose categories. Bank OZK's major investments addressed affordable housing needs with approximately \$36.4 million in the purchase of Low-Income Housing Tax Credits ("LIHTC") and retention of \$3.8 million in mortgage-backed securities with underlying loans to LMI individuals. Larger dollar amount donations support small businesses through mentorship and counseling, a food bank to help fund food and household items during the COVID-19 pandemic, and an organization providing housing services for LMI individuals. Examination-Over-Examination, the Bank has continued to excel in serving the needs in our LMI communities.

Our Service Test strategy includes branching in areas that make our products and services available and accessible. Our branching plans include offices located in LMI and Majority Minority census tracts such as the Red Wolf Boulevard, Jonesboro, Arkansas site subject to the protest.

While the Bank has not received a request to describe any of its significant CRA initiatives, we do not make a practice of sharing its strategy and/or performance externally prior to the CRA Examination when the FDIC evaluates its performance. The Bank's next CRA Examination is anticipated to commence in 2025. Once concluded, the agency will make the Bank's performance and ratings public when it publishes the CRA PE. In the meantime, and in accordance with the Home Mortgage Disclosure Act and CRA reporting requirements, the Bank will submit its lending data which will be available to the public.

Fair lending analysis conducted by the Bank has shown statistically significant strong HMDA application and loan performance since 2019 in the Dallas reasonably expected market area ("REMA") regarding MMCTs, Majority-Black Census Tracts ("MBCTs"), and Majority-Hispanic Census Tracts ("MHCT").

The Bank's fair lending marketing reviews reflect full penetration in both MMCT and non-MMCT areas. Further marketing efforts are planned for 2024 which will continue to be assessed for reach, penetration, and representation. With the expansion of the Special Purpose Credit Program in the Dallas MSA in January 2023 and the implementation of the mortgage department in 2024, we expect to provide additional home loan opportunities for this area.

We recognize that fostering diversity and inclusion throughout our operations and workplace culture is critical to our long-term success and the Bank strives to create a culture that respects and values each other's differences, promotes dignity and respect, and encourages employees to develop and maximize their full potential. The Bank publicly discloses the demographics of its workforce by gender, age, race, and ethnicity in the Bank's annual Environmental, Social & Governance Report, which is available on the Bank's Investor Relations website at ir.ozk.com under "Sustainability." To that end, there are African American Bank OZK Loan Officers located in and serving the Dallas MSA. In addition, the Bank publicly discloses the diverse characteristics of each member of its Board of Directors in its annual proxy statement, which is available on the Bank's Investor Relations website at ir.ozk.com under "Filings." The Commenter will find that there is African American representation on the Bank's Board of Directors.

We strive to make our products and services available to all and seek approval of the branch application to increase our presence and serve our entire community, including LMI and minority segments of the population.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela M. Hudson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Angela M. Hudson
Director of Community Responsibility & CRA Officer

Cc:

James McGee
President/Chair
Southern Dallas Progress Community Development Corporation
1402 Corinth St #147
Dallas, Texas 75215

Rafael S. Valle, FDIC Assistant Regional Director



October 21, 2023

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17901 Chenal Parkway
Little Rock, Arkansas 72223

Federal Deposit Insurance Corporation
Division of Depositor and Consumer Protection/Dallas Region
600 North Pearl Street, Suite 700
Dallas, Texas 75201

RE: NOTICE OF APPLICATION TO ESTABLISH A BRANCH

Dear Federal Regulator,

The undersigned community organization is submitting this letter in response to the letter dated November 9, 2023, received from Bank OZK.

Bank OZK failed for the 3rd time to provide any lending data for Dallas County, specifically for Southern Dallas.

As mentioned in my letter dated September 29, 2023, Bank OZK is not meeting the needs of our community, which specifically includes low- and moderate-income neighborhoods located in Southern Dallas. We do not support the application submitted by Bank OZK to establish a branch office at 2303 Red Wolf Blvd. JONESBORO, AR.

Southern Dallas Zip Codes (LMI/High Minority Areas)

75203, 75207, 75208, 75210, 75211, 75212, 75215, 75216, 75217, 75223, 75224, 75226, 75227, 75228, 75232, 75233, 75236, 75237, 75241, 75249, 75253

Community Credit Needs Assessment

Bank OZK Bank failed to conduct a Community Credit Needs Assessment for majority-Black and Hispanic census tracts within the DFW MSA, specifically Southern Dallas.

A Community Credit Needs Assessment is a research-based market study to help a lender identify the needs for financial services in an area.

This assessment should include the following information about majority-Black and Hispanic census tracts within Covered Lending Area: (1) an evaluation (to include market research and interviews) of

residential mortgage credit needs and current lending opportunities available in the area; (2) recent demographic and socioeconomic data; (3) potential strategies for Bank OZK Bank to provide residential mortgage lending services in these census tracts; (4) a review of loan products offered by other lenders and their success in the market; (5) an overview of federal, state, and local programs that are available to residents seeking and obtaining residential mortgage loans;

Community Development Partnership Program

Bank OZK Bank failed to partner with community-based or governmental organizations that provide the residents of majority-Black and Hispanic census tracts in **Southern Dallas** that provide services related to credit, financial education, homeownership, and foreclosure prevention.

Bank OZK Bank should have a written internal description of how these partnership(s) will be used to meet the credit needs identified in the Community Credit Needs Assessment.

Bank OZK Bank failed to respond to Southern Dallas Process CDC recent emails to form such partnership.

Fair Lending Concerns **Bank OZK Failed to Address**

I worked with the National Community Reinvestment Coalition (NCRC) to analyze the small business lending of Bank OZK in Dallas. This is what NCRC found.

- According to the Home Mortgage Disclosure Act (HMDA) data from 2017 to 2018, Bank OZK made **only 1 home loans** to an African American.
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Products available for the Underserved/Minority Communities (Bank OZK Failed to Address)

Bank OZK declined to sign up to be part of the City of Dallas Down Payment Assistance Program

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Per the Performance Evaluation dated 07/11/2022 (Bank OZK Failed to Address)

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Conclusion

On behalf of the Southern Dallas County Community, we ask that you deny this application and put Bank OZK on an FDIC Action Plan.

Sincerely,

James McGee

James McGee
President/Chair
JMcGee@SouthernDallasProgress.com
Southern Dallas Progress Community Development Corporation