



**LARGE BANK**

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Comptroller of the Currency  
Administrator of National Banks

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Washington, DC 20219

## **PUBLIC DISCLOSURE**

October 9, 2012

### **COMMUNITY REINVESTMENT ACT PERFORMANCE EVALUATION**

BankUnited, National Association  
Charter Number 25028

14817 Oak Lane  
Miami Lakes, FL 33016

Office of the Comptroller of the Currency

Midsize Bank Supervision  
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Suite 2000  
Chicago, IL 60606

NOTE: This document is an evaluation of this institution's record of meeting the credit needs of its entire community, including low- and moderate-income neighborhoods, consistent with safe and sound operation of the institution. This evaluation is not, and should not be construed as, an assessment of the financial condition of this institution. The rating assigned to this institution does not represent an analysis, conclusion, or opinion of the federal financial supervisory agency concerning the safety and soundness of this financial institution.

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## Overall CRA Rating

**Institution's CRA Rating:** This institution is rated “**Satisfactory.**”

The following table indicates the performance level of **BankUnited, National Association** with respect to the Lending, Investment, and Service Tests:

<b>Performance Levels</b>	BankUnited, National Association Performance Tests		
	Lending Test*	Investment Test	Service Test
Outstanding		X	
High Satisfactory	X		X
Low Satisfactory			
Needs to Improve			
Substantial Noncompliance			

\* The Lending Test is weighted more heavily than the Investment and Service Tests when arriving at an overall rating.

The major factors that support this rating include:

- Lending activity that reflects good responsiveness to the credit needs of the bank’s assessment area, given performance context. Lending activity for home purchase loans is adequate and is excellent for small loans to businesses.
- Good geographic distribution of loans along with a majority of loans in the bank’s assessment area.
- Good distribution of loans among borrowers of different income levels and businesses of different sizes.
- An excellent level of community development loans, displaying responsiveness to assessment area needs and has a positive impact to the overall Lending Test.
- An excellent level of qualified investments highly responsive to assessment area needs considering the challenges posed by a weak economic cycle and strong competition for investments in the assessment area.
- A good level of Service Test performance. Retail services are accessible to geographies and individuals of all income levels. Bank employees also provided a good level of community development services that positively impacted the overall Service Test rating.

## Definitions and Common Abbreviations

The following terms and abbreviations are used throughout this performance evaluation, including the CRA tables. The definitions are intended to provide the reader with a general understanding of the terms, not a strict legal definition.

**Affiliate:** Any company that controls, is controlled by, or is under common control with another company. A company is under common control with another company if the same company directly or indirectly controls both companies. A bank subsidiary is controlled by the bank and is, therefore, an affiliate.

**Aggregate Lending:** The number of loans originated and purchased by all reporting lenders in specified income categories as a percentage of the aggregate number of loans originated and purchased by all reporting lenders in the MA/assessment area.

**Census Tract (CT):** A small subdivision of metropolitan and other densely populated counties. Census tract boundaries do not cross county lines; however, they may cross the boundaries of metropolitan areas. Census tracts usually have between 2,500 and 8,000 persons, and their physical size varies widely depending upon population density. Census tracts are designed to be homogeneous with respect to population characteristics, economic status, and living conditions to allow for statistical comparisons.

**Community Development:** Affordable housing (including multifamily rental housing) for low- or moderate-income individuals; community services targeted to low- or moderate-income individuals; activities that promote economic development by financing businesses or farms that meet the size eligibility standards of the Small Business Administration's Development Company or Small Business Investment Company programs (13 CFR 121.301) or have gross annual revenues of \$1 million or less; or, activities that revitalize or stabilize low- or moderate-income geographies.

Effective September 1, 2005, the Board of Governors of the Federal Reserve System, Office of the Comptroller of the Currency, and the Federal Deposit Insurance Corporation have adopted the following additional language as part of the revitalize or stabilize definition of community development. Activities that revitalize or stabilize-

- (i) Low-or moderate-income geographies;
- (ii) Designated disaster areas; or
- (iii) Distressed or underserved nonmetropolitan middle-income geographies designated by the Board, Federal Deposit Insurance Corporation, and Office of the Comptroller of the Currency, based on-
  - a. Rates of poverty, unemployment, and population loss; or
  - b. Population size, density, and dispersion. Activities that revitalize and stabilize geographies designated based on population size, density, and dispersion if they help to meet essential community needs, including needs of low- and moderate-income individuals.

**Community Reinvestment Act (CRA):** the statute that requires the OCC to evaluate a bank's record of meeting the credit needs of its local community, consistent with the safe and sound operation of the bank, and to take this record into account when evaluating certain corporate applications filed by the bank.

**Consumer Loan(s):** A loan(s) to one or more individuals for household, family, or other personal expenditures. A consumer loan does not include a home mortgage, small business, or small farm loan. This definition includes the following categories: motor vehicle loans, credit card loans, home equity loans, other secured consumer loans, and other unsecured consumer loans.

**Family:** Includes a householder and one or more other persons living in the same household who are related to the householder by birth, marriage, or adoption. The number of family households always equals the number of families; however, a family household may also include non-relatives living with the family. Families are classified by type as either a married-couple family or other family, which is further classified into ‘male householder’ (a family with a male householder and no wife present) or ‘female householder’ (a family with a female householder and no husband present).

**Full Review:** Performance under the Lending, Investment, and Service Tests is analyzed considering performance context, quantitative factors (e.g., geographic distribution, borrower distribution, and total number and dollar amount of investments), and qualitative factors (e.g., innovativeness, complexity, and responsiveness).

**Geography:** A census tract delineated by the United States Bureau of the Census in the most recent decennial census.

**Home Mortgage Disclosure Act (HMDA):** The statute that requires certain mortgage lenders that do business or have banking offices in a metropolitan statistical area to file annual summary reports of their mortgage lending activity. The reports include such data as the race, gender, and the income of applications, the amount of loan requested, and the disposition of the application (e.g., approved, denied, and withdrawn). Beginning in 2004, the reports also include additional data on loan pricing, the lien status of the collateral, any requests for preapproval and loans for manufactured housing.

**Home Mortgage Loans:** Such loans include home purchase, home improvement and refinancings, as defined in the HMDA regulation. These include loans for multifamily (five or more families) dwellings, manufactured housing and one-to-four family dwellings other than manufactured housing.

**Household:** Includes all persons occupying a housing unit. Persons not living in households are classified as living in group quarters. In 100 percent tabulations, the count of households always equals the count of occupied housing units.

**Limited Review:** Performance under the Lending, Investment, and Service Tests is analyzed using only quantitative factors (e.g., geographic distribution, borrower distribution, total number and dollar amount of investments, and branch distribution).

**Low-Income:** Individual income that is less than 50 percent of the area median income, or a median family income that is less than 50 percent, in the case of a geography.

**Market Share:** The number of loans originated and purchased by the institution as a percentage of the aggregate number of loans originated and purchased by all reporting lenders in the MA/assessment area.

**Median Family Income (MFI):** The median income determined by the U.S. Census Bureau every ten years and used to determine the income level category of geographies. Also, the median income determined by the Department of Housing and Urban Development annually that is used to determine the income level category of individuals. For any given area, the median is the point at which half of the families have income above it and half below it.

**Metropolitan Area (MA):** Any metropolitan statistical area or metropolitan division, as defined by the Office of Management and Budget and any other area designated as such by the appropriate federal financial supervisory agency.

**Metropolitan Division:** As defined by Office of Management and Budget, a county or group of counties within a Metropolitan Statistical Area that contains a population of at least 2.5 million. A Metropolitan Division consists of one or more counties that represent an employment center or centers, plus adjacent counties associated with the main county or counties through commuting ties.

**Metropolitan Statistical Area:** An area, defined by the Office of Management and Budget, as having at least one urbanized area that has a population of at least 50,000. The Metropolitan Statistical Area comprises the central county or counties, plus adjacent outlying counties having a high degree of social and economic integration with the central county as measured through commuting.

**Middle-Income:** Individual income that is at least 80 percent and less than 120 percent of the area median income, or a median family income that is at least 80 percent and less than 120 percent, in the case of a geography.

**Moderate-Income:** Individual income that is at least 50 percent and less than 80 percent of the area median income, or a median family income that is at least 50 percent and less than 80 percent, in the case of a geography.

**Multifamily:** Refers to a residential structure that contains five or more units.

**Other Products:** Includes any unreported optional category of loans for which the institution collects and maintains data for consideration during a CRA examination. Examples of such activity include consumer loans and other loan data an institution may provide concerning its lending performance.

**Owner-Occupied Units:** Includes units occupied by the owner or co-owner, even if the unit has not been fully paid for or is mortgaged.

**Qualified Investment:** A qualified investment is defined as any lawful investment, deposit, membership share, or grant that has as its primary purpose community development.

**Rated Area:** A rated area is a state or multi-state metropolitan area. For an institution with domestic branches in only one state, the institution's CRA rating would be the state rating. If an institution maintains domestic branches in more than one state, the institution will receive a rating for each state in which those branches are located. If an institution maintains domestic branches in two or more states within a multi-state metropolitan area, the institution will receive a rating for the multi-state metropolitan area.

**Small Loan(s) to Business(es):** A loan included in 'loans to small businesses' as defined in the Consolidated Report of Condition and Income (Call Report) and the Thrift Financial Reporting (TFR) instructions. These loans have original amounts of \$1 million or less and typically are either secured by nonfarm or nonresidential real estate or are classified as commercial and industrial loans.

**Small Loan(s) to Farm(s):** A loan included in 'loans to small farms' as defined in the instructions for preparation of the Consolidated Report of Condition and Income (Call Report). These loans have original amounts of \$500,000 or less and are either secured by farmland, or are classified as loans to finance agricultural production and other loans to farmers.

**Tier One Capital:** The total of common shareholders' equity, perpetual preferred shareholders' equity with non-cumulative dividends, retained earnings and minority interests in the equity accounts of consolidated subsidiaries.

**Upper-Income:** Individual income that is at least 120 percent of the area median income, or a median family income that is at least 120 percent, in the case of a geography.

## Description of Institution

BankUnited, National Association (BankUnited) is an intrastate commercial bank headquartered in Miami Lakes, Florida. The bank is a wholly owned subsidiary of BankUnited, Incorporated; a two bank holding company with total assets of \$12.4 billion and also headquartered in Miami Lakes, Florida. The holding company stock is traded under the symbol BKU on the New York Stock Exchange.

On May 21, 2009, a group of investors acquired the assets and most of the liabilities of the former failed BankUnited, Federal Savings Bank from the Federal Deposit Insurance Corporation (FDIC). The new investor group maintained the name of the legacy bank, but was established with a new management team and strategic direction. Therefore, during this CRA evaluation period, the acquired bank was in its infancy stage and initially was required by the FDIC to remediate a large portfolio of problem residential loans.

On February 29, 2012, BankUnited converted its charter from a Federal Savings Bank to a National Association. BankUnited's operating subsidiaries include Bay Holdings, Incorporated; BU Delaware, Incorporated; CRE Properties, Inc; and T&D properties, Inc. The subsidiaries have no activities relevant to the bank's CRA performance. Herald National Bank and BankUnited Investment Services are affiliates but have no activities that require consideration in this CRA performance evaluation.

As of June 30, 2012, BankUnited had total assets of \$11.7 billion. Deposits totaled \$8 billion. The loan to deposit ratio was 60 percent. The total loan portfolio, which represents 41 percent of total assets, was \$4.8 billion. The loan portfolio consists of approximately 56 percent residential real estate related loans, 22 percent commercial and industrial loans, 21 percent commercial real estate loans including multifamily residential properties, and less than one percent consumer loans. Tier One Capital totaled \$1.2 billion.

The bank's strategic focus is to serve consumers, small and middle-market businesses, and their executives with a variety of financial products and services. It offers a wide array of lending products that cater to customers' needs; including small business, residential, commercial real estate, and equipment loans. BankUnited has identified the commercial lending market as a primary business focus. It provides residential loans through its retail network and by purchasing them on the secondary market.

BankUnited offers a full range of financial products and services through a 97 branch network in Miami-Dade (26), Broward (22), Palm Beach (17), Sarasota (3), St. Lucie (3), Indian River (2), Collier (3), Lee (3), Martin (3), Pinellas (6), Hillsborough (3), Manatee (1) and Charlotte (1) Counties. The bank expanded its activities and opened branches in Seminole (2) and Orange (2) Counties in December 2011. The Miami-Dade MD represents 27 percent of the branches, 35 percent of the deposits as of June 30, 2011, and 42 percent of the total number of loans analyzed as part of this examination.

There are no legal or financial factors impeding the bank's ability to meet the credit needs of the assessment area. However, BankUnited, and the financial industry collectively, faced significant challenges due to the impact of the great recession and the residential housing crisis (particularly within its assessment area) as discussed throughout the Public Evaluation. Residential housing prices declined up to 50 percent, and very high unemployment rates plagued various parts of the bank's assessment area and had a negative effect on the banking industry as a whole. The assets acquired from the FDIC required attention from the newly formed management team. Lastly, a new organizational structure was developed during the assessment period as well. These challenges were taken into consideration as we evaluated the bank's CRA performance. This is the first CRA examination for BankUnited since the failed bank was acquired from the FDIC in May 2009.

# Scope of the Evaluation

## Evaluation Period/Products Evaluated

This Performance Evaluation assesses the bank's performance under the Lending, Investment, and Service Tests. In evaluating the bank's lending performance, we reviewed residential mortgage loans subject to reporting under the Home Mortgage Disclosure Act (HMDA), small loans to businesses subject to reporting under the CRA, and community development loans. We also evaluated community development investments and community development services.

The bank did not report any small loans to farms during the evaluation period. Therefore, tables for this product are not included in the Core Tables of this report (Appendix C). Home improvement loans and multi-family housing loans were not meaningful to overall performance due to low activity levels. Therefore, no analysis was conducted; however, the tables are included.

The evaluation period for the Lending Test begins May 21, 2009, the date of acquisition of the failed bank from FDIC, through December 31, 2011. The bank was not required to report under HMDA in 2009; therefore, the analysis of HMDA reportable loans included only 2010 and 2011. For the Investment and Service Tests, the evaluation period is May 21, 2009 through October 8, 2012. Our conclusions related to community development loans and qualified investments are based on the number and dollar amounts made during the evaluation period. In addition, we considered the level of innovation, complexity, and responsiveness to community credit needs.

## Data Integrity

This evaluation is based on accurate data. We tested the accuracy of the bank's HMDA prior to the beginning of the CRA examination and determined that it was accurate.

We reviewed a sample of small loans to businesses to determine the accuracy of CRA data. We noted some errors; however, BankUnited corrected the errors, and we used corrected data in our assessment.

We verified that community development loans, investments, and services submitted by management met the regulatory definitions for community development. We excluded some items submitted by the bank for consideration because they did not meet the definition or purpose of community development.

## Selection of Areas for Full-Scope Review

The bank currently has 11 assessment areas in Florida. The Metropolitan Division (MD) 33124 that consists of the Miami-Dade County assessment area will receive a full-scope review. The county represents 35 percent of the deposits as of June 30, 2011, and 42 percent of the total number of loans analyzed at this examination. Refer to Appendix A for additional information regarding the assessment area receiving a full-scope review.

The remaining assessment areas received limited-scope reviews and include the following:

MD 22744 - Broward County

MD 48424 - Palm Beach County

Metropolitan Statistical Area (MSA) 35840 - Sarasota County

MSA 15980- Lee County

MSA 36740 (partial)-Orange and Seminole Counties

MSA 42680 - Indian River County

MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties

MSA 34940- Collier County

MSA 38940 -Martin and Saint Lucie Counties

MSA 39460- Charlotte County

## Ratings

The bank's overall rating is based on conclusions for the full-scope MD 33124 (Miami-Miami Beach-Kendall, FL), which represents the highest concentration of deposits and loans. The volume of small loans to businesses was substantially greater than the volume of home mortgage loans, in line with the bank's main lending focus. Therefore, we gave more consideration to the performance of small loans to businesses.

Given the performance context, residential lending was given less consideration. Within the home mortgage category, the most weight was given to refinanced loans, which represented 55 percent of all home mortgage loans. Home purchase loans represented 44 percent of all home mortgage lending activity. In determining conclusions related to lending activity, we used market share, home mortgage, and small business data for 2011.

## Other

Community credit needs in the assessment area were determined by reviewing recent housing and demographic information and community contacts conducted by the OCC in connection with this and other CRA examinations of banks operating in the same assessment area. For this examination, we conducted a community contact with a non-profit community organization that primarily focuses on linking people with financial education, healthcare information, public benefits, and economic opportunities. The most critical needs identified were affordable housing, small business lending, and financial counseling. Other needs were financial literacy training including such topics as homeownership, credit, credit repair, and foreclosure prevention.

## Fair Lending or Other Illegal Credit Practices Review

Pursuant to 12 C.F.R. 25.28(c), or 12 C.F.R. 195.28(c), in determining a national bank's (bank) or Federal savings association's (FSA) CRA rating, respectively, the OCC considers evidence of discriminatory or other illegal credit practices in any geography by the bank or FSA, or in any assessment area by an affiliate whose loans have been considered as part of the bank's or FSA's lending performance.

The OCC did not identify evidence of discriminatory or other illegal credit practices with respect to this institution.

Further, section 1025 of the Dodd–Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111-203) assigns to the CFPB exclusive examination authority, and primary enforcement authority, to ensure compliance by banks and FSAs with Federal consumer financial laws, if the bank or FSA has more than \$10 billion in assets. The CFPB has not provided the OCC with any information about, or other evidence of, discriminatory or other illegal credit practices relative to this institution with respect to the Federal consumer financial laws.

## Conclusions with Respect to Performance Tests

### LENDING TEST

#### Conclusions for Areas Receiving Full-Scope Reviews

The bank's performance under the Lending Test is rated "High Satisfactory." Based on a full-scope review, the bank's performance in the MD 33124 (Miami-Miami Beach-Kendall) is good. MD 33124 is essentially all of Miami-Dade County.

#### Lending Activity

Refer to Tables 1 Lending Volume in Appendix C for the facts and data used to evaluate the bank's lending activity.

The bank's lending activity reflects good responsiveness to assessment area credit needs given performance context. Home mortgage lending activity is adequate, and small business lending is excellent.

The bank's strategic focus is business lending. The bank also markets a limited selection of home mortgage products. The assessment area is highly competitive with a large number of lenders reporting home mortgage activity. These lenders include multiple non-bank lenders that do not take deposits in the assessment area, as well as large banks with a nationwide presence that offer a wide variety of home mortgage loan products.

Economic conditions; including high foreclosure rates, high unemployment rates, and a large number of homes with negative equity; impacted overall lending activity during the evaluation period, not just for BankUnited but for all lenders in the bank's assessment area. Consideration was given to the generally depressed economic conditions during the evaluation period. For a further discussion of these and other performance context issues, please see the Market Profile in Appendix B.

Considering performance context, overall home mortgage lending activity is adequate. This included both originations and purchases. BankUnited's market share and rank for home mortgage loans is significantly lower than its deposit market share and rank for a comparable period; however, this performance is adequate when consideration is given to the performance context factors discussed in this Public Evaluation.

FDIC data as of June 30, 2011, shows that BankUnited had a deposit market share of 2.89 percent and was ranked 12<sup>th</sup> among 70 financial institutions reporting deposits in the Miami-Dade MD. Deposit market share is dominated by Wells Fargo Bank, National Association and Bank of America, National Association who rank first and second, respectively, and have a combined deposit market share of 24 percent. The top five lenders have a combined deposit market share of 46 percent.

For home purchase loans, BankUnited's market share (by number), based on aggregate data from 2011 is 0.19 percent, and the bank is ranked 61<sup>st</sup> of 314 lenders reporting home purchase loans in the Miami-Dade MD. For refinance loans, the bank has a market share of 0.37 percent (by number) and is ranked 40<sup>th</sup> of 284 lenders reporting refinance loans in Miami-Dade County.

In Miami-Dade County, the home purchase market is dominated by Wells Fargo and Bank of America who rank first and second, respectively, with a combined market share of 25 percent. The top five lenders have a combined lender market share of 42 percent. For refinance loans, the market is dominated by JPMorgan

Chase, Wells Fargo, and Bank of America, who rank first, second, and third, respectively, and have a combine market share of 52 percent. The top five lenders have a combine lender market share of 57 percent.

Given performance context, economic conditions during the evaluation period, and the high level of competition in the Miami-Dade MD, small business lending activity is excellent. The bank's market share of such loans exceeds its deposit market share, and its rank also exceeds its deposit share rank. Based on 2011 aggregate data, the bank's market share of loans to small businesses is 5.04 percent (based on dollar volume) and the bank is ranked 10<sup>th</sup> of 106 lenders reporting such loans in the Miami MD County. Market share and rank are based on the dollar volume of loans rather than number of loans because of the inclusion of credit card lenders in small loans to businesses reporting. Credit card lenders originate a large number of small loans to businesses, but the dollar volume is significantly smaller. For example, the top six reporters of small loans to businesses are all credit card lenders that combined have a market share of 82 percent based on number of loans but only 31 percent based on dollar volume. Therefore, a comparison based on dollar volume of loans is more meaningful.

## **Distribution of Loans by Income Level of the Geography**

Overall, the geographic distribution of loans in the assessment area is good, based primarily on the distribution of small loans to businesses. The overall geographic distribution of loans in the full-scope Miami Dade assessment area is good, based primarily on the distribution of small loans to businesses. The geographic distribution of home mortgage loans is adequate and not inconsistent with the bank's business strategy. The geographic distribution of small loans to businesses is good.

### ***Home Mortgage Loans***

Refer to Tables 2, 3, 4, and 5 in Appendix C for the facts and data used to evaluate the geographic distribution of the bank's home mortgage loan originations and purchases.

Overall, the geographic distribution of home mortgage loans in Miami-Dade MD is adequate, given performance context. The geographic distribution of home purchase loans is excellent and the distribution of refinance loans is very poor.

In low-income geographies, the percentage of home purchase loans exceeds the percentage of owner-occupied housing units in those geographies, and the bank's market share of home purchase loans in low-income geographies exceeds the bank's overall market share of home purchase loans. In moderate-income geographies, the percentage of the bank's home purchase loans exceeds the percentage of owner-occupied housing units in those geographies, and the bank's market share of home purchase loans in moderate-income geographies also exceeds its overall market share of home purchase loans.

The bank made no refinance loans in low-income geographies; however, only 1.69 percent of owner-occupied housing, or 7,600 units, are located in low-income geographies. In moderate-income geographies, the percentage of refinance loans is significantly lower than the percentage of owner-occupied housing units. The bank's market share of refinance loans in moderate-income geographies is significantly below its overall market share of refinance loans.

### ***Small Loans to Businesses***

Refer to Table 6 in Appendix C for the facts and data used to evaluate the geographic distribution of the bank's origination/purchase of small loans to businesses.

Overall, the geographic distribution of small loans to businesses is good.

The percentage of small loans to businesses in low-income geographies exceeds the percentage of businesses in those geographies. The market share of small loans to businesses in the low-income geographies exceeds the bank's overall market share of small loans. The percentage of small loans to businesses in moderate-income geographies is near to the percentage of businesses in those geographies. The bank's market share of small loans to businesses in the moderate-income geographies exceeds the bank's overall market share of small loans to businesses.

### **Lending Gap Analysis**

BankUnited's reports detailing lending activity over the assessment period for home mortgage and small loans to businesses were reviewed to identify gaps in the geographic distribution of loans. No unexplained conspicuous gaps were identified.

#### **Inside/Outside Ratio**

This analysis is performed at the bank level as opposed to the assessment area level. A majority of BankUnited's home mortgage and small loans to businesses was originated or purchased in the assessment area. Seventy-Eight (78) percent of loans by number are inside the bank's assessment area.

By product, 42 percent of home purchase loans by number are inside the assessment area, and 38 percent of refinance loans by number are inside the assessment area. The low number of home purchase loans is reflective of BankUnited's efforts to diversify their residential holdings through a loan purchase program via the secondary market. Since the mortgage lending business is highly competitive with large nationwide and regional banks, as well as mortgage companies, the ease and flexibility of the secondary market enables the purchase of jumbo mortgages. Large dollar volumes of loans outside the assessment area are skewed by the purchase of jumbo loans in the secondary market to support a smaller mortgage origination footprint within the assessment area. By definition, a jumbo loan has a significantly higher loan balance than an average loan.

For small loans to businesses, 99 percent of loans by number and dollar are inside the bank's overall assessment area.

### **Distribution of Loans by Income Level of the Borrower**

Overall, the distribution of loans by income level of the borrower is good based on good borrower distribution of both residential and small loans to businesses, as well as considering performance context. The overall distribution of loans by income level of the borrower in the full-scope Miami-Dade assessment area is good for both residential and small loans to businesses, as well as considering performance context. Performance is not inconsistent with the bank's business strategy.

#### **Home Mortgage Loans**

Refer to Tables 8, 9, and 10 in Appendix C for the facts and data used to evaluate the borrower distribution of the bank's home mortgage loan originations and purchases.

Considering the performance context, the distribution of home mortgage loans by income level of the borrower in the Miami-Dade MD is good. The distribution of home purchase loans is excellent and the distribution of refinance loans is adequate, given performance context.

During the evaluation period, performance context issues made it difficult to provide home mortgage loans to low-income borrowers in the Miami-Dade MD. For this reason, more weight was given to lending to moderate-income borrowers in reaching conclusions for borrower distribution.

Housing prices fell drastically throughout the Miami-Dade MD as a result of the housing and economic crisis. As prices declined, homes were more affordable but the availability of subsidies, particularly to low-income borrowers, was reduced. In addition, the assessment area's poverty and unemployment rates, which increased during the evaluation period, further limited the ability of many low-income families and some moderate-income families to become homeowners, even if subsidy programs were timely and readily available. High property taxes and homeowner's insurance costs also contribute to the inability of low-income and many moderate-income borrowers to become home owners. Also, many lower priced homes were quickly purchased for cash by investors further limiting the number of affordable homes available to low- and moderate-income buyers.

In addition, it should be noted that the demand for refinance loans by low-income families is generally very limited. Many times low-income families have taken advantage of various subsidy programs and special mortgage products that have very low interest rates that would not make it necessary for them to need a refinance loan. Also, some special programs do not allow for refinancing. For further discussion on performance context issues, please see the Market Profiles in Appendix B.

BankUnited's percentage of home purchase loans to low-income borrowers is near to the percentage of low-income families in the geographies. The percentage of home purchase loans to moderate-income borrowers exceeds the percentage of moderate-income families in the geographies. The bank's market share of home purchase loans for both the low-income borrowers and moderate-income borrowers exceeds its overall market share of home purchase loans.

For refinance loans to both low- and moderate-income borrowers, the percentage of loans is significantly below the percentage of low- and moderate-income families in the assessment area, but this performance is consistent with performance context. The bank's market share of refinance loans to low-income borrowers is significantly below the bank's overall market share of refinance loans. The bank's market share of refinance loans to moderate-income borrowers exceeds the bank's overall market share of refinance loans.

### ***Small Loans to Businesses***

Refer to Table 11 in Appendix C for the facts and data used to evaluate the borrower distribution of the bank's origination/purchase of small loans to businesses.

The borrower distribution of small loans to businesses is good.

The distribution of small loans to businesses in Miami-Dade County is good. The bank's percentage of small loans to small businesses (businesses with annual revenues of \$1 million or less) is near to the percentage of small businesses located in Miami-Dade MD. The bank's market share of small loans to small businesses exceeds its overall market share of small loans to small businesses.

### **Community Development (CD) Lending**

Refer to Table 1 Lending Volume in Appendix C for the facts and data used to evaluate the bank's level of CD lending. This table includes all CD loans, including multifamily loans that qualify as CD loans. In addition, Table 5 includes geographic lending data on all multi-family loans, including those that also qualify as CD loans. Table 5 does not separately list CD loans, however.

BankUnited has an excellent level of CD loans in the Miami-Dade MD. This performance had a positive impact on the overall Lending Test conclusion.

During the evaluation period, BankUnited made 16 CD loans, totaling \$51 million. Of the total, seven loans helped meet critical affordable rental housing needs in the county, five were to support activities which revitalized and stabilized low- and moderate-income geographies, two were to qualifying small business programs, one was for services targeted toward low- and moderate-income people, and one was to a Title 1 school to help support one of its programs targeting youth. These loans are responsive to the need for affordable rental housing for low- and moderate-income individuals and stabilization needs, which are both noted as needs of the assessment area

## **Product Innovation and Flexibility**

BankUnited uses flexible mortgage programs to help meet credit needs in its assessment area. BankUnited's use of these flexible programs had a positive impact on conclusions under the Lending Test.

BankUnited has a Comprehensive Housing Assistance Mortgage Program (CHAMP) designed to provide flexible underwriting criteria and credit terms for borrowers who are obtaining subsidy assistance from an approved government subsidy program. The bank made two loans totaling \$177 thousand in 2011.

The bank is also a Federal Housing Administration (FHA) lender during the evaluation period and originated two loans totaling \$463 thousand. The bank also participates in several Small Business Association (SBA) loan products including SBA 504 and Community Express products. Documentation submitted indicates seven loans totaling \$9.3 million extended under the SBA 504 program.

Additionally, the bank had a Financial Hardship Payment and Loan Modification Program in place during the evaluation period. Under the program, existing borrowers impacted by a financial hardship meeting certain criteria can have payments deferred for a maximum of 90 days. The bank extends the term of the loan based on the amount of time the payments are deferred and interest is not charged on the deferred payments. During the evaluation period, hundreds of borrowers were assisted under the program and a significant percentage was to borrowers with homes located in low- or moderate-income geographies. Loan modifications are not reportable under the HMDA and are, therefore, not included in the analysis.

## **Conclusions for Areas Receiving Limited-Scope Reviews**

Based on limited-scope reviews, the bank's performance under the Lending Test in MD 48424 - Palm Beach County, MSA 42680 - Indian River County, Pinellas County, MSA 34940- Collier County, and MSA 38940 -Martin and Saint Lucie Counties is not inconsistent with the bank's overall "High Satisfactory" performance under the Lending Test.

In the MD 22744 - Broward County, the bank's lending performance is stronger than the bank's overall lending performance due to better geographic and good borrower distribution to low- and moderate-income areas and borrowers. Performance in the Broward MD positively affects rating conclusions.

In the MSA 35840 - Sarasota County; MSA 15980- Lee County; MSA 39460- Charlotte County; MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties; and MSA 36740 (partial)-Orange and Seminole Counties, the bank's performance is weaker than the bank's overall performance. Sarasota and Lee Counties MSAs had fewer branches and lower level of lending to low and moderate-income geographies and borrowers but overall performance was adequate and had a neutral affect on the overall rating.

The Hernando, Hillsborough, Pasco, and Pinellas Counties MSA performance also had a lower level of lending to low- and moderate-income geographies and borrowers, but the performance was adequate and had an overall neutral affect on the bank's rating conclusion.

The Charlotte County performance was adequate and has a neutral affect on overall performance given its one branch with a small deposit share of 1.62 percent.

Branches in the Orange and Seminole Counties have operated less than one year but had adequate performance and have a neutral impact on the rating conclusion. Refer to Tables 1 through 13 in Appendix C for the facts and data that support these conclusions.

## **INVESTMENT TEST**

### **Conclusions for Areas Receiving Full-Scope Reviews**

The bank's performance under the investment test is rated "Outstanding." Based on a full-scope review, the bank's performance in the Miami-Dade MD is excellent.

Refer to Table 14 in Appendix C for the facts and data used to evaluate the bank's level of qualified investments.

During the evaluation period, BankUnited originated 14 qualified investments in the assessment area totaling \$27.8 million. This represents 6.5 percent of allocated Tier 1 Capital. Of those investments, the bank made a \$20 million bond investment to finance construction and improvements to a spectator sports facility in the county. It is located in a moderate-income geography, and the facility assists in the stabilization of the geography by providing new permanent jobs and retention of existing jobs primarily for low- and moderate-income individuals. In addition, eight investments totaling \$1.34 million consisted of donations to organizations whose primary mission is to provide affordable housing and community service to low- and moderate-income individuals. These investments were highly responsive to the affordable housing and financial literacy needs of the assessment area. Further, the new management team identified and purchased these qualifying investments in a short period of time.

### **Conclusions for Area Receiving Limited-Scope Reviews**

Based on limited-scope reviews, the bank's performance in all of the limited-scope areas is weaker than the bank's overall outstanding performance. The volume of the investments was good for all the limited-scope areas with the exception of the Charlotte County MSA that had poor performance with a low volume of investments and in Sarasota County where performance was very good. Additionally, we did not consider Orange-Seminole County MSA due to branches opened less than one year. The performance in the limited-scope areas had a neutral impact on the Investment Test conclusions. Refer to the Tables 14 in Appendix C for the facts and data that support these conclusions.

## **SERVICE TEST**

### **Conclusions for Areas Receiving Full-Scope Reviews**

The bank's performance under the Service Test in the Miami-Dade MD is rated "High Satisfactory." Based on a full-scope review, the bank's performance in the Miami-Dade is good.

## Retail Banking Services

Refer to Table 15 in Appendix C for the facts and data used to evaluate the distribution of the bank's branch delivery system and branch openings and closings.

The distribution of bank branches is good in low-income geographies and adequate in moderate-income geographies. Branches are accessible to all portions of the full-scope assessment area. As of December 31, 2011, BankUnited operated 26 branch offices in Miami-Dade County, Florida. The branch distribution in low-income geographies is near the percentage of the population that resides in these areas but is below in the percentage of the population that reside in the assessment area's moderate-income geographies.

The bank's record of opening and closing branches during the review period has improved the accessibility of its delivery systems, particularly in low- and moderate-income geographies or by low- and moderate-income individuals. During the evaluation period, the bank opened seven branch locations and closed six branch locations. The closures were in middle- and upper-income geographies. There was a positive net change in the number of branches located in moderate-income geographies and no change to those in low-income geographies.

The services offered at each branch are consistent and do not vary in a way that inconveniences portions of the assessment area. Branch hours are reasonable as six of the 26 branches have Saturday hours with two of these branches in low- and moderate-income locations. The bank surveys the area when establishing new locations to determine their hours of service and provides service hours similar to banks already in the area.

The bank owns and operates 24 Automated Teller Machines (ATMs) in the county; one or 4.17 percent is located in a low-income geography, and four or 16.67 percent are in moderate-income geographies. The ATM in the low-income geography is near the level of population residing in the area, and the ATM in the moderate-income geography is below the level of population. The number of ATMs is reasonable considering the few years the bank has had to establish itself since acquisition from the FDIC.

BankUnited is also a member of the Presto ATM system that is owned by Publix grocery stores, which operate throughout the state of Florida. All BankUnited customers have free access to any Presto ATM located in all Publix locations. Considering there are over 762 Publix stores throughout the state, this accessibility enhanced BankUnited's retail delivery system throughout the assessment area.

Other alternative delivery systems included toll-free telephone banking, remote deposit capture for commercial customers, and online banking with bill pay. Many of the branches had bilingual staff, and telephone banking services were also offered in Spanish. Significant weight was not placed on these alternative delivery systems when drawing conclusions for the Service Test. There was no data available describing how low- and moderate-income individuals and geographies use these services.

## Community Development Services

BankUnited provides a good level of community development services with 20 employees' participation in 18 organizations logging 342 hours. Bank employees and officers held leadership positions in many organizations, including board and committee memberships of community development organizations that address the assessment area needs including, services for low- and moderate-income individuals and families, economic development, revitalization and or stabilization of low- or moderate-income sectors of the community, and affordable housing.

A notable community development service was through the Neighborhood Housing Services (NHS) of South Florida. A Senior Vice President and an Assistant Vice President serve on the organization's Loan

Committee, and another Senior Vice President organized first time homebuyer training at one of the bank's branches. The Loan Committee meeting discusses the organization's loan portfolio risk exposure. NHS collaborates with residents and other stakeholders to stabilize neighborhoods and develop sustainable housing. NHS offers a variety of services including financial literacy and mortgages for affordable housing with a focus on low- and moderate- individuals and first-time homebuyers.

Throughout the evaluation period, an Assistant Vice President held several leadership positions on the Board of Directors for ACCION, in which he discussed the Board committee makeup, strategic planning, and board member involvement. ACCION is a non-profit organization dedicated to providing access to capital for small businesses through micro-lending. These small loans are, on average, for several thousand dollars and made to very small or new small businesses that typically do not qualify for loans from conventional lenders.

Throughout 2011, a Senior Executive Vice President and an Assistant Vice President served on the Board of Catalyst Miami where they discussed fundraising, program development, and services provided for low-income families. Formerly the Human Services Coalition, Catalyst Miami works through a network of partner organizations linking people with financial education, healthcare information, public benefits, and educational and economic opportunities. The flagship initiative of Catalyst Miami is the Prosperity Campaign. The campaign helps lower wage individuals and families in South Florida to connect to quality healthcare programs and services, establish financial security, and improve their quality of life.

## **Conclusions for Areas Receiving Limited-Scope Reviews**

Based on limited-scope reviews the bank's performance in the Sarasota County MSA, Broward County MD, Hernando, Hillsborough, Pasco, and Pinellas Counties MSA, Collier County MD, Orange-Seminole County MSA, Martin and Saint Lucie Counties MSA, and Charlotte County MSA is not inconsistent with the bank's overall "High Satisfactory" performance under the Service Test in the state.

In the Indian River MSA and Palm Beach County MD, performance is stronger than the bank's performance in the state. Refer to Table 15 of Appendix C for the facts and data that support these conclusions.

In the Lee County MSA, performance is weaker than the bank's overall performance in the state due to a relatively weaker branch distribution.

## Appendix A: Scope of Examination

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The following table identifies the time period covered in this evaluation, affiliate activities that were reviewed, and loan products considered. The table also reflects the metropolitan and nonmetropolitan areas that received comprehensive examination review (designated by the term “full-scope”) and those that received a less comprehensive review (designated by the term “limited-scope”).

<b>Time Period Reviewed</b>	Lending Test (excludes CD Loans): (05/21/09 to 12/31/11) Investment and Service Tests and CD Loans: (05/21/09 to 10/08/12)	
<b>Financial Institution</b>		<b>Products Reviewed</b>
BankUnited, National Association Miami Lakes, FL		Home Mortgage Loans Small Loans to Businesses Community Development Loans
<b>Affiliate(s)</b>	<b>Affiliate Relationship</b>	<b>Products Reviewed</b>
N/A		
<b>List of Assessment Areas and Type of Examination</b>		
<b>Assessment Area</b>	<b>Type of Exam</b>	<b>Other Information</b>
MD 33124-Miami-Dade County	Full-Scope	
MD 22744 - Broward County	Limited-Scope	
MD 48424 - Palm Beach County	Limited-Scope	
MSA 35840 - Sarasota County	Limited-Scope	
MSA 15980- Lee County	Limited-Scope	
MSA 36740 (partial)-Orange and Seminole Counties	Limited-Scope	
MSA 42680 - Indian River County	Limited-Scope	
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties	Limited-Scope	
MSA 34940- Collier County	Limited-Scope	
MSA 38940 -Martin and Saint Lucie Counties	Limited-Scope	
MSA 39460- Charlotte County	Limited-Scope	

## Appendix B: Market Profiles for Full-Scope Areas

### (MD 33124 Miami-Miami Beach-Kendall, FL)

Demographic Information for Full-Scope Area: MD 33124 (Miami- Dade County, FL)						
Demographic Characteristics	#	Low % of #	Moderate % of #	Middle % of #	Upper % of #	NA* % of #
Geographies (Census Tracts)	347	7.78	28.53	32.85	29.97	0.86
Population by Geography	2,253,362	4.89	28.61	35.68	30.79	0.02
Owner-Occupied Housing by Geography	449,333	1.69	19.82	36.99	41.51	0.00
Business by Geography	304,953	4.91	22.10	32.30	40.27	0.42
Farms by Geography	3,499	2.60	19.03	34.01	44.21	0.14
Family Distribution by Income Level	552,484	23.00	16.98	18.53	41.50	0.00
Distribution of Low and Moderate Income Families throughout AA Geographies	220,856	8.31	40.20	35.41	16.08	0.00
Median Family Income HUD Adjusted Median Family Income for 2011 Households Below Poverty Level	\$40,266 \$51,900 18%	Median Housing Value Unemployment Rate (December 2011)		\$123,974 10.20%		

(\*) The NA category consists of geographies that have not been assigned an income classification.

Source: 2000 US Census, 2011 HUD updated MFI, and Bureau of Labor Statistics.

MD 33124 is equivalent to Miami-Dade County. Based on the 2000 Census, Miami-Dade County consists of 347 census tracts (geographies), of which 27 (8 percent) are low-income, 99 (29 percent) are moderate-income, 114 (33 percent) are middle-income, and 104 (30 percent) are upper-income. Three tracts have no income designation generally because of low population levels. The city of Miami has the greatest concentration of low- and moderate-income geographies.

Miami-Dade County is a densely populated urban center. According to the 2000 Census, the total population is 2.25 million; however, according to the 2010 Census, the population has grown about 11 percent to 2.50 million. Approximately 16 percent of the population resides in the City of Miami. During the evaluation period, the level of homeowner occupancy declined from approximately 60 percent to 58 percent as a result of the housing crisis. However, in low- and moderate-income geographies, the level of renter occupancy is high (69 percent and 56 percent, respectively), based on 2000 Census data. These geographies also represent high levels of households below the poverty level (47 percent and 27 percent, respectively), indicating a need for affordable rental housing. In the city of Miami, 27 percent of persons are living below the poverty level. These households would have difficulty qualifying for a home loan even at current housing prices. Prior community contacts indicate that the need for affordable rental housing is acute in Miami-Dade County as rent levels rose over the past several years.

Miami-Dade County has been severely impacted by the housing crisis. It consistently has some of the highest foreclosure rates in the United States, and according to Zillow.com, as of the fourth quarter of 2011, 48 percent of homes with mortgages are in a negative equity position, limiting the owners' opportunity for mortgage refinancing. Home prices have fallen 50 percent or more since the highs of 2006, and condominium values declined 60 percent. The 2010 Census estimates the median value of owner-occupied housing units (2006-2010) in Miami-Dade County to be \$269,600. Median sales prices in Miami reportedly reached a low of \$149,000 in the third quarter of 2010. Considering that the HUD estimated median family income for 2009, 2010, and 2011 was \$50,800, \$52,200, and \$51,900, respectively, and poverty levels in the county, it is clear that low-income and many moderate-income families generally could not afford mortgage payments, as well as taxes and insurance, unless subsidies and other special programs provided them with

assistance during the initial purchase. However, current economic conditions have reduced the availability of such assistance. Also, realtors report investors are buying lower priced homes for cash reducing opportunities available to low- and moderate-income families that wish to occupy the property as their primary residence.

Local economic conditions were weak during the evaluation period. In Miami-Dade County, housing starts declined to the lowest level in a decade. Construction and construction-related jobs drove the local economy and their decline led to high unemployment rates and the closing of many small businesses. According to Moody's Analysis, at the peak in 2005, 9,922 single-family housing permits were issued. In 2009, the number was 624, rising to 1,027 in 2010 and approximately 1,900 in 2011. The decline in jobs, particularly construction and construction-related jobs drove the county's unemployment rate to 12.4 percent as of December 31, 2010. As of December 31, 2011, the rate was 10.2 percent. These rates are higher than the state of Florida overall, which reported unemployment rates of 10.9 percent and 9.7 percent, respectively for the same time periods. This indicates a need for activities that support job creation, job placement and job training programs, and community services for low- and moderate-income persons and families.

Banking competition within the assessment area continues to be intense. In addition to community and midsize banks, branches of the largest banks in the country operate in Miami-Dade County. As of June 30, 2011, there were 70 deposit taking financial institutions in Miami-Dade County operating 660 branches. BankUnited had a deposit market share of 2.89 percent and the market continues to be dominated by Wells Fargo and Bank of America as discussed in the Lending Activity portion of this evaluation. In addition to competition for deposits and loans, the level of competition in the assessment area is very high for qualified community development investments and loans.

Opportunities for community development lending, investments, and services in Miami-Dade County are good. Opportunities exist to finance the purchase and/or rehabilitation of multi-family housing units that provide affordable rental housing in low- and moderate-income geographies, but they have declined from previous levels because of the volume of condominium conversions during the height of the housing boom. Statewide affordable housing entities are continuing to construct affordable rental housing, as are some local developers. They are either financed directly or through loan funds that rely on the participation of a group of local banks. There is a federally designated Empowerment Zone that targets economic development with the goal of revitalizing the area by stimulating and retaining jobs, and there are areas designated as Enterprise Zones that share the same goal.

The impact of the mortgage crisis caused some community development organizations to change their focus from new construction to acquiring foreclosed properties, rehabilitating them, and then making them available for rent or for sale to low- and moderate-income persons or families. Some of these activities are being funded through grants from the Neighborhood Stabilization Program (NSP) offered by the Department of Housing and Urban Development (HUD) which were awarded to Miami-Dade County and the city of Miami. Banking activities related to the NSP are given positive consideration under community development.

Community development investment options are available. Mortgage-backed securities backed by mortgages to low- and moderate-income borrowers are an option either directly or through loan funds that make investments in mortgage-backed securities. Low Income Housing Tax Credits remain available. Miami-Dade County, the State and the Region have community development financial institutions ("CDFIs") and private equity organizations that need support for their community development activities. Opportunities exist to contribute to qualified non-profit organizations whose missions are focused on providing affordable housing and community services for low- and moderate-income persons, particularly in the areas of job training and job placement, as noted by a community contact made for another CRA

examination in the same assessment area. However, the extent of these activities has been impacted by the financial condition of some area banks.

Opportunities exist to provide financial literacy training in schools and in cooperation with local community organizations. This training could include homeownership, credit, foreclosure counseling, and information on general banking services to assist the un-banked population.

## Appendix C: Tables of Performance Data

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### Content of Standardized Tables

References to the “bank” include activities of any affiliates that the bank provided for consideration (refer to Appendix A: Scope of the Examination). For purposes of reviewing the Lending Test tables, the following are applicable: (1) purchased loans are treated as originations/purchases and market share is the number of loans originated and purchased by the bank as a percentage of the aggregate number of reportable loans originated and purchased by all lenders in the MA/assessment area; (2) Partially geocoded loans (loans where no census tract is provided) cannot be broken down by income geographies and, therefore, are only reflected in the Total Loans in Core Tables 2 through 7 and part of Table 13; and (3) Partially geocoded loans are included in the Total Loans and % Bank Loans Column in Core Tables 8 through 12 and part of Table 13. Tables without data are not included in this PE.

The following is a listing and brief description of the tables:

- Table 1. Lending Volume** - Presents the number and dollar amount of reportable loans originated and purchased by the bank over the evaluation period by MA/assessment area. Community development loans to statewide or regional entities or made outside the bank’s assessment area may receive positive CRA consideration. See Interagency Q&As \_\_.12 (i) - 5 and - 6 for guidance on when a bank may receive positive CRA consideration for such loans. Refer to the CRA section of the Compliance Policy intranet page for guidance on table placement.
- Table 1. Other Products** - Presents the number and dollar amount of any unreported category of loans originated and purchased by the bank over the evaluation period by MA/assessment area. Examples include consumer loans or other data that a bank may provide, at its option, concerning its lending performance. This is a two-page table that lists specific categories.
- Table 2. Geographic Distribution of Home Purchase Loans** - Compares the percentage distribution of the number of loans originated and purchased by the bank in low-, moderate-, middle-, and upper-income geographies to the percentage distribution of owner-occupied housing units throughout those geographies. The table also presents market share information based on the most recent aggregate market data available.
- Table 3. Geographic Distribution of Home Improvement Loans** - See Table 2.
- Table 4. Geographic Distribution of Home Mortgage Refinance Loans** - See Table 2.
- Table 5. Geographic Distribution of Multifamily Loans** - Compares the percentage distribution of the number of multifamily loans originated and purchased by the bank in low-, moderate-, middle-, and upper-income geographies to the percentage distribution of multifamily housing units throughout those geographies. The table also presents market share information based on the most recent aggregate market data available.
- Table 6. Geographic Distribution of Small Loans to Businesses** - The percentage distribution of the number of small loans (less than or equal to \$1 million) to businesses originated and purchased by the bank in low-, moderate-, middle-, and upper-income geographies compared to the percentage distribution of businesses (regardless of revenue size) throughout those geographies. The table also presents market share information based on the most recent aggregate market data available. Because small business data are not available for geographic

areas smaller than counties, it may be necessary to use geographic areas larger than the bank's assessment area.

**Table 7. Geographic Distribution of Small Loans to Farms** - The percentage distribution of the number of small loans (less than or equal to \$500,000) to farms originated and purchased by the bank in low-, moderate-, middle-, and upper-income geographies compared to the percentage distribution of farms (regardless of revenue size) throughout those geographies. The table also presents market share information based on the most recent aggregate market data available. Because small farm data are not available for geographic areas smaller than counties, it may be necessary to use geographic areas larger than the bank's assessment area.

**Table 8. Borrower Distribution of Home Purchase Loans** - Compares the percentage distribution of the number of loans originated and purchased by the bank to low-, moderate-, middle-, and upper-income borrowers to the percentage distribution of families by income level in each MA/assessment area. The table also presents market share information based on the most recent aggregate market data available.

**Table 9. Borrower Distribution of Home Improvement Loans** (See Table 8)

**Table 10. Borrower Distribution of Refinance Loans** (See Table 8)

**Table 11. Borrower Distribution of Small Loans to Businesses** - Compares the percentage distribution of the number of small loans (less than or equal to \$1 million) originated and purchased by the bank to businesses with revenues of \$1 million or less to the percentage distribution of businesses with revenues of \$1 million or less. In addition, the table presents the percentage distribution of the number of loans originated and purchased by the bank by loan size, regardless of the revenue size of the business. Market share information is presented based on the most recent aggregate market data available.

**Table 12. Borrower Distribution of Small Loans to Farms** - Compares the percentage distribution of the number of small loans (less than or equal to \$500,000) originated and purchased by the bank to farms with revenues of \$1 million or less to the percentage distribution of farms with revenues of \$1 million or less. In addition, the table presents the percentage distribution of the number of loans originated and purchased by the bank by loan size, regardless of the revenue size of the farm. Market share information is presented based on the most recent aggregate market data available.

**Table 13. Geographic and Borrower Distribution of Consumer Loans (OPTIONAL)** - For geographic distribution, the table compares the percentage distribution of the number of loans originated and purchased by the bank in low-, moderate-, middle-, and upper-income geographies to the percentage distribution of households within each geography. For borrower distribution, the table compares the percentage distribution of the number of loans originated and purchased by the bank to low-, moderate-, middle-, and upper-income borrowers to the percentage of households by income level in each MA/assessment area.

**Table 14. Qualified Investments** - Presents the number and dollar amount of qualified investments made by the bank in each MA/AA. The table separately presents investments made during prior evaluation periods that are still outstanding and investments made during the current evaluation period. Prior-period investments are reflected at their book value as of the end of the evaluation period. Current period investments are reflected at their original investment amount even if that amount is greater than the current book value of the investment. The table also

presents the number and dollar amount of unfunded qualified investment commitments. In order to be included, an unfunded commitment must be legally binding and tracked and recorded by the bank's financial reporting system.

A bank may receive positive consideration for qualified investments in statewide/regional entities or made outside of the bank's assessment area. See Interagency Q&As \_\_.12 (i) - 5 and - 6 for guidance on when a bank may receive positive CRA consideration for such investments. Refer to the CRA section of the Compliance Policy intranet page for guidance on table placement.

**Table 15. Distribution of Branch Delivery System and Branch Openings/Closings** - Compares the percentage distribution of the number of the bank's branches in low-, moderate-, middle-, and upper-income geographies to the percentage of the population within each geography in each MA/AA. The table also presents data on branch openings and closings in each MA/AA.

## Institution ID: BankUnited, NA

**Table 1. Lending Volume**

LENDING VOLUME			Geography: FLORIDA			Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011						
Assessment Area (2011):	% of Rated Area Loans (#) in MA/AA*	Home Mortgage		Small Loans to Businesses		Small Loans to Farms		Community Development Loans**		Total Reported Loans		% of Rated Area Deposits in MA/AA***
		#	\$ (000's)	#	\$ (000's)	#	\$ (000's)	#	\$ (000's)	#	\$ (000's)	
<b>Full Review:</b>												
MD 33124- Miami-Dade County, FL	42.48	142	61,211	1,005	144,578	0	0	16	51,097	1,163	256,886	34.44
<b>Limited Review:</b>												
MD 22744 - Broward County, FL	25.64	131	49,567	561	68,745	0	0	10	17,772	702	136,084	23.35
MD 48424 - Palm Beach County, FL	13.08	94	25,440	263	33,818	0	0	1	1,500	358	60,758	20.20
MSA 35840 - Sarasota County, FL	3.40	25	4,491	68	7,215	0	0	0	0	93	11,706	3.22
MSA 15980- Lee County, FL	2.89	15	2,993	64	5,564	0	0	0	0	79	8,557	3.20
MSA 36740 (partial)-Orange and Seminole Counties, FL	0.69	6	40,155	13	3,165	0	0	0	0	19	43,320	0.00
MSA 42680 - Indian River County, FL	1.64	15	1,539	30	3,812	0	0	0	0	45	5,351	1.88
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	3.51	19	3,291	75	10,729	0	0	2	17,070	96	31,090	3.88
MSA 34940- Collier County, FL	2.15	15	3,419	44	2,256	0	0	0	0	59	5,675	3.20
MSA 38940 -Martin and Saint Lucie Counties, FL	3.87	33	5,136	72	8,410	0	0	1	488	106	14,034	5.01
MSA 39460- Charlotte County, FL	0.66	3	490	15	645	0	0	0	0	18	1,135	1.61

\* Loan Data as of December 31, 2011. Rated area refers to either state or multi-state MA rating area.

\*\* The evaluation period for Community Development Loans is from August 31, 2009 to December 31, 2011.

\*\*\* Deposit Data as of June 30, 2011. Rated Area refers to either the state, multi-state MA, or institution, as appropriate.

Institution ID: **BankUnited, NA****Table 2. Geographic Distribution of Home Purchase Loans**

Geographic Distribution: HOME PURCHASE				Geography: FLORIDA				Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011							
Assessment Area:	Total Home Purchase Loans		Low-Income Geographies		Moderate-Income Geographies		Middle-Income Geographies		Upper-Income Geographies		Market Share (%) by Geography <sup>*</sup>				
	#	% of Total <sup>**</sup>	% Owner Occ Units <sup>***</sup>	% BANK Loans <sup>****</sup>	% Owner Occ Units <sup>***</sup>	% BANK Loans	% Owner Occ Units <sup>***</sup>	% BANK Loans	% Owner Occ Units <sup>***</sup>	% BANK Loans	Overall	Low	Mod	Mid	Upp
<b>Full Review:</b>															
MD 33124 - Miami-Dade County, FL	52	24.19	1.69	5.77	19.82	34.62	36.99	25.00	41.51	34.62	0.18	0.31	0.46	0.14	0.11
<b>Limited Review:</b>															
MD 22744 - Broward County, FL	52	24.19	1.16	3.85	23.67	42.31	45.93	19.23	29.24	34.62	0.19	0.35	0.57	0.07	0.17
MD 48424 - Palm Beach County, FL	47	21.86	1.53	10.64	24.63	31.91	36.35	31.91	37.50	25.53	0.16	1.14	0.30	0.13	0.12
MSA 35840 - Sarasota County, FL	8	3.72	0.30	0.00	20.46	12.50	54.68	87.50	24.56	0.00	0.06	0.00	0.11	0.09	0.00
MSA 15980 - Lee County, FL															
MSA 36740 (partial)-Orange and Seminole Counties, FL	5	2.33	0.87	0.00	13.24	20.00	63.06	60.00	22.84	20.00	0.05	0.00	0.21	0.04	0.03
MSA 42680 - Indian River County, FL	1	0.47	0.86	0.00	14.02	0.00	43.19	0.00	41.93	100.00	0.00	0.00	0.00	0.00	0.01
MSA 45300 - Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	8	3.72	0.00	0.00	13.47	25.00	61.60	62.50	24.93	12.50	0.37	0.00	0.72	0.39	0.23
MSA 34940 - Collier County, FL	10	4.65	1.00	0.00	15.65	30.00	48.72	50.00	34.62	20.00	0.03	0.00	0.09	0.04	0.02
MSA 38940 - Martin and Saint Lucie Counties, FL	9	4.19	2.30	0.00	13.08	11.11	47.98	88.89	36.65	0.00	0.15	0.00	0.14	0.25	0.00
MSA 39460 - Charlotte County, FL	23	10.70	1.15	0.00	11.40	17.39	62.21	78.26	25.24	4.35	0.32	0.00	1.40	0.34	0.07
MD 22744 - Broward County, FL	0	0.00	0.00	0.00	5.11	0.00	82.99	0.00	11.90	0.00	0.00	0.00	0.00	0.00	0.00

<sup>\*</sup> Based on 2011 Peer Mortgage Data (USPR)<sup>\*\*</sup> Home purchase loans originated and purchased in the MA/AA as a percentage of all home purchase loans originated and purchased in the rated area.<sup>\*\*\*</sup> Percentage of Owner Occupied Units is the number of owner occupied units in a particular geography divided by the number of owner occupied housing units in the area based on 2000 Census information.<sup>\*\*\*\*</sup> Data shown includes only One to Four-family and manufactured housing. (Property type of 1 or 2)

Institution ID: **BankUnited, NA****Table 3. Geographic Distribution of Home Improvement Loans**

Geographic Distribution: HOME IMPROVEMENT			Geography: FLORIDA			Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011											
Assessment Area:	Total Home Improvement Loans		Low-Income Geographies		Moderate-Income Geographies		Middle-Income Geographies		Upper-Income Geographies		Market Share (%) by Geography						
	#	% of Total**	% Owner Occ Units***	% BANK Loans***	% Owner Occ Units***	% BANK Loans	% Owner Occ Units***	% BANK Loans	% Owner Occ Units***	% BANK Loans	Overall	Low	Mod	Mid	Upp		
<b>Full Review:</b>																	
MD 33124 - Miami-Dade County, FL	0	0.00	1.69	0.00	19.82	0.00	36.99	0.00	41.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Limited Review:</b>																	
MD 22744 - Broward County, FL	2	40.00	1.16	0.00	23.67	0.00	45.93	0.00	29.24	100.00	0.35	0.00	0.00	0.00	0.70		
MD 48424 - Palm Beach County, FL	2	40.00	1.53	0.00	24.63	0.00	36.35	0.00	37.50	100.00	0.47	0.00	0.00	0.00	0.88		
MSA 35840 - Sarasota County, FL	0	0.00	0.30	0.00	20.46	0.00	54.68	0.00	24.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MSA 15980 - Lee County, FL																	
MSA 36740 (partial)-Orange and Seminole Counties, FL	1	20.00	0.87	0.00	13.24	0.00	63.06	0.00	22.84	100.00	0.42	0.00	0.00	0.00	1.92		
MSA 42680 - Indian River County, FL	0	0.00	0.86	0.00	14.02	0.00	43.19	0.00	41.93	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MSA 45300 - Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	0	0.00	0.00	0.00	13.47	0.00	61.60	0.00	24.93	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MSA 34940- Collier County, FL	0	0.00	1.00	0.00	15.65	0.00	48.72	0.00	34.62	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MSA 38940 -Martin and Saint Lucie Counties, FL	0	0.00	2.30	0.00	13.08	0.00	47.98	0.00	36.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MSA 39460- Charlotte County, FL	0	0.00	1.15	0.00	11.40	0.00	62.21	0.00	25.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MD 22744 - Broward County, FL	0	0.00	0.00	0.00	5.11	0.00	82.99	0.00	11.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

\* Based on 2011 Peer Mortgage Data (USPR)

\*\* Home improvement loans originated and purchased in the MA/AA as a percentage of all home improvement loans originated and purchased in the rated area.

\*\*\* Percentage of Owner Occupied Units is the number of owner occupied units in a particular geography divided by the number of owner occupied housing units in the area based on 2000 Census information.

\*\*\*\* Data shown includes only One to Four-family and manufactured housing. (Property type of 1 or 2)

**Table 4. Geographic Distribution of Home Mortgage Refinance Loans**

Geographic Distribution: HOME MORTGAGE REFINANCE			Geography: FLORIDA				Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011								
Assessment Area:	Total Home Mortgage Refinance Loans		Low-Income Geographies		Moderate-Income Geographies		Middle-Income Geographies		Upper-Income Geographies		Market Share (%) by Geography*				
	#	% of Total**	% Owner Occ Units***	% BANK Loans***	% Owner Occ Units***	% BANK Loans	% Owner Occ Units***	% BANK Loans	% Owner Occ Units***	% BANK Loans	Overall	Low	Mod	Mid	Upp
<b>Full Review:</b>															
MD 33124- Miami-Dade County, FL	85	33.07	1.69	0.00	19.82	4.71	36.99	25.88	41.51	69.41	0.37	0.00	0.08	0.38	0.40
<b>Limited Review:</b>															
MD 22744 - Broward County, FL	68	26.46	1.16	1.47	23.67	4.41	45.93	32.35	29.24	61.76	0.24	0.99	0.08	0.23	0.26
MD 48424 - Palm Beach County, FL	44	17.12	1.53	0.00	24.63	2.27	36.35	29.55	37.50	68.18	0.25	0.00	0.10	0.22	0.28
MSA 35840 - Sarasota County, FL	17	6.61	0.30	0.00	20.46	0.00	54.68	47.06	24.56	52.94	0.18	0.00	0.00	0.17	0.23
MSA 15980- Lee County, FL	8	3.11	0.87	0.00	13.24	25.00	63.06	37.50	22.84	37.50	0.09	0.00	0.00	0.12	0.07
MSA 36740 (partial)-Orange and Seminole Counties, FL	1	0.39	0.86	0.00	14.02	0.00	43.19	0.00	41.93	100.00	0.01	0.00	0.00	0.00	0.01
MSA 42680 - Indian River County, FL	7	2.72	0.00	0.00	13.47	0.00	61.60	57.14	24.93	42.86	0.33	0.00	0.00	0.48	0.17
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	9	3.50	1.00	0.00	15.65	11.11	48.72	33.33	34.62	55.56	0.02	0.00	0.00	0.01	0.03
MSA 34940- Collier County, FL	6	2.33	2.30	0.00	13.08	0.00	47.98	16.67	36.65	83.33	0.07	0.00	0.00	0.00	0.14
MSA 38940 -Martin and Saint Lucie Counties, FL	9	3.50	1.15	0.00	11.40	0.00	62.21	77.78	25.24	22.22	0.19	0.00	0.00	0.22	0.16
MSA 39460- Charlotte County, FL	3	1.17	0.00	0.00	5.11	0.00	82.99	66.67	11.90	33.33	0.12	0.00	0.00	0.07	0.29

\* Based on 2011 Peer Mortgage Data (USPR)

\*\* Home refinance loans originated and purchased in the MA/AA as a percentage of all home refinance loans originated and purchased in the rated area.

\*\*\* Percentage of Owner Occupied Units is the number of owner occupied units in a particular geography divided by the number of owner occupied housing units in the area based on 2000 Census information.

\*\*\*\* Data shown includes only One to Four-family and manufactured housing. (Property type of 1 or 2)

Institution ID: BankUnited, NA

**Table 5. Geographic Distribution of Multifamily Loans**

Geographic Distribution: MULTIFAMILY			Geography: FLORIDA			Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011												
Assessment Area:	Total Multifamily Loans		Low-Income Geographies		Moderate-Income Geographies		Middle-Income Geographies		Upper-Income Geographies		Market Share (%) by Geography <sup>*</sup>							
	#	% of Total <sup>**</sup>	% of MF Units <sup>***</sup>	% BANK Loans <sup>****</sup>	% MF Units <sup>***</sup>	% BANK Loans	% MF Units <sup>***</sup>	% BANK Loans	% MF Units <sup>***</sup>	% BANK Loans	Overall	Low	Mod	Mid	Upp			
<b>Full Review:</b>																		
MD 33124- Miami-Dade County, FL	5	23.81	6.85	0.00	35.49	40.00	30.24	20.00	27.42	40.00	1.60	0.00	1.64	0.00	5.56			
<b>Limited Review:</b>																		
MD 22744 - Broward County, FL	9	42.86	2.27	11.11	32.48	11.11	48.64	77.78	16.61	0.00	6.17	0.00	4.00	12.90	0.00			
MD 48424 - Palm Beach County, FL	1	4.76	3.13	0.00	32.78	100.00	31.51	0.00	32.58	0.00	0.00	0.00	0.00	0.00	0.00			
MSA 35840 - Sarasota County, FL	0	0.00	0.53	0.00	20.94	0.00	43.00	0.00	35.54	0.00	0.00	0.00	0.00	0.00	0.00			
MSA 15980- Lee County, FL																		
MSA 36740 (partial)-Orange and Seminole Counties, FL	1	4.76	1.45	0.00	15.27	0.00	44.37	100.00	38.90	0.00	0.00	0.00	0.00	0.00	0.00			
MSA 42680 - Indian River County, FL	4	19.05	2.73	0.00	27.37	50.00	50.42	25.00	19.47	25.00	12.90	0.00	15.38	12.50	10.00			
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	0	0.00	0.00	0.00	18.93	0.00	45.98	0.00	35.08	0.00	0.00	0.00	0.00	0.00	0.00			
MSA 34940- Collier County, FL	0	0.00	4.58	0.00	17.61	0.00	48.82	0.00	28.99	0.00	0.00	0.00	0.00	0.00	0.00			
MSA 38940 -Martin and Saint Lucie Counties, FL	0	0.00	2.08	0.00	7.03	0.00	35.11	0.00	55.78	0.00	0.00	0.00	0.00	0.00	0.00			
MSA 39460- Charlotte County, FL	1	4.76	2.19	0.00	14.37	100.00	43.56	0.00	39.88	0.00	0.00	0.00	0.00	0.00	0.00			

<sup>\*</sup> Based on 2011 Peer Mortgage Data (USPR)<sup>\*\*</sup> Multi-family loans originated and purchased in the MA/AA as a percentage of all multi-family loans originated and purchased in the rated area.<sup>\*\*\*</sup> Percentage of Multi Family Units is the number of multi family units in a particular geography divided by the number of multifamily housing units in the area based on 2000 Census information.<sup>\*\*\*\*</sup> Multifamily loan distribution includes Home Purchases, Home Improvement and Refinances.

Institution ID: BankUnited, NA

**Table 6. Geographic Distribution of Small Loans to Businesses**

Geographic Distribution: SMALL LOANS TO BUSINESSES				Geography: FLORIDA				Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011							
Assessment Area:	Total Small Business Loans	Low-Income Geographies		Moderate-Income Geographies		Middle-Income Geographies		Upper-Income Geographies		Market Share (%) by Geography <sup>*</sup>					
	#	% of Total <sup>**</sup>	% of Businesses <sup>***</sup>	% BANK Loans	% of Businesses <sup>***</sup>	% BANK Loans	% of Businesses <sup>***</sup>	% BANK Loans	% of Businesses <sup>***</sup>	% BANK Loans	Overall	Low	Mod	Mid	Upp
<b>Full Review:</b>															
MD 33124- Miami-Dade County, FL	999	45.33	3.98	4.70	19.56	15.72	32.37	31.53	43.51	48.05	0.87	1.07	0.93	0.86	0.87
<b>Limited Review:</b>															
MD 22744 - Broward County, FL	561	25.45	4.01	4.63	19.65	24.06	41.33	41.35	35.01	29.95	0.82	0.63	1.17	0.89	0.63
MD 48424 - Palm Beach County, FL	263	11.93	2.78	3.04	19.29	20.53	34.19	30.04	43.62	46.39	0.55	0.67	0.67	0.52	0.53
MSA 35840 - Sarasota County, FL	68	3.09	0.33	0.00	17.43	22.06	51.34	57.35	30.90	20.59	0.35	0.00	0.60	0.33	0.30
MSA 15980- Lee County, FL	64	2.90	0.63	0.00	12.13	6.25	60.60	67.19	26.64	26.56	0.47	0.00	0.42	0.54	0.40
MSA 36740 (partial)- Orange and Seminole Counties, FL	13	0.59	1.39	7.69	16.59	23.08	39.48	61.54	42.54	7.69	0.04	0.22	0.07	0.06	0.02
MSA 42680 - Indian River County, FL	30	1.36	0.00	0.00	11.49	10.00	60.55	76.67	27.96	13.33	0.90	0.00	0.98	1.14	0.49
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	75	3.40	1.76	0.00	18.07	25.33	41.91	42.67	38.26	32.00	0.13	0.00	0.16	0.12	0.13
MSA 34940- Collier County, FL	44	2.00	1.46	0.00	10.63	11.36	44.78	45.45	43.14	43.18	0.44	0.00	0.67	0.40	0.46
MSA 38940 -Martin and Saint Lucie Counties, FL	72	3.27	1.99	2.78	16.05	22.22	59.41	56.94	22.54	18.06	0.88	1.14	1.09	1.08	0.36
MSA 39460- Charlotte County, FL	15	0.68	0.00	0.00	3.93	6.67	85.99	86.67	10.08	6.67	0.47	0.00	0.87	0.46	0.39

<sup>\*</sup> Based on 2011 Peer Small Business Data -- US and PR<sup>\*\*</sup> Small loans to businesses originated and purchased in the MA/AA as a percentage of all small loans to businesses originated and purchased in the rated area.<sup>\*\*\*</sup> Source Data - Dun and Bradstreet (2011).

Institution ID: BankUnited, NA

**Table 8. Borrower Distribution of Home Purchase Loans**

Borrower Distribution: HOME PURCHASE			Geography: FLORIDA			Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011									
Assessment Area:	Total Home Purchase Loans	Low-Income Borrowers	Moderate-Income Borrowers	Middle-Income Borrowers	Upper-Income Borrowers	Market Share*									
	#	% of Total**	% Families***	% BANK Loans***	% Families***	% BANK Loans****	% Families***	% BANK Loans****	Overall	Low	Mod	Mid	Upp		
<b>Full Review:</b>															
MD 33124- Miami-Dade County, FL	52	24.19	23.00	14.00	16.98	26.00	18.53	30.00	41.50	30.00	0.21	0.74	0.34	0.28	0.10
<b>Limited Review:</b>															
MD 22744 - Broward County, FL	52	24.19	20.85	9.80	18.17	43.14	20.48	13.73	40.50	33.33	0.21	0.25	0.40	0.17	0.14
MD 48424 - Palm Beach County, FL	47	21.86	19.86	23.91	18.56	36.96	20.60	10.87	40.98	28.26	0.17	0.28	0.25	0.20	0.12
MSA 35840 - Sarasota County, FL	8	3.72	17.71	42.86	19.64	57.14	23.60	0.00	39.06	0.00	0.07	0.16	0.32	0.00	0.00
MSA 15980- Lee County, FL	5	2.33	17.16	50.00	19.96	25.00	23.32	0.00	39.56	25.00	0.04	0.11	0.12	0.00	0.02
MSA 36740 (partial)- Orange and Seminole Counties, FL	1	0.47	17.89	0.00	17.59	0.00	21.98	100.00	42.54	0.00	0.01	0.00	0.00	0.02	0.00
MSA 42680 - Indian River County, FL	8	3.72	17.61	50.00	19.63	50.00	22.39	0.00	40.37	0.00	0.44	2.80	1.09	0.00	0.00
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	10	4.65	18.01	22.22	17.82	66.67	21.44	0.00	42.73	11.11	0.03	0.14	0.11	0.00	0.01
MSA 34940- Collier County, FL	9	4.19	19.06	25.00	19.32	37.50	20.65	12.50	40.97	25.00	0.15	0.32	0.36	0.00	0.08
MSA 38940 -Martin and Saint Lucie Counties, FL	23	10.70	18.46	47.62	19.34	28.57	22.19	9.52	40.01	14.29	0.34	1.54	0.39	0.26	0.10
MSA 39460- Charlotte County, FL	0	0.00	15.59	0.00	20.59	0.00	25.42	0.00	38.40	0.00	0.00	0.00	0.00	0.00	0.00

\* Based on 2011 Peer Mortgage Data (USPR)

\*\* Home purchase loans originated and purchased in the MA/AA as a percentage of all home purchase loans originated and purchased in the rated area.

\*\*\* Percentage of Families is based on the 2000 Census information.

\*\*\*\* As a percentage of loans with borrower income information available. No information was available for 4.7% of loans originated and purchased by bank.

Institution ID: **BankUnited, NA****Table 9. Borrower Distribution of Home Improvement Loans**

Borrower Distribution: HOME IMPROVEMENT			Geography: FLORIDA			Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011										
Assessment Area:	Total Home Improvement Loans		Low-Income Borrowers		Moderate-Income Borrowers		Middle-Income Borrowers		Upper-Income Borrowers		Market Share					
	#	% of Total <sup>**</sup>	% Families***	% BANK Loans****	% Families***	% BANK Loans****	% Families***	% BANK Loans****	% Families***	% BANK Loans****	Overall	Low	Mod	Mid	Upp	
<b>Full Review:</b>																
MD 33124- Miami-Dade County, FL	0	0.00	23.00	0.00	16.98	0.00	18.53	0.00	41.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Limited Review:</b>																
MD 22744 - Broward County, FL	2	40.00	20.85	0.00	18.17	0.00	20.48	0.00	40.50	100.00	0.38	0.00	0.00	0.00	0.78	
MD 48424 - Palm Beach County, FL	2	40.00	19.86	0.00	18.56	0.00	20.60	0.00	40.98	100.00	0.50	0.00	0.00	0.00	1.03	
MSA 35840 - Sarasota County, FL	0	0.00	17.71	0.00	19.64	0.00	23.60	0.00	39.06	0.00	0.00	0.00	0.00	0.00	0.00	
MSA 15980- Lee County, FL	1	20.00	17.16	0.00	19.96	0.00	23.32	0.00	39.56	100.00	0.44	0.00	0.00	0.00	1.15	
MSA 36740 (partial)-Orange and Seminole Counties, FL	0	0.00	17.89	0.00	17.59	0.00	21.98	0.00	42.54	0.00	0.00	0.00	0.00	0.00	0.00	
MSA 42680 - Indian River County, FL	0	0.00	17.61	0.00	19.63	0.00	22.39	0.00	40.37	0.00	0.00	0.00	0.00	0.00	0.00	
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	0	0.00	18.01	0.00	17.82	0.00	21.44	0.00	42.73	0.00	0.00	0.00	0.00	0.00	0.00	
MSA 34940- Collier County, FL	0	0.00	19.06	0.00	19.32	0.00	20.65	0.00	40.97	0.00	0.00	0.00	0.00	0.00	0.00	
MSA 38940 -Martin and Saint Lucie Counties, FL	0	0.00	18.46	0.00	19.34	0.00	22.19	0.00	40.01	0.00	0.00	0.00	0.00	0.00	0.00	
MSA 39460- Charlotte County, FL	0	0.00	15.59	0.00	20.59	0.00	25.42	0.00	38.40	0.00	0.00	0.00	0.00	0.00	0.00	

<sup>\*</sup> Based on 2011 Peer Mortgage Data (USPR)<sup>\*\*</sup> Home improvement loans originated and purchased in the MA/AA as a percentage of all home improvement loans originated and purchased in the rated area.<sup>\*\*\*</sup> Percentage of Families is based on the 2000 Census information.<sup>\*\*\*\*</sup> As a percentage of loans with borrower income information available. No information was available for 0.0% of loans originated and purchased by bank.

Institution ID: BankUnited, NA

**Table 10. Borrower Distribution of Home Mortgage Refinance Loans**

Borrower Distribution: HOME MORTGAGE REFINANCE			Geography: FLORIDA				Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011								
Assessment Area:	Total Home Mortgage Refinance Loans		Low-Income Borrowers		Moderate-Income Borrowers		Middle-Income Borrowers		Upper-Income Borrowers		Market Share <sup>*</sup>				
	#	% of Total <sup>**</sup>	% Families ***	% BANK Loans ****	% Families***	% BANK Loans****	% Families***	% BANK Loans****	% Families***	% BANK Loans****	Overall	Low	Mod	Mid	Upp
<b>Full Review:</b>															
MD 33124- Miami-Dade County, FL	85	33.07	23.00	2.47	16.98	7.41	18.53	12.35	41.50	77.78	0.50	0.23	0.53	0.44	0.53
<b>Limited Review:</b>															
MD 22744 - Broward County, FL	68	26.46	20.85	8.96	18.17	13.43	20.48	23.88	40.50	53.73	0.32	0.62	0.00	0.36	0.34
MD 48424 - Palm Beach County, FL	44	17.12	19.86	2.27	18.56	6.82	20.60	15.91	40.98	75.00	0.33	0.00	0.16	0.32	0.39
MSA 35840 - Sarasota County, FL	17	6.61	17.71	0.00	19.64	23.53	23.60	23.53	39.06	52.94	0.23	0.00	0.34	0.23	0.23
MSA 15980- Lee County, FL	8	3.11	17.16	0.00	19.96	14.29	23.32	42.86	39.56	42.86	0.12	0.00	0.19	0.32	0.06
MSA 36740 (partial)- Orange and Seminole Counties, FL	1	0.39	17.89	0.00	17.59	0.00	21.98	0.00	42.54	100.00	0.01	0.00	0.00	0.00	0.01
MSA 42680 - Indian River County, FL	7	2.72	17.61	14.29	19.63	14.29	22.39	14.29	40.37	57.14	0.45	1.85	0.71	0.00	0.43
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	9	3.50	18.01	11.11	17.82	0.00	21.44	33.33	42.73	55.56	0.03	0.00	0.00	0.07	0.03
MSA 34940- Collier County, FL	6	2.33	19.06	33.33	19.32	33.33	20.65	0.00	40.97	33.33	0.08	0.51	0.23	0.00	0.04
MSA 38940 -Martin and Saint Lucie Counties, FL	9	3.50	18.46	11.11	19.34	11.11	22.19	33.33	40.01	44.44	0.27	0.62	0.28	0.40	0.19
MSA 39460- Charlotte County, FL	3	1.17	15.59	0.00	20.59	33.33	25.42	33.33	38.40	33.33	0.15	0.00	0.00	0.32	0.15

<sup>\*</sup> Based on 2011 Peer Mortgage Data (USPR)<sup>\*\*</sup> Home refinance loans originated and purchased in the MA/AA as a percentage of all home refinance loans originated and purchased in the rated area.<sup>\*\*\*</sup> Percentage of Families is based on the 2000 Census information.<sup>\*\*\*\*</sup> As a percentage of loans with borrower income information available. No information was available for 2.3% of loans originated and purchased by bank.

Institution ID: **BankUnited, NA****Table 11. Borrower Distribution of Small Loans to Businesses**

Borrower Distribution: SMALL LOANS TO BUSINESSES			Geography: FLORIDA		Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011				
	Total Small Loans to Businesses	Businesses With Revenues of \$1 million or less	Loans by Original Amount Regardless of Business Size					Market Share <sup>*</sup>	
Assessment Area:	#	% of Total <sup>**</sup>	% of Businesses <sup>***</sup>	% BANK Loans <sup>****</sup>	\$100,000 or less	>\$100,000 to \$250,000	>\$250,000 to \$1,000,000	All	Rev\$ 1 Million or Less
<b>Full Review:</b>									
MD 33124- Miami-Dade County, FL	1,005	45.48	69.18	51.54	72.74	13.33	13.93	0.87	0.88
<b>Limited Review:</b>									
MD 22744 - Broward County, FL	561	25.38	70.49	58.29	78.61	10.52	10.87	0.82	1.03
MD 48424 - Palm Beach County, FL	263	11.90	70.34	57.03	77.57	11.03	11.41	0.55	0.71
MSA 35840 - Sarasota County, FL	68	3.08	72.14	69.12	83.82	8.82	7.35	0.35	0.54
MSA 15980- Lee County, FL	64	2.90	71.76	53.13	89.06	3.13	7.81	0.47	0.50
MSA 36740 (partial)-Orange and Seminole Counties, FL	13	0.59	70.05	23.08	46.15	30.77	23.08	0.04	0.02
MSA 42680 - Indian River County, FL	30	1.36	53.40	50.00	80.00	6.67	13.33	0.90	1.09
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	75	3.39	67.46	61.33	77.33	10.67	12.00	0.13	0.19
MSA 34940- Collier County, FL	44	1.99	70.10	75.00	95.45	4.55	0.00	0.44	0.71
MSA 38940 -Martin and Saint Lucie Counties, FL	72	3.26	72.16	75.00	76.39	11.11	12.50	0.88	1.44
MSA 39460- Charlotte County, FL	15	0.68	73.05	53.33	93.33	6.67	0.00	0.47	0.46

<sup>\*</sup> Based on 2011 Peer Small Business Data -- US and PR<sup>\*\*</sup> Small loans to businesses originated and purchased in the MA/AA as a percentage of all small loans to businesses originated and purchased in the rated area.<sup>\*\*\*</sup> Businesses with revenues of \$1 million or less as a percentage of all businesses (Source D&B - 2011).<sup>\*\*\*\*</sup> Small loans to businesses with revenues of \$1 million or less as a percentage of all loans reported as small loans to businesses. No information was available for 4.98% of small loans to businesses originated and purchased by the bank.

Institution ID: **BankUnited, NA****Table 14. Qualified Investments**

QUALIFIED INVESTMENTS		Geography: FLORIDA		Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011					
Assessment Area:	Prior Period Investments		Current Period Investments		Total Investments			Unfunded Commitments <sup>**</sup>	
	#	\$(000's)	#	\$(000's)	#	\$(000's)	% of Total	#	\$(000's)
<b>Full Review:</b>									
MD 33124- Miami-Dade County, FL	0	0	12	27,844	12	27,844	54.34	1	1,500
<b>Limited Review:</b>									
MD 22744 - Broward County, FL	0	0	15	8,676	15	8,676	16.93	1	1,500
MD 48424 - Palm Beach County, FL	0	0	8	6,881	8	6,881	13.43	0	0
MSA 35840 - Sarasota County, FL	0	0	7	1,696	7	1,696	3.31	1	150
MSA 15980- Lee County, FL	0	0	3	1,130	3	1,130	2.21	1	150
MSA 36740 (partial)- Orange and Seminole Counties, FL	0	0	1	50	1	50	0.10	1	60
MSA 42680 - Indian River County, FL	0	0	4	490	4	490	0.96	1	150
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	0	0	8	1,504	8	1,504	2.94	2	300
MSA 34940- Collier County, FL	0	0	2	1,125	2	1,125	2.20	1	150
MSA 38940 -Martin and Saint Lucie Counties, FL	0	0	7	1,586	7	1,586	3.10	2	300
MSA 39460- Charlotte County, FL	0	0	4	258	4	258	0.50	1	150

<sup>\*</sup> 'Prior Period Investments' means investments made in a previous period that are outstanding as of the examination date.<sup>\*\*</sup> 'Unfunded Commitments' means legally binding investment commitments that are tracked and recorded by the institution's financial reporting system.

Institution ID: **BankUnited, NA****Table 15. Distribution of Branch Delivery System and Branch Openings/Closings**

DISTRIBUTION OF BRANCH DELIVERY SYSTEM AND BRANCH OPENINGS/CLOSINGS									Geography: FLORIDA				Evaluation Period: AUGUST 31, 2009 TO DECEMBER 31, 2011						
MA/Assessment Area:	Deposits	Branches							Branch Openings/Closings							Population			
	% of Rated Area Deposits in AA	# of BANK Branches	% of Rated Area Branches in AA	Location of Branches by Income of Geographies (%)				# of Branch Openings	# of Branch Closings	Net change in Location of Branches (+ or -)				% of Population within Each Geography					
				Low	Mod	Mid	Upp			Low	Mod	Mid	Upp	Low	Mod	Mid	Upp		
<b>Full Review:</b>																			
MD 33124- Miami-Dade County, FL	34.44	26	26.8	3.85	15.38	30.77	50.00	7	6	0	1	2	-2	4.89	28.61	35.68	30.79		
<b>Limited Review:</b>																			
MD 22744 - Broward County, FL	23.35	23	23.71	4.35	13.04	39.13	43.48	1	3	0	-1	-1	0	3.57	26.43	43.13	26.88		
MD 48424 - Palm Beach County, FL	20.20	17	17.53	11.76	11.76	52.94	23.53	4	3	1	-2	0	2	4.21	29.32	33.88	32.37		
MSA 35840 - Sarasota County, FL	3.22	4	4.12	0.00	25.00	75.00	0.00	1	1	0	0	1	-1	0.67	25.18	52.01	22.14		
MSA 15980- Lee County, FL	3.20	3	3.09	0.00	0.00	33.33	66.67	1	2	0	0	-2	1	1.95	17.89	61.13	19.03		
MSA 36740 (partial)-Orange and Seminole Counties, FL	0.00	4	4.12	0.00	25.00	0.00	75.00	3	0	0	1	0	2	2.12	20.02	43.24	34.62		
MSA 42680 - Indian River County, FL	1.88	2	2.06	0.00	0.00	100.0	0.00	1	0	0	0	1	0	0.00	16.49	61.66	21.84		
MSA 45300- Hernando, Hillsborough, Pasco, and Pinellas Counties, FL	3.88	9	9.28	0.00	11.11	33.33	55.56	6	0	0	0	1	5	2.93	19.62	46.23	31.22		
MSA 34940- Collier County, FL	3.20	3	3.09	0.00	33.33	0.00	66.67	1	0	0	0	0	1	7.48	18.77	45.24	28.51		
MSA 38940 -Martin and Saint Lucie Counties, FL	5.01	5	5.2	0.00	0.00	80.00	20.00	1	1	0	0	0	0	3.58	17.57	57.55	21.31		
MSA 39460- Charlotte County, FL	1.61	1	1.00	0.00	0.00	100.0	0.00	0	0	0	0	0	0	0.00	6.13	84.24	9.63		