

Terminates #OTS NE-11-17; #2012-019, #2013-125 & #2015-065
UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
OFFICE OF THE COMPTROLLER OF THE CURRENCY

In the Matter of:)
)
)
Santander Bank, N.A.)
Wilmington, Delaware)

ORDER TERMINATING THE
2011 CONSENT ORDER, 2012 CONSENT ORDER,
2013 AMENDMENT TO CONSENT ORDER and
2015 AMENDED CONSENT ORDER

WHEREAS, in an effort to protect the depositors, other customers, and shareholders of Santander Bank, N.A., Wilmington, Delaware (“Bank”), and to ensure the Bank’s safe and sound operation in accordance with all applicable laws, rules, and regulations, the Bank, by and through its duly elected and acting Board of Directors, and the Office of Thrift Supervision (“OTS”) entered into a Consent Order, OTS NE-11-17, dated April 13, 2011 (“2011 Consent Order”);¹

WHEREAS, the Comptroller and the Bank entered into an Amendment to the Consent Order dated February 28, 2013 (“2013 ACO”), which superseded Paragraphs 14 to 19 of the 2011 Consent Order and required the Bank to make a cash payment to a Qualified Settlement Fund (“QSF”) and to take other loss mitigation or foreclosure prevention action in amounts specified;

¹ From the period of July 21, 2011 to January 25, 2012, the 2011 Consent Order was administered by the Office of the Comptroller of the Currency (“Comptroller” or “OCC”) pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. Law No. 111-203, § 311, 124 Stat. 1520 – 21 (2010). In 2012, Sovereign Bank converted to a national bank known as Sovereign Bank, N.A., and consented to a Consent Order, AA-EC-2012-019, issued by the OCC on January 26, 2012, that incorporated all the provisions of the 2011 Consent Order (“2012 Consent Order”). Sovereign Bank, N.A. then changed its name to Santander Bank, N.A. on October 17, 2013.

WHEREAS, the Comptroller and the Bank also entered into an Amendment to the Consent Order dated June 16, 2015 (“2015 ACO”);

WHEREAS, the Comptroller of the Currency believes that the protection of the depositors, other customers, and shareholders of the Bank, as well as its safe and sound operation, does not require the continued existence of the 2011 Consent Order, the 2012 Consent Order, the 2013 ACO, or the 2015 ACO;

WHEREAS, notwithstanding this Termination Order, the OCC continues to retain oversight and jurisdiction of the Independent Foreclosure Review Qualified Settlement Fund 1 (“IFR QSF1”) established by the 2013 ACO for the administration of payments to borrowers of OCC regulated institutions until such time as the paying agent is directed to file a final return for IFR QSF1 and the IFR QSF1 is thereafter terminated; and

WHEREAS, the OCC has determined that uncashed payments to borrowers of OCC regulated institutions should remain available to such borrowers, or such borrowers’ rightful heirs, through the states’ escheatment processes, after IFR QSF1 is terminated.

NOW, THEREFORE, the Comptroller directs that the 2011 Consent Order, the 2012 Order, the 2013 ACO, and the 2015 ACO, be, and are hereby, **TERMINATED** and the Comptroller directs that any uncashed checks that have passed their stale date issued from IFR QSF1 to borrowers of OCC regulated institutions shall be escheated to the state of the borrower’s last known domestic address so that such borrower, or such borrower’s rightful heirs, will maintain their ability to claim such IFR QSF1 payment pursuant to that state’s processes for collecting unclaimed funds.

IN TESTIMONY WHEREOF, the undersigned, designated by the Comptroller as his authorized representative, has hereunto set his hand.

/s/
Greg J. Coleman
Deputy Comptroller
Large Bank Supervision

February 8, 2016
Date