



January 18, 2022

**CRA Decision #226  
February 2022**

Ms. Jill Harrison  
Bank of America, National Association  
849 Fairmount Avenue  
Towson, Maryland 21286

Re: Branch Application by Bank of America, National Association,  
Charlotte, North Carolina Charter No. 13044  
CATS Control Number: 2021-LB-BranchNew 324413

Dear Ms. Harrison:

The Office of the Comptroller of the Currency (OCC) hereby approves the application by Bank of America, National Association (Bank) to establish a branch at 2703 Biscayne Boulevard, Miami, Florida. This approval is granted based on a thorough review of all information available, including representations and commitments made in the application and by the Bank's representatives. Based on our review, the OCC determined that approval to establish the branch is consistent with the relevant statutory factors set forth in 12 USC 36, applicable state law, and with the Community Reinvestment Act (CRA), as more fully discussed below. This letter also serves as authorization to establish Branch Number [214411A] at the above noted address.

The CRA requires the OCC to take into account the bank's performance record in helping to meet the credit needs of its communities, including low-and moderate-income neighborhoods, when evaluating applications for the establishment of a domestic branch. 12 USC 2903(a).

The OCC considered the Bank's most recent CRA performance evaluation (PE). The Bank's most recent CRA PE is dated January 8, 2018, and assigned the Bank an overall rating of "outstanding."<sup>1</sup> Based on this review, the OCC has concluded that the Bank's record of performance under the CRA is consistent with approval of this application.

The OCC received and considered one comment letter regarding the application. The OCC notes that the issues raised by the commenter are substantially similar to those raised and considered

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<sup>1</sup> The OCC issued the CRA PE, which was based on an evaluation period of January 1, 2012, through December 31, 2016. The OCC evaluated the Bank's CRA performance using the large bank performance tests. A copy of the CRA PE is available at: <https://www.occ.gov/static/cra/craeval/oct19/13044.pdf>.

by the OCC in connection with prior applications.<sup>2</sup> The commenter has not submitted any new information that would lead the OCC to adopt a different conclusion with respect to the current application.

The OCC has considered all the facts of record, including the Bank's record under the CRA, confidential supervisory material, information provided by the Bank, and the public comment on the proposed transaction. Based on this review, the OCC finds the facts to be consistent with approval.

If the branch is not opened within 18 months of approval, the approval automatically terminates unless the OCC grants an extension.

Within 10 days of opening the branch, the Bank must advise this office of the branch's opening date, so the OCC may complete its records. Please reference the CATS Control Number in your correspondence.

If a branch is closed, a 90-day advance notice of proposed branch closing must be submitted to the OCC pursuant to 12 USC 1831r-1. Following the expiration of the 90-day notification period, a final closing notice should be submitted to this office.

This approval and the activities and communications by OCC employees in connection with the filing do not constitute a contract, express or implied, or any other obligation binding upon the OCC, the United States, any agency or entity of the United States, or any officer or employee of the United States, and do not affect the ability of the OCC to exercise its supervisory, regulatory and examination authorities under applicable law and regulations. Our approval is based on the Bank's representations, submissions, and information available to the OCC as of this date. The OCC may modify, suspend or rescind this approval if a material change in the information on which the OCC relied occurs prior to the date of the transaction to which this decision pertains. The foregoing may not be waived or modified by any employee or agent of the OCC or the United States.

If you have any questions, please contact Malin Fonseka at [largebanks@occ.treas.gov](mailto:largebanks@occ.treas.gov).

Sincerely,

/s/

Karen Marcotte  
Director for Licensing Activities

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<sup>2</sup> See, e.g., CRA Decisions No. 154 (Nov. 18, 2012), No. 191 (Aug. 20, 2018), No. 195 (Oct. 18, 2018), No. 209 (July 12, 2021), No. 222 (Oct. 12, 2021), No. 223 (Oct. 12, 2021), No. 225 (Oct. 15, 2021).