



April 30, 2021

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Re: M&T Bank Corporation's Proposal to Acquire People's United Financial and People's United Bank

Dear Mr. Hurwitz and Ms. Farooq:

I am writing on behalf of the Association for Neighborhood and Housing Development (ANHD). ANHD is a member organization made up of over 80 community groups across New York City. Our mission is to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers. We use research, advocacy, and grassroots organizing to support our members in their work to build equity and justice in their neighborhoods and citywide.

I am submitting this letter as part of M&T Bank's application to acquire People's United Bank in what is one of the biggest mergers to happen in recent years. With combined assets of \$205.4 billion, the acquisition would move M&T Bank to the 14th largest bank by assets, up from 24th now.

ANHD is an active member of the National Community Reinvestment Coalition (NCRC). We are working with NCRC to negotiate a community benefits agreement with M&T Bank. The OCC and the Federal Reserve, and DFS in New York State, are required to evaluate how proposed transactions will meet the convenience and needs of a community. It is our belief that a community benefits agreement mutually agreed to by the bank and community stakeholders is the best way to ensure that the needs of the underserved are met through the merger review process.

I'm writing here to share our experience with M&T and People's United Bank and share priorities for the bank to incorporate into the final community benefits agreement that would benefit LMI and Black, Indigenous and People of Color (BIPOC) and communities in New York City.

ANHD and 11 of our members also participated in one of multiple regional meetings convened by NCRC with M&T's CEO Rene Jones and senior leadership to provide input into the plan being developed. This letter reflects similar themes to what ANHD and our members and allies presented and we look forward to more such conversations as the plan is finalized, to ensure the plan is carried out in a way that is most impactful to our communities.

As the letter demonstrates, M&T has been a good partner to ANHD and our members over the years, most notably through its support of the community development movement by providing and

leveraging dollars for community organizing, mission-driven developers, and access to homeownership for LMI and BIPOC borrowers. We also appreciate M&T’s willingness to share and discuss the full scope of its CRA activities. ANHD issues an annual survey to 25 banks in New York City, which informs comments like these, conversations with banks, and our annual State of Bank Reinvestment in NYC report¹. M&T consistently reports this data to us and takes the time to help us understand it. Similar to this letter, the reports demonstrate where individual banks and the industry as a whole do well, and where there are opportunities to improve and better respond to local needs.

Strong staff are integral to the success of any CRA program. We appreciate the hard work of Steven Flax and Jonathan Vazcones who are the face of M&T in New York City, representing the bank on boards and collaboratives, and acting as a key point of contact to reach the bank directly. They know and understand the community development field and work tirelessly to leverage support for mission-driven developers in every way they can. ANHD has much less experience with People’s United Bank, but we note that Art Casavant was responsive when we reached out once regarding a building they financed, and understand he is in touch with groups within his footprint.

As M&T Bank grows through this acquisition, they have a unique opportunity to expand its CRA activities and dollars in New York City in a way that builds upon the strengths of each bank, addresses any concerns groups raise, and expands its CRA program to better serve the LMI and BIPOC communities throughout its new and existing footprint.

1-4 Family lending

We appreciate M&T’s record of lending to LMI and BIPOC borrowers; 22% of their home purchase loans in NYC in 2019 were to LMI borrowers, 15% to Latinx, and over 50% to Black borrowers. People’s United’s record is worse; they made just 3 loans to LMI borrowers in the past 4 years (2016-19). Preliminary 2020 data indicates similar trends at each bank. M&T’s home purchase lending remained steady in 2020, but People’s United dropped by half. Both increased their refinance lending.

M&T Bank						People's United					
	2016	2017	2018	2019	2020		2016	2017	2018	2019	2020
Home purchase (1-4 family, owner-occupied, first-lien, closed-end)											
Total #	90	221	104	136	138	Total #	35	43	35	26	11
Total \$	\$31.84	\$78.02	\$37.89	\$61.73	\$53	Total \$	\$32.34	\$32.34	\$22.40	\$17.26	\$4.51
LMI #	20	62	21	30	29	LMI #	1	1	1	0	1
% LMI	22%	28%	20%	22%	21%	% LMI	3%	2%	3%	0%	9%
LMI \$	\$4.11	\$13.22	\$4.58	\$7.49	\$6.32	LMI \$	\$0.24	\$0.15	\$0.20	\$0.00	\$0.16
Black	35	124	46	69	67	Black	0	9	0	4	3
	39%	56%	44%	51%	49%		0%	21%	0%	15%	27%
Latinx	12	40	23	20	20	Latinx	2	4	0	0	3
	13%	18%	22%	15%	14%		6%	9%	0%	0%	27%
Asian	2	9	8	19	13	Asian	8	4	4	3	1
Refinance (1-4 family, owner-occupied, first-lien, closed-end)											
	54	67	36	124	238	Total #	17	36	21	15	34
	\$18.64	\$27.96	\$18.62	\$62.01	\$115	Total \$	\$13.38	\$20.01	\$17.49	\$7.63	\$25

¹ <https://anhd.org/project/state-bank-reinvestment-nyc-annual-report>

	8	8	6	6	17		LMI #	1	3	1	2	1
% LMI	15%	12%	17%	5%	7%		% LMI	6%	8%	5%	13%	3%
LMI \$	\$0.93	\$1.34	\$1.50	\$1.28	\$4		LMI \$	\$0.15	\$0.57	\$0.06	\$0.19	\$0
Black	14	26	6	25	72		Black	1	3	0	1	0
	26%	39%	17%	20%	30%			6%	8%	0%	7%	0%
Latinx	7	14	7	24	34		Latinx	1	3	2	1	2
	13%	21%	19%	19%	14%			6%	8%	10%	7%	6%
Asian	3	6	4	16	21		Asian	0	4	3	5	2
Home Improvement Loans (1-4 family, owner-occupied, closed-end)												
Total #	11	24	3	0	1		Total #	7	12	4	6	1
Total \$	\$0.48	\$3.50	\$1.05	\$0.00	\$0.36		Total \$	\$6.52	\$3.61	\$0.21	\$1.54	\$0.27
LMI #	2	5	0	0	0		LMI #	1	1	2	0	0
LMI \$	\$0.08	\$0.07	\$0.00	\$0.00	\$0.00		LMI \$	\$0.10	\$0.14	\$0.08	\$0.00	\$0.00
Black	3	9	0	0	0		Black	0	0	0	0	0
Latinx	0	4	0	0	0		Latinx	0	4	1	1	0
Asian	1	0	1	0	0		Asian	1	0	1	1	0

M&T is highly regarded for a set of practices that are beneficial to the communities we serve. The bank offers New York's SONYMA loans, partners with Habitat on a loan product for their homes, and offers its own products. They participate in the Federal Home Loan Bank of NY's down payment assistance programs and have been known to make smaller loans for limited equity coops. They have partnered with nonprofit developers to make end loans on affordable homeownership projects, such as those done through Nehemiah housing projects. Both banks are members of the New York Mortgage Coalition, which supports homeownership for LMI and BIPOC borrowers with HUD-certified counselors, quality pre-purchase counseling, and access to more affordable products, including CRA loans. M&T also partners with additional local organizations that connect borrowers to affordable products and HUD-certified housing counseling.

Neither bank does much home improvement lending, and the majority they do is with open-ended "HELOC" loans, versus the more traditional closed-end loans. They should develop an affordable, accessible home repair loan product that has long been needed in New York City, and consult with local practitioners on the terms of the product. They should continually do such consultation for all products the bank offers.

As M&T grows, it should set ambitious goals to increase its volume of lending to LMI and BIPOC borrowers with affordable products, down payment assistance, and connection to HUD-certified counselors. They should maintain and expand partnerships with nonprofit housing counseling agencies and ensure they have loan officers who are linguistically and culturally competent to serve local communities.

It is also important to ensure all borrowers have access to forbearance and loan modifications in order stay in their homes, and keep their homes, if their income was disrupted due to COVID.

Multifamily lending

Adequate and responsible multifamily lending is critical to preserving the large stock of rent-stabilized housing in New York City, which is one of the most important sources of private affordable housing. Rent stabilization also offers tenants a level of protection that unregulated housing does not, such as a right to a lease, the right to renew that lease, and the right to repairs and services.

ANHD’s **responsible multifamily lending best practices**² provide a framework for banks to lend in a way that protects tenants from bad-acting landlords who put profits over the health and wellbeing of their tenants: (1) Responsible underwriting based on current rents (not projecting future, higher paying tenants) and realistic maintenance and expenses, (2) Comprehensive vetting of landlords to avoid lending to bad-acting landlords; and (3) responding when problems arise to help resolve issues and preserve affordable housing. Banks should **also support tenants impacted by COVID and the economic crisis**. They can ensure landlords are maintaining their buildings and respecting the eviction moratoriums; provide rent relief for tenants whose landlords received forbearance; and facilitate the transfer of distressed housing to responsible, preservation minded owners and/or tenant ownership.

Multifamily Lending (HMDA)											
M&T Bank						People’s United Bank					
	2016	2017	2018	2019	2020		2016	2017	2018	2019	2020
Total	41	17	18	23	14	Total	2	6	19	13	7
Total \$	\$411	\$80.35	\$442	\$521	\$84.32	Total \$	\$1.92	\$23.64	\$209	\$144	\$28.69
LMI Tracts #	18	6	5	4	10	LMI Tracts #	1	5	9	5	4
LMI Tracts \$	\$129	\$32.41	\$303	\$28.29	\$68.30	LMI Tracts \$	\$0.42	\$19.84	\$84	\$59.53	\$3.17
Avg Interest Rate	NA	NA	5.08	4.69	4.16	Avg Interest Rate	NA	NA	3.69	3.78	3.04
Int. Only loans	NA	NA	16	16	8	Int. Only loans	NA	NA	14	8	2
			89%	70%	57%				74%	62%	29%
# w/ Aff units			4	11	7	# w/ Aff units			0	0	0
>20% Aff			4	9	7	>20% Aff			0	0	0

HMDA data pre-2018 is not as complete because of its exclusion of CEMA loans. Changes to HMDA in 2018 improved reporting.

While M&T’s volume of multifamily lending is low compared to larger lenders like Chase, Signature, and NY Community Bank, they have not been following these best practices in some of the lending they do.

In addition to HMDA and bank-reported data, other sources can help understand the quality of a bank’s lending, including if buildings are kept in good condition and if landlords are respecting tenants’ rights.

According to the December 2020 release of the Building Indicator Project (BIP) database by the University Neighborhood Housing Project (UNHP)³, M&T holds the loans on 337 multifamily buildings in New York City, with over 13,000 units. People’s United has 234 buildings with over 7,800 units. Just a few exhibit signs of severe physical or financial distress, as indicated by having a “BIP Score” over 800. (The BIP score is derived from a combination of violations and liens).

However, distress is not the only indicator of potential harassment and displacement of tenants. New York City has several public lists of landlords who warrant further scrutiny based on the conditions in their buildings, direct stories of conditions from tenants across their buildings, and eviction cases. Examples include the Stabilizing NYC target landlord list; the Public Advocate’s Worst Landlord List, Right to Council’s Worst Evictor List⁴, and landlords under investigation by the state Attorney General. Other legal actions and news sources can also be a good source of information about landlord behavior. Of course, the best source is talking to tenants themselves whenever possible, but these sources are helpful to understand when that may be most urgent.

² https://anhd.org/wp-content/uploads/2017/06/ANHD_Best-Practices-in-Multifamily-Lending.pdf

³ <https://unhp.org/projects/bip-hood-mac>

⁴ <https://stabilizingnyc.org/our-work/target-landlords/>, <https://landlordwatchlist.com/landlords>, <https://www.worstevictorsnyc.org/>,

The most egregious example is that of **Zara Realty**, which has an extensive history of alleged tenant harassment and displacement tactics⁵, including reports of frivolous court cases, extraneous charges, and posting signs about how to call homeland security on immigrant tenants⁶.

Zara is now the subject of a lawsuit by the Attorney General. *“For years, Zara Realty has engaged in an egregious pattern of tenant harassment and exploitation,” [Attorney General Letitia] James said. “Evading our rent regulation laws and forcing low-income tenants to pay exorbitant fees for fake services is deception of the worst kind.”*⁷ M&T has 23 loans with Zara and People’s United has two.

Zara is not the only landlord of concern that M&T has loaned to. A few other examples include:

A&E Realty: M&T has 29 loans to A&E Realty, 13 made in the past three years. A&E is one of the largest landlords in the city and has a long record of alleged harassment tactics to displace low-income tenants. A&E is number 9 on the Right to Council’s 2019 worst evictors list, and was number 5 the year before. Evictions are one of the most traumatic forms of displacement and disproportionately impact Black and brown New Yorkers. A&E was also the subject of a lawsuit for allegedly inflating apartment upgrade costs to raise rents, which can also lead to displacement for tenants who cannot afford to remain at the higher rents.⁸

M&T also has 22 loans to Adam Stryker, who was on the 2017 worst landlord list⁹. Both banks have other landlords of potential concern in their portfolios due to past behavior that has been documented publicly, but these are currently at lower volumes, such as with Icon Realty (M&T has 4)¹⁰, FTRE Realty (M&T has 3, People’s United 2)¹¹, and other landlords who have appeared over the past few years on the public advocate’s worst landlord lists. Even one loan to a bad actor can have disastrous consequences for the tenants in the building and warrants ongoing monitoring to ensure tenants are protected.

We appreciate the conversations with M&T staff over the past few years about their practices and the efforts they have been taking internally to move in a better direction. As part of the merger, we will be asking M&T to formally and publicly adopt and adhere to these best practices to avoid financing bad actors moving forward and to ensure that tenants in any building they finance, past and future, are protected from harassment and displacement. They can also take additional steps to help tenants impacted by COVID over the past year and into 2021 by ensuring buildings are kept in good condition; using any mechanism they have to lower rents; and supporting the transfer of distressed properties to tenant ownership or mission-driven developers who will keep the units affordable permanently.

⁵ <https://www.nydailynews.com/new-york/queens/rent-stabilized-tenants-join-suit-jamaica-landlord-article-1.1027004>

⁶ <https://www.nydailynews.com/new-york/queens/queens-landlord-pushes-dhs-tip-line-scare-immigrants-tenants-article-1.3237351>

⁷ <https://queenseagle.com/all/2019/3/4/jamaica-affordable-housing-giant-hit-with-ag-lawsuit>

⁸ <https://www.wsj.com/articles/lawsuit-alleges-firm-overcharged-rent-stabilized-tenants-1476829955>

⁹ <https://riverdalepress.com/stories/Landlords-use-legal-loopholes-to-postpone-repairs,61070>

¹⁰ <http://www.thelodownny.com/leslog/2017/09/icon-realty-management-settles-with-state-ag-pays-500000-in-penalties.html>

¹¹ <https://www.worstevictorsnyc.org/evictors-list/citywide/>

Small business Lending and supports:

Small businesses, particularly in BIPOC neighborhoods, have been hit hard by the COVID-19 pandemic, with many already shuttered. The ones remaining will continually need grants and small dollar loans to survive, particularly the smallest businesses that have long struggled for access to resources and capital. 95% of businesses in the U.S. have under \$1 million in revenue; 75% below \$100,000 and studies have also long shown an unmet need for small business loans under \$100,000 and even under \$25,000.

M&T Bank				
	2016	2017	2018	2019
Small Loans to businesses				
Total (#)	221	212	314	585
Total (\$m)	\$69.00	\$59.03	\$61.44	\$73.22
Avg Loan (\$)	\$312,231	\$278,429	\$195,672	\$125,164
... in LMI tracts (#)	44	29	70	190
... in LMI tracts (\$)	\$18.26	\$6.68	\$11.24	\$19.70
% in LMI tracts (#)	20%	14%	22%	32%
% in LMI tracts (\$)	26%	11%	18%	27%
Small Loans to Small Businesses (<\$1M rev)				
Total (#)	99	100	150	301
% of all small loans	45%	47%	48%	51%
Total (\$m)	\$19.47	\$20.33	\$15.71	\$21.53
Avg Loan (\$)	\$196,636	\$203,260	\$104,747	\$71,515
... in LMI tracts (#)	17	12	35	91
... in LMI tracts (\$)	\$4.04	\$2.00	\$2.25	\$5.16
% in LMI tracts (#)	17%	12%	23%	30%
% in LMI tracts (\$)	21%	10%	14%	24%

People's United				
	2016	2017	2018	2019
Small Loans to businesses				
Total (#)	64	43	35	47
Total (\$m)	\$10.33	\$5.91	\$10.07	\$7.60
Avg Loan (\$)	\$161,391	\$137,488	\$287,629	\$161,745
... in LMI tracts (#)	17	12	14	12
... in LMI tracts (\$)	\$2.26	\$1.94	\$4.27	\$2.27
% in LMI tracts (#)	27%	28%	40%	26%
% in LMI tracts (\$)	22%	33%	42%	30%
Small Loans to Small Businesses (<\$1M rev)				
Total (#)	23	15	20	23
% of all small loans	36%	35%	57%	49%
Total (\$m)	\$4.07	\$2.52	\$5.51	\$1.37
Avg Loan (\$)	\$176,870	\$167,933	\$275,300	\$59,435
... in LMI tracts (#)	5	4	8	5
... in LMI tracts (\$)	\$1.08	\$1.17	\$2.06	\$.06
% in LMI tracts (#)	22%	27%	40%	22%
% in LMI tracts (\$)	26%	46%	37%	4%

From 2016 to 2018, M&T's average loans were larger than \$100,000, and well over \$250,000 in some years, but we saw improvement in 2019 when volume went up and average loan size went down. They also increased lending in LMI tracts. People's United's volume is very low, but similar to M&T, their average loan size went down in 2019, and much more so in LMI tracts. M&T shared its 2020 numbers, which indicate the total number of small loans more than doubled overall, and the number to small businesses increased by 40%. However, we note that those numbers include PPP loans and do not represent a typical year. Overall, the trend is positive and one to build upon moving forward.

Public data from the Small Business Administration (SBA) indicates that M&T originated over 1,400 PPP loans in New York City from 2020 through Feb 2021, with an average loan size of \$305,250. Just 64% were under \$150,000, versus 87% of all PPP loans. The PPP data is imperfect, and this is our best estimate of loans made in New York City. The actual numbers and breakdowns may differ, but this gives a good idea of how each bank does on its own and compared to one another. The average loan size for these smaller loans (under \$150,000) was \$50,000. While PPP loans of all sizes are needed, the larger amount indicates the loans weren't reaching the smallest businesses, such as sole proprietors and micro-businesses¹².

¹² The SBA broke down the loans as under \$150,000 and over \$150,000, and thus we report that to remain consistent with public data. Revenue size is not reported in the data.

We appreciate that M&T put time and resources into helping several nonprofit organizations, including some ANHD members, access PPP loans during COVID – that support was critical. SBA data shows that at least 62 of their PPP loans (4%) were to nonprofits. This is above the 1% average citywide, and ranks 17th in volume, versus their 23rd rank of lending overall. Only 49 loans were reported as going to Hispanic-owned businesses and 6 to Black-owned (3 non-Hispanic Black). But, we also note that the majority of loans did not list race or ethnicity; we look forward to seeing the data from the forgiveness process that should better capture demographic information.

M&T has been moving in a positive direction, and now has an opportunity to build its support for small businesses with affordable small dollar loans and lines of credit (not just credit cards), ambitious goals for lending to BIPOC owned businesses, grants for businesses impacted by COVID, and rent relief for struggling businesses. They also need sufficient staff to support these goals, including BIPOC who are linguistically and culturally competent to meet the needs of small business owners throughout New York City. M&T should also preserve and expand People’s United EQ2 product for CDFIs and provide additional loans and grants to CDFIs that lend to and support BIPOC owned, and immigrant-owned small businesses. Lastly, in response to the pandemic, ensure that the businesses in their portfolio are set up for success, with loan forbearance or forgiveness, and relief from past fees.

Branches:

Neither bank has a large network in New York City, but nor do they have many at all in LMI tracts. M&T has 18 branches and People’s United has 12. Each has one in a low-income tract and one in a moderate-income tract. However, People’s United ended their contract with Stop ‘n Shop grocery stores, which will lead to the closure of many branches throughout their footprint, including eight of their 12 branches in New York City. One of the branches People’s United is closing is in a low-income tract¹³ and another is in Far Rockaway, Queens, a Black community with very few branches at all. Another closure is near coop city in the Bronx. While that is middle-income, the loss of any branches in the Bronx is problematic and even more so without a plan to replace it and expand banking to less served areas of the Bronx. The others closing are in more well-banked areas and should create opportunity to bring banking to areas that need it more.

We are pleased M&T opened a branch in the Bronx, which happened because of a consent order connected to a prior bank acquisition¹⁴. We also note that it is located in an area that already has branches, but appreciate the positive feedback on how the branch is operating and hope it serves as a model to replicate elsewhere.

As M&T grows in New York City and elsewhere, M&T has an obligation to leverage its larger size and make up for these closures and lack of presence in LMI and BIPOC communities:

- **Open branches** in underserved communities and partner with local organizations to identify suitable locations and a strategy for success. Partner with local organizations to identify locations for these branches and strategies for them to be most impactful with affordable products, strategic partnerships, outreach strategy, and BIPOC staff who are linguistically and culturally competent.
- Make a **commitment to not close branches in LMI or BIPOC communities** until the pandemic subsides. Commit to not close any branches in these communities at all, and especially not

¹³ The Long Island City Stop n Shop branch is listed as “unknown” census tract income, but is right next to a low-income tract

¹⁴ https://files.consumerfinance.gov/f/201509_cfpb_hudson-city-consent-order.pdf

without an extensive community-driven process to ensure the branches are meeting local needs and adjust accordingly, and if it still must close, a plan to mitigate harm and maintain reinvestment.

- Offer and market the bank’s no-overdraft product and work towards getting BankOn certification to ensure it is most accessible to low-income, BIPOC and immigrant communities. The bank should remove overdrafts from the EZChoice Checking account and take additional steps to minimize overdrafts on all checking accounts as well as other extractive fees like maintenance and ATM fees. M&T took in at well over \$120 million in overdraft fees before the pandemic and another \$85 million during 2020. The bank should forgive past overdraft and other fees, and address outstanding debts, so people can move forward from the pandemic in a better financial position.
- Accept the IDNYC as a primary form of identification, while accepting other forms of ID to ensure that immigrants with ITIN numbers can access banking, both in branches and online.
- The bank should offer credit builder loans, small dollar loans, services in multiple languages, and support financial counseling. M&T’s secured credit card is a good example of a product to continue and expand upon.

Community Development Loans and Investments:

Community Development Lending (m)					CRA eligible Investments (m)				
	2016	2017	2018	2019		2016	2017	2018	2019
Total #	22	22	31	28	Total #	3	6	4	5
Total \$	\$254	\$243	\$372	\$278	Total \$	\$.30	\$40.64	\$17.42	\$77.41
% to Deposits	6.1%	6.5%	10%	7.5%	% to Deposits	0.01%	1.10%	0.48%	2.10%
... to Nonprofits (#)	8	5	6	3	LIHTC (#)	0	2	1	1
... to Nonprofits (\$)	\$44.74	\$42.70	\$61.50	\$29.25	LIHTC (\$)	\$.00	\$40.24	\$17.02	\$19.76
... to CDC's (#)	2 / \$14.5	1 / \$1	0	1 / \$1.25	NMTC (#)	0	0	0	0
Affordable Housing (#)	3	12	17	21	NMTC (\$)	\$.00	\$.00	\$.00	\$.00
Affordable Housing (\$)	\$22.28	\$159	\$144	\$191	... to Nonprofits (#)	0	0	0	0
... to Nonprofits (#/\$)	1 / \$3	2 / \$25	1 / \$10	3 / \$36.25	... to Nonprofits (\$)	\$.00	\$.00	\$.00	\$.00
Econ. Development (#)	6	2	3	2	Econ. Development (#)	3	0	0	0
Econ. Development (\$)	\$143	\$16.50	\$131	\$11	Econ. Development (\$)	\$.30	\$0.00	\$0.00	\$0.00

While M&T’s community development dollars have been consistently high in New York City compared to deposits, that is because their deposits are much lower than their peers here. Their total dollars are typically among the lowest of the banks over \$50 billion in assets. However, we understand that these types of activities can fluctuate and there were some years where they compared better.

Their loans to nonprofits are lower in volume and less consistent each year, with just a few to nonprofit CDCs. Preliminary 2020 community development data indicate a similar level of lending and an increase in lending to nonprofits (from three to seven loans), but none of those were for affordable housing and just two went to CDCs.

ANHD members report that some of the loans the bank made to them were very impactful to the work they do to build and preserve affordable housing. They also appreciate support the bank has provided that may not fall in these categories, such as sponsoring Affordable Housing Program (AHP) applications through the Federal Home Loan Bank of NY. Further, some of the lines of credit the bank made to nonprofit CDCs may also fall under small business loans and not community development, but there is always more a bank can do under the traditional community development categories.

Each year, the bank puts deposits into local credit unions, and this provides an opportunity to maintain and deepen those commitments further with additional activities, to expand access to banking and products the credit unions offer. They have been expanding into LIHTC more in recent years as well.

These examples offer a great framework from which to build and expand. As M&T grows, they have an opportunity to expand their community development activities throughout New York City. **This should include ambitious financial goals for New York City and a plan to ensure those dollars are most impactful.** This is important at any time, and especially so now as we are still grappling with the impact of a global pandemic and economic crisis that has impacted BIPOC and LMI communities harder than wealthier and white communities.

The activities the bank engages in should be developed in consultation with nonprofit organizations working with the BIPOC people most impacted by poverty, redlining, and systemic racism, all of which has contributed to the inequitable impact of the COVID-19 pandemic. The bank should prioritize mission-driven nonprofit developers, CDFIs, and community organizations throughout their activities and especially those that are led by BIPOC. Examples include, but are not limited to, the following:

- Construction and preservation of deep, permanent affordable housing - from pre-development to permanent financing. Examples include LIHTC investments, pre-development loans and grants, loans and lines of credit, and construction financing.
- Support for CDFIs to make small business and residential lending with loans, EQ2s, lines of credit, and grants. People's United offers an EQ2 product that M&T could adopt and expand.
- Supplement the member deposits M&T makes in community development credit unions with additional loans and investments.
- Support for quality jobs in LMI and BIPOC communities that have been hardest hit by the pandemic, and suffering years of disinvestment and neglect.
- Loans, investments, and grants to nonprofit CDCs and other community-based organizations who have had to double and triple efforts with fewer funds to respond to the pandemic.
- M&T should also commit to start tracking, and increasing, their community development loans and investments with nonprofit CDCs and other community-based organizations that are led by people of color.

Philanthropy

M&T is well recognized for its steady support of many community development organizations and movements through direct grants and sponsorships, including financial support for grassroots community organizing which is often hard to fund, despite its potential to create real transformational change that addresses the root causes of poverty and inequity.

In addition to the direct grants they make, M&T is also highly recognized for the leadership role they play in funding collaboratives, such as the Change Capital Fund¹⁵ and Neighborhoods First Fund¹⁶ that leverage additional bank and private foundation support of the community development movement. Steve Flax has been particularly instrumental, often taking a leadership role himself within the collaboratives and bringing in new members.

¹⁵ <https://changecapitalfund.org/>

¹⁶ <https://neighborhoodsfirstfund.nyc/>

M&T Bank's CRA-eligible Grants	2016	2017	2018	2019
Total (National) (#)	1025	1313	1207	1266
Total (National) (\$)	\$9.93	\$10.11	\$8.64	\$12.46
Grants in New York City (#)	247	203	190	139
Grants in New York City (\$)	\$1.60	\$1.42	\$1.38	\$1.41
% to Deposits for Grants	0.039%	0.038%	0.038%	0.038%
... to Neighborhood Based Organizations (#)	168	143	60	60
... to Neighborhood Based Organizations (\$)	\$.95	\$.82	\$.28	\$.53
% to NBO's (#)	68%	70%	32%	43%
% to NBO's (\$)	59%	58%	21%	37%
Econ. Devt (#)	27	26	16	31
Econ. Devt (\$)	\$0.22	\$0.22	\$0.12	\$0.38

However, as M&T's grantmaking in the years before COVID increased overall, the dollars dedicated to New York City did not. As in other areas, while the level of giving is high compared to their deposits, the total dollars are below that of most other banks over \$50 billion in assets. The bank provided preliminary data from 2020, which shows an increase from 2019 (up 11% in the number of grants and 40% in dollars). The additional dollars were critical in this moment to support community organizations working on the ground both on behalf of and together with their communities to respond to the pandemic. This further demonstrates the power of strategic philanthropy, both to respond to the urgent needs of the moment and support long-term systemic changes. However, this increased level in 2020 is still below that of most of their peers in New York City.

A larger bank should result in more resources, including grantmaking, for the communities it serves. **M&T has a well-respected, thoughtful framework from which to build upon.** M&T should also commit to tracking and increasing their CRA eligible philanthropic support for organizations led by BIPOC.

Conclusion

Thank you for this opportunity to comment on this merger. We are hopeful that the community benefits agreement builds upon the strengths of both banks – especially M&T's long history in and commitment to New York City, and that it addresses weaknesses at both banks, and leads to stronger reinvestment overall. Ongoing dialogue and relationships with local community development practitioners and advocates are critical to the plan's success. Equally important are knowledgeable and accessible staff who have a good understanding of the landscape and are empowered to address local needs, such has been the case thus far at M&T and offers a framework to build upon.

We look forward to working with ANHD, NCRC, and M&T on the formation and implementation of a community benefits agreement that lays out forward looking goals and priorities for a growing M&T. Don't hesitate to reach out with further questions.

Sincerely,

Barika X. Williams
 Executive Director, ANHD
Barika.W@anhd.org, 703-862-2238

Jaime Weisberg
 Senior Campaign Analyst, ANHD
Jaime.w@anhd.org, 718-637-3054

cc: Steven Flax, Jonathan Vazcones, M&T Bank
 Jesse Van Tol, NCRC



Central Office
2393 Main Street
Buffalo, NY 14214
716-884-7791
Fax: 716-884-8026

Niagara County Office
33 Spruce Street
North Tonawanda, NY 14120
716-213-2784
Fax: 716-213-2787



April 23, 2021

Ivan Hurwitz
Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 20045-0001

Re: M&T Bank merger with People's United

Dear Mr. Hurwitz:

Belmont Housing Resources for WNY, Inc. is pleased to write this letter in support of M&T Bank Corporation's proposed acquisition of People's United and the proposed merger of People's United into Manufacturers and Traders Trust Company.

Belmont Housing Resources is a not-for-profit that has long been actively involved in helping individuals and families throughout Western New York meet one of the needs most essential to quality of life: affordable housing. As that need has grown, so too have Belmont and its mission. In addition to administering U.S. Department of Housing and Urban Development (HUD) Section 8 Rental Assistance, the organization today provides a growing range of much-needed housing-related programs and services that are all dedicated to enhancing housing opportunity for area families.

In the course of working to achieve our mission, Belmont has partnered with many organizations. One of our best partners has been M&T Bank. Below is just a short list of some of the activities in which M&T Bank has played an integral role:

- Sponsoring funding applications to the Federal Home Loan Bank of NY for funds to undertake owner-occupied home improvement.
- Partner of Two-Generation Programing services for parents living in Buffalo Promise Neighborhood
- Sponsoring funding applications to the Federal Home Loan Bank of NY for funds to carry out First Home Club savings programs for first-time homebuyers.
- Providing financial support for Belmont's Housing Counseling programs and Match Savers/IDA programs
- Providing financial support of housing rehabilitation activities in the City of Buffalo's Promise Neighborhood Initiative
- Providing first-time homebuyer mortgages that meet the needs of lower income homebuyers in Western NY

It is our hope that as M&T Bank grows that they will continue to partner and prioritize banking and lending to the people we serve in particular low-income communities of color. Those Services include:

- Bank access
- Access to banking services
- Availability of loan products that meet the needs of low income people
- Small business lending
- Language access

In summary, M&T Bank has proven itself as an important part of the community development efforts in Western NY. We are confident that they do the same in other communities, and we support their merger with People's United. If I can be of further assistance regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Riegel". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

Michael Riegel
President



Helping People. Changing Lives.

BLAIR COUNTY COMMUNITY ACTION PROGRAM
COMMUNITY SERVICE CENTER

2301 Beale Avenue
Altoona, Pennsylvania 16601

Phone 814-946-3651 800-238-9763
FAX 814-946-5451

March 31, 2021

Federal Reserve Bank of New York
Attention: Bank Applications Officer
33 Liberty Street
New York, NY 10045

Re: M&T Bank merger with People's United, Bridgeport, CT

To Whom It May Concern:

Blair County Community Action Program (BCCAP) is pleased to write this letter in support of M&T Bank Corporation's proposed merger with People's United, Bridgeport, CT.

Blair County Community Action Program was incorporated on June 8, 1965, as a private, non-profit corporation under Section 501 (c) (3). BCCAP assembles and directs federal and local resources to address the multidimensional influences, which impact the low-to-moderate income families and individuals of Blair County.

Blair County Community Action Program's role is to encourage our constituents to develop their talents to better themselves, their family, and their community. BCCAP helps its constituents secure the tools and training necessary to meet their needs and permit them to take place in mainstream society. BCCAP has provided over fifty-five (55) years of uninterrupted direct and referral services to its constituents, functioning as a conduit for federal, state, local and private resources while addressing the causes and conditions of poverty in Blair County.

As an advocate for low-to-moderate-income families and individuals in Blair County, BCCAP involves its constituent in "Community Action." We believe families and individuals receiving services are best able to determine and address their own specific needs.

In the course of our 20 plus year relationship with M&T Bank, they have been integral to the achievement of our Mission.

Below is a list of some of the activities in which M&T Bank has played a role:

- Providing financial support for BCCAP's Housing Counseling programs and IDA programs.
- Providing financial support for our financial education activities in Blair County.
- Providing financial support for our elementary school weekend meal program.
- Providing gap financing during high volume times of the year.

M&T Bank has proven itself a vital partner in our efforts to provide much need services and support in our community. Blair County Community Action Program supports M&T Bank's merger with People's United. If I can be of further assistance regarding this matter, please do not hesitate to contact me.

Sincerely,



Sergio A. Carmona
Executive Director



Ivan J. Hurwitz
Senior Vice President
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Comments.applications@ny.frb.org

April 30, 2021

Northeastern District Office
Director for District Licensing
Office of the Comptroller of the Currency
340 Madison Avenue, Fifth Floor
New York, NY 10173-0002
NE.Licensing@occ.treas.gov

RE: M&T Bank Corporation, Buffalo, New York; to acquire People's United Financial Inc., and thereby indirectly acquire People's United Bank National Association, both of Bridgeport, Connecticut.

Dear Vice President Hurwitz,

The Buffalo Niagara Community Reinvestment Coalition (“BNCRC”) is a coalition of thirteen community organizations focused on racial and economic justice in Western New York. We write because we are concerned about M&T’s performance in meeting the banking needs of historically underserved people and communities in the Buffalo-Niagara MSA. M&T currently holds over 62% of deposits in the Buffalo MSA and originates nearly 40% of home mortgages from depository institutions in our region. Despite this dominant presence in the region, there are considerable concerns about their mortgage lending to people and communities of color. Recent HMDA data calls into question the bank’s commitment to all communities in the Buffalo-Niagara MSA. BNCRC is concerned about M&T’s long-standing and persistent inability to meet the banking needs of the people and communities that financial institutions have historically underserved.

BNCRC is concerned that:

- M&T as the top depository share holder and mortgage lender is setting the market for lending discrepancies that continue the tradition of redlining in our city, further resulting in unbanked neighborhoods, segregation and poverty.
 - From 2016-2019 only 5.68% of M&T mortgages were originated in neighborhoods where people of color were the majority and less than 10% of all mortgages went to people of color.
- M&T’s divestment and poor lending to underserved communities seems to be unique to its oldest market—M&T’s hometown and headquarters.
 - From 2017-2019 in New York City, where M&T has only .6% of the deposit share, the percentage of home loans going to Black borrowers is nearly 7 times greater than that in Buffalo and nearly 3 times greater for Latinx borrowers.

- M&T is and will continue in light of the People’s United acquisition, to spend community outreach resources and focus its CRA compliance efforts in new markets while ignoring the needs of its hometown.

The BNCRC encourages federal regulators to share in the concerns highlighted above. Furthermore, BNCRC encourages regulators to consider M&T’s limited lending to people and communities of color in the Buffalo-Niagara MSA in their review of the bank’s application to acquire People’s United Financial Inc. Federal banking laws require financial regulators to evaluate whether mergers will meet the “convenience and needs of the communities to be served.”¹ This requirement extends beyond CRA performance reviews to take a forward-looking analysis of the new institution’s capacity to meet the credit needs of the communities in which it does business.² Convenience and needs review requires regulators to analyze branch closures, particularly in LMI communities, reduction in services, price increases, marketing practices, past CRA performance, and other factors which may impact the credit needs of the general public.³ Additionally, regulators must examine the “managerial resources” of the new company, which includes “the competence, experience, and integrity of the officers, directors, and principal shareholders of the company.”⁴

Community benefits agreements are a known tool at the disposal of both regulators and banks to address lending and banking service disparities in communities.⁵ The Federal Reserve recently cited a local community benefits agreement between the BNCRC and KeyBank in its

¹ 12 U.S.C. § 1842(c)(2); 12 U.S.C. § 1828(c).

² As the OCC explicitly states in its Licensing Manual: “The OCC also considers the convenience and needs of the community to be served when reviewing Bank Merger Act filings. The convenience and needs factor is distinguished from the CRA requirements in that the convenience and needs analysis is prospective, whereas the CRA requires the OCC to consider the applicant’s record of performance.” OCC Comptroller’s Licensing Manual. Public Notice and Comments. Page 9. <https://www.occ.gov/publications-and-resources/publications/comptrollers-licensing-manual/files/file-pub-lm-public-notice-and-comments.pdf>.

³ *Id.* (“The OCC considers any plans of the resulting, combined bank to close branches, particularly in low- or moderate-income areas, reduce services, or provide expanded or less costly services to the community”); FDIC Law, Regulations, Related Acts. FDIC Statement of Policy on Bank Merger Transactions. Available online at: <https://www.fdic.gov/regulations/laws/rules/5000-1200.html> (“In assessing the convenience and needs of the community to be served, the FDIC will consider such elements as the extent to which the proposed merger transaction is likely to benefit the general public through higher lending limits, new or expanded services, reduced prices, increased convenience in utilizing the services and facilities of the resulting institution, or other means. The FDIC, as required by the Community Reinvestment Act, will also note and consider each institution’s Community Reinvestment Act performance evaluation record. An unsatisfactory record may form the basis for denial or conditional approval of an application.”). The Federal Reserve Board, as the “responsible agency” evaluating the M&T-People’s United merger application, must also follow these regulatory guidelines under the Bank Merger Act. 12 U.S.C. § 1828(c)(2).

⁴ 12 U.S.C. § 1842(c)(5).

⁵ See list of recent NCRC community benefits agreements. Available online at: <https://ncrc.org/explainer-how-ncrc-brings-banks-and-local-leaders-together-for-community-benefits-agreements/>. (“KeyBank in March 2016 for \$16.5 billion; Huntington Bancshares in May 2016 for \$16.1 billion — completed in 2020. A second plan was announced in September 2020 for \$20 billion; Fifth Third Bank in November 2016 for \$30 billion; First Financial Bank in October 2017 for \$1.7 billion; Santander Bank in November 2017 for \$11 billion; IBERIABANK in November 2017 for \$6.7 billion; First Tennessee Bank in April 2018 for \$4 billion; Wells Fargo & Company (DC) in October 2018 for \$1.6 billion; Fifth Third updated agreement in October 2018 for an additional \$2 billion; Truist in July 2019 for \$60 billion; CIT Group in November 2019 for \$7.75 billion; First Merchants Bank in June 2020 for \$1.4 billion; Morgan Stanley in September 2020 for \$15 billion; First Citizens Bank in February 2021 for \$16 billion”).

approval order of KeyBank’s merger with First Niagara.⁶ In response to the analysis and experiences set forth in this letter and the results of the Federal Reserve and Comptroller of the Currency review of M&T’s lending to people and communities of color, the BNCRC encourages the use of a community benefits agreement between M&T and the BNCRC as a condition of approval of the proposed acquisition of People’s United. A community-developed benefits agreement has the potential to rectify historic underperformance and to direct resources and investment by M&T to people and communities of color in the region.

M&T’s History in Buffalo-Niagara

M&T was founded in Buffalo in 1856, 24 years after Buffalo’s incorporation, and for over 150 years the bank has played an important role in the local economy.⁷ In the late nineteenth century, M&T was an active participant in Buffalo’s railroad industry and benefited from Buffalo’s grain trade and connections to the Erie Canal.⁸ M&T’s growth surged in the early twentieth century as the bank made its first acquisition in 1902 and provided financing for companies that manufactured war materials during World War I. By the end of the 1920s, M&T bank had \$135 million in assets. Although M&T suffered during the stock market crash, the bank more than recovered by financing the manufacturing industry during World War II. From the 1940s to 1960s, M&T continued to make mergers and acquisitions, purchasing over 15 local banks in just 21 years. By the end of the 1960s, M&T became a subsidiary of the multi-bank holding company First Empire State. M&T profited from the acquisitions made by the holding company, which increased the bank’s revenue and expanded its market share and service delivery in New York State.

By the early 2000s, M&T’s focus shifted from New York to the Atlantic Region, acquiring Allfirst Financial Inc. for \$16.5 billion in 2003.⁹ M&T has continued to solidify its position in the Atlantic Region, gaining nearly \$11 billion in assets in the Wilmington Trust acquisition in 2011 and another \$37 billion in the Hudson City Bancorp acquisition in 2015. Meanwhile, the bank continued to grow its market share in Buffalo-Niagara—M&T has most

⁶ FRB Order No. 2016-12. July 12, 2016. Available online at: <https://www.federalreserve.gov/newsevents/pressreleases/files/orders20160712a1.pdf> (“KeyCorp held community outreach meetings and worked closely with various community organizations to develop a National Community Benefits Plan (“Plan”). The Plan calls for KeyBank to invest \$16.5 billion in its communities over a five-year period, starting in 2017. KeyCorp asserts that up to 35 percent of the total commitment would be targeted for the areas where KeyBank and First Niagara Bank currently overlap in New York. The Plan establishes goals for loans, investments, and products specifically aimed at benefitting LMI individuals and communities, including home mortgages, small business loans, community development loans, investments, and philanthropic contributions. In addition, the Plan establishes targets for branching in LMI communities across the bank’s geographic footprint and, separately, the state of New York. The bank will open an additional branch in an LMI community in East Buffalo and keep open four other branches in LMI neighborhoods that the bank initially planned to close. KeyCorp further asserts that the bank will enhance its diversity and inclusion - 18 - policies, expand its community engagement and marketing efforts, and establish an advisory council made up of various community organizations that will meet periodically to assess KeyBank’s progress under the Plan and to be informed of the bank’s future initiatives.”)

⁷ All references, unless otherwise noted, are derived from the following article on M&T’s website: Bridger, C. (2006). *M&T Bank Celebrates 150 Years*. M&T Bank. <https://ir.mtb.com/static-files/f93b59c8-addf-4e8f-a36a-293baad36b5d>.

⁸ Brown, R. C., & Watson, B. (1981). *Buffalo: Lake City in Niagara Land* [eBook edition]. Windsor Publications. <https://buffaloah.com/a/mt/lakecity/lakecity.html>.

⁹ Acquisition data available online at: M&T Bank. *Acquisitions*. (2021) <https://ir.mtb.com/acquisition>.

recently held the highest depository share in Buffalo’s MSA since 2011 and more than fifty percent of Buffalo’s deposits since 2014.¹⁰ HSBC’s drastic decrease in market share—from 38.18% in 2010 to 19.62% in 2011—left a vacuum which M&T readily filled.¹¹ Tables 1 and 2 show M&T’s outsized market presence in the Buffalo-Niagara MSA.¹²

Table 1: M&T’s Deposit Share in the Buffalo MSA 1994-2020 per the FDIC

Year	Rank	Percentage of Market Share Deposits
1994	1	28.75
1995	1	31.87
1996	1	33.86
1997	1	35.24
1998	1	35.3
1999	1	35.11
2000	1	33.13
2001	2	25.42
2002	2	29.64
2003	2	24.69
2004	2	27.04
2005	2	29.22
2006	2	31.97
2007	2	22.14
2008	2	23.85
2009	2	29.35
2010	2	29.55
2011	1	38.96
2012	1	42.75
2013	1	47.17
2014	1	50.31
2015	1	50.79
2016	1	54.63
2017	1	62.62
2018	1	62.77
2019	1	63.58
2020	1	62.38

¹⁰ M&T has held either the largest or second largest amount of deposits in the Buffalo MSA since 1994. FDIC. (2020). Deposit Market Share Reports. <https://www7.fdic.gov/sod/sodMarketBank.asp?barItem=2>.

¹¹ *Id.*

¹² In 2019, the MSA for the Buffalo area no longer included the Niagara Falls region. From 1994-2018 the MSA was Buffalo-Cheektowaga-Niagara Falls, in 2019 it changed to Buffalo-Cheektowaga.

Table 2: FDIC Deposit Market Share Report for Buffalo MSA as of June 30, 2020

Institution Name	Number of Offices	Deposits (\$000)	Market Share	Total Assets (\$000) (Dec. 31, 2020)
M&T Trust Co.	54	38,640,945	62.38%	142,219,684
KeyBank, N.A.	63	8,638,781	13.95%	168,974,607
HSBC Bank, USA, N.A.	1	3,607,563	5.82%	197,980,343
Bank of America, N.A.	21	2,975,327	4.80%	2,258,832,000
Northwest Bank	25	2,141,315	3.46%	13,958,775
Citizens Bank, N.A.	39	2,026,041	3.27%	183,365,970
Evans Bank, N.A.	15	1,488,608	2.40%	2,028,161
CNB Bank	4	733,722	1.18%	4,709,040
Bank of Akron	6	425,696	0.69%	471,221
Alden State Bank	2	341,030	0.55%	418,232
Lakeshore Savings Bank	6	255,875	0.41%	686,391
Five Star Bank	4	221,219	0.36%	4,875,673
Community Bank, N.A.	5	195,968	0.32%	13,738,328
Bank of Holland	3	146,252	0.24%	161,073
Cattaraugus County Bank	1	42,896	0.07%	297,977
JP Morgan Chase Bank, N.A.	1	40,752	0.07%	3,025,285,000
The Bank of Castile	1	13,659	0.02%	1,771,267
Woodforest National Bank	2	8,926	0.01%	8,243,884
Institutions in Market: 18	253	61,944,575	100%	6,028,017,626

While M&T benefited from Buffalo’s economic bounty and experienced tremendous growth over the past 150 years, the City of Buffalo has not experienced the same prosperity. Racial and economic inequality plague our city—Buffalo has been one of the country’s poorest

and most segregated cities for decades.¹³ Large swaths of Buffalo remain unbanked and the borders of 1930s HOLC (Home Owner’s Loan Corporation) redlining maps remain so entrenched that they are practically etched into the collective psyche of the region.¹⁴ The New York State Department of Financial Services recently published a report on redlining in Buffalo (“DFS Report”), which found “stark confirmation that people of color’s participation in the mortgage market (and therefore their opportunities for home ownership, one of the biggest drivers of long-term wealth for American families) lags far behind that of those who are not people of color.”¹⁵ The report concluded that “this substantial societal problem remains to be solved” and “consistent poor performance suggests that scrutiny is warranted by regulators and law enforcement agencies.”¹⁶

M&T’s Recent Lending Performance

BNCRC is concerned that M&T’s recent performance indicates historical redlining practices continue to shape the housing market in Buffalo. The data shows that both neighborhoods where people of color predominate, as well as individual borrowers of color are systematically excluded from essential home financing and the wealth that comes with it. M&T is by far the largest lender in the market and the market needs to improve for our city to prosper.

a. M&T Mortgage Originations in Majority People of Color Neighborhoods

The recent DFS report examined HMDA mortgage originations in the Buffalo MSA from 2016-2019. Only 5.68% (770/13565) of M&T mortgages were originated in neighborhoods where people of color were the majority over the four-year period.¹⁷ While M&T’s performance was slightly better in this metric than the market average, it is important to note that M&T originated 15.8% (13565/85834) of all mortgages, and 36.8% (13565/36803) of all mortgages from depository institutions in the Buffalo MSA over the period.¹⁸ M&T’s poor performance is

¹³ Blatto, A. (2018). *A City Divided: A Brief History of Segregation in Buffalo*. Partnership for the Public Good. <https://ppgbuffalo.org/files/documents/data-demographics-history/a-city-divided-a-brief-history-of-segregation-in-the-city-of-buffalo.pdf>; Magavern, S. (2018). *Poverty in Buffalo: Causes, Impacts, Solutions*. Partnership for the Public Good. <https://ppgbuffalo.org/files/documents/poverty-low-wage-work-income-inequality/truth-commission-report-poverty-in-buffalo-causes-impacts-solutions.pdf>.

¹⁴ Blatto, *A City Divided*; Magavern, *Poverty in Buffalo*; see also New York State Department of Financial Services. *Report on Inquiry into Redlining in Buffalo*, New York at 7-8 February 4, 2021. https://www.dfs.ny.gov/system/files/documents/2021/02/report_redlining_buffalo_ny_20210204_1.pdf (“The results of the Department’s own analysis in this matter are consistent with the conclusion that the echoes of the HOLC maps are evident today”).

¹⁵ DFS Report at 13.

¹⁶ *Id.* at 13; 15. In the report, DFS notes its own limited jurisdiction and that many of the institutions in the report are regulated by federal agencies. Nonetheless, DFS encourages federal regulators to take a closer look. *Id.* at 16, n. 26. (“Many of the institutions listed in the charts are federally chartered banks or credit unions. Those institutions are regulated by their respective federal regulators, and pursuant to federal law the Department has no authority to investigate or take any enforcement action against them. The Department encourages the federal regulators to investigate whether fair lending violations are occurring at those institutions that are performing poorly on these statistical measures. The Department’s own jurisdiction in this area is limited to state-chartered banks and credit unions and DFS-licensed non-depository mortgage lenders”).

¹⁷ *Id.* at 11.

¹⁸ *Id.*

especially concerning because of its outsized market presence. Table 3 shows M&T’s performance in the region compared to other depository institutions:

Table 3: Buffalo MSA Mortgage Lending in Majority-Minority Tracts (MMTs) 2016-2019

Lender*	Total # of originations	# of originations for Properties in MMTs	% Originations in MMTs	Total # of Applications	# of Applications for Properties in MMTs	% Applications for Properties in MMTs
Evans Bank, N.A.	1,302	167	12.83%	1,602	227	14.17%
Five Star Bank	1,460	184	12.60%	1,788	237	13.26%
Bank of America, N.A.	2,020	118	5.84%	4,102	505	12.31%
M&T Trust Co.	13,565	770	5.68%	17,519	1,312	7.49%
Northwest Bank	3,183	153	4.81%	4,767	306	6.42%
Citizens Bank, N.A.	5,217	222	4.26%	9,118	663	7.27%
KeyBank, N.A.	9,052	331	3.66%	14,373	875	6.09%
Entire Market**	35,799	1,945	5.43%	53,269	4,125	7.74%

*Depository lenders originating 1,000 or more mortgages annually in the MSA

**As represented by selected lenders

It is also troubling that two institutions performed markedly above market in mortgage originations in neighborhoods where people of color predominate—Evans Bank (12.83% or 167/1302) and Five Star Bank (12.6% or 184/1460). This discrepancy is troubling for two reasons. First, two smaller community banks are substantially outperforming M&T in this metric. Second, both of these banks recently entered into settlement agreements with the New York State Attorney General’s Office.¹⁹ We are concerned that it takes government investigations and enforcement actions to bring credit into neighborhoods of color in our city.

Even more troubling, a BNCRC analysis of 2015-2019 HMDA data²⁰ in the Buffalo MSA reveals a disproportionate share of M&T mortgages in neighborhoods where people of color are the majority go to white borrowers. In the data set, M&T originated 526 mortgages in majority-minority tracts, 486 of which reported the race of the borrower. Of the 486 mortgages that reported the borrower’s race, 214 went to whites (44%) and 272 went to people of color (56%). This is concerning when many of these neighborhoods are over 80% people of color.²¹ The mortgage approval rate confirms the discrepancy between originations and neighborhood demographics—the approval rate for white applicants in the data set was 88.8% (214/241) whereas the approval rate for applicants of color was 75.8% (272/359). Therefore, not only does M&T lend to neighborhoods where people of color predominate much less than anticipated, but when it does the loans disproportionately go to white borrowers.

¹⁹ Available online at: https://ag.ny.gov/pdfs/2015-09-10_Evans-AG_Settlement_Agreement_EXECUTED.pdf; see also <https://ag.ny.gov/press-release/2015/ag-schneiderman-secures-agreement-five-star-bank-end-racially-discriminatory>.

²⁰ In this data set, the classification of “minority” is all borrowers or applicants who identified as a race other than white. We did not include different reported ethnicities within our data. We also did not include data with race unreported.

²¹ DFS Report at 8.

b. M&T Mortgage Originations to Borrowers of Color

Stepping outside of neighborhoods where people of color are the majority, HMDA data shows that M&T’s mortgage lending to people of color in general is surprisingly low. As the DFS report notes, “One statistic that leaps from the data is that, market-wide, loans made to [people of color] in the Buffalo MSA comprise only 9.74% of the total loans made in Buffalo—less than half of what would be expected given that [people of color] make up roughly 20% of the MSA’s population.”²² M&T’s performance in this category, 9.8% (1269/12951), is nearly identical to the market average.²³ M&T originated 16.9% (12951/77130) of all mortgages and 38.1% (12951/33949) of all mortgages from depository institutions in the data set.²⁴ Table 4 shows M&T’s home purchase mortgage lending to borrowers of color compared to other depository institutions in the region.

Table 4: Buffalo MSA Mortgage Lending to Borrowers of Color 2016-2019

Lender*	Total # of Originations	# of Originations for Borrowers of Color	% Originations for Borrowers of Color of Total Originations	Applications	Applications from Borrowers of Color	Borrowers of Color Applicants as % of Total Applications
Five Star Bank	1,364	247	18.11%	1,665	326	19.58%
Bank of America, N.A.	1,837	319	17.37%	3,696	847	22.92%
Evans Bank, N.A.	1,164	187	16.07%	1,461	258	17.66%
M&T Trust Co.	12,951	1,269	9.80%	16,582	1,959	11.81%
Citizens Bank, N.A.	4,841	428	8.84%	8,272	1,047	12.66%
KeyBank, N.A.	8,270	681	8.23%	13,150	1,461	11.11%
Northwest Bank	2,597	146	5.62%	3,771	304	8.06%
Entire Market**	33,024	3,277	9.92%	48,597	6,202	12.76%

*Depository lenders originating 1,000 or more mortgages annually in the MSA

**As represented by selected lenders

HMDA data also reveal that approval rates for borrowers of color are much lower than one would expect. Analyzing the 2016-2019 HMDA data in the DFS report, M&T approved 78.1% (12591/16582) of all mortgage applications yet only 64.8% (1269/1959) of mortgage applications from borrowers of color. A similar discrepancy develops when looking at neighborhood data in the report —M&T approved 77.4% (13565/17519) of mortgage applications yet only 58.7% (770/1312) of those in neighborhoods where people of color predominate. Tables 5 and 6 depict the struggle for mortgage applicants of color in our city by comparing the percentage of mortgage approval rates between all borrowers and those of color:

²² *Id.* at 13.

²³ M&T lags slightly behind the market average for depository institutions 9.98% (3391/33949). *Id.* at 12.

²⁴ *Id.* at 12.

Table 5: Buffalo MSA Mortgage Lending Approvals to Borrowers of Color 2016-2019

Lender*	Total Applications	Total # of all Originations	% of Approvals for all Borrowers	Applications from Borrowers of Color	# of Originations for Borrowers of Color	% of Approvals for Borrowers of Color	%Difference in Approval Rates**
Five Star Bank	1,665	1,364	81.92%	326	247	75.77%	6.16%
Bank of America, N.A.	3,696	1,837	49.70%	847	319	37.66%	12.04%
Evans Bank, N.A.	1,461	1,164	79.67%	258	187	72.48%	7.19%
M&T Trust Co.	16,582	12,951	78.10%	1,959	1,269	64.78%	13.32%
Citizens Bank, N.A.	8,272	4,841	58.52%	1,047	428	40.88%	17.64%
KeyBank, N.A.	13,150	8,270	62.89%	1,461	681	46.61%	16.28%
Northwest Bank	3,771	2,597	68.87%	304	146	48.03%	20.84%
Entire Market***	48,597	33,024	67.95%	6,202	3,277	52.84%	15.12%

*Depository lenders originating 1,000 or more mortgages annually in the MSA

**Percent difference between all approvals and those for borrowers of color

***As represented by selected lenders

Table 6: Buffalo MSA Mortgage Lending Approvals Majority-Minority Tracts 2016-2019

Lender*	Total # of Applications	Total # of originations	% of Total Approvals	# of Applications for Properties in MMTs	# of originations for Properties in MMTs	% Of Approvals for MMTs	%Difference in Approval Rates**
Evans Bank, N.A.	1,602	1,302	81.27%	227	167	73.57%	7.71%
Five Star Bank	1,788	1,460	81.66%	237	184	77.64%	4.02%
Bank of America, N.A.	4,102	2,020	49.24%	505	118	23.37%	25.88%
M&T Trust Co.	17,519	13,565	77.43%	1,312	770	58.69%	18.74%
Northwest Bank	4,767	3,183	66.77%	306	153	50.00%	16.77%
Citizens Bank, N.A.	9,118	5,217	57.22%	663	222	33.48%	23.73%
KeyBank, N.A.	14,373	9,052	62.98%	875	331	37.83%	25.15%
Entire Market***	53,269	35,799	67.20%	4,125	1,945	47.15%	20.05%

*Depository lenders originating 1,000 or more mortgages annually in the MSA

**Percent difference between all approvals and those in MMTs

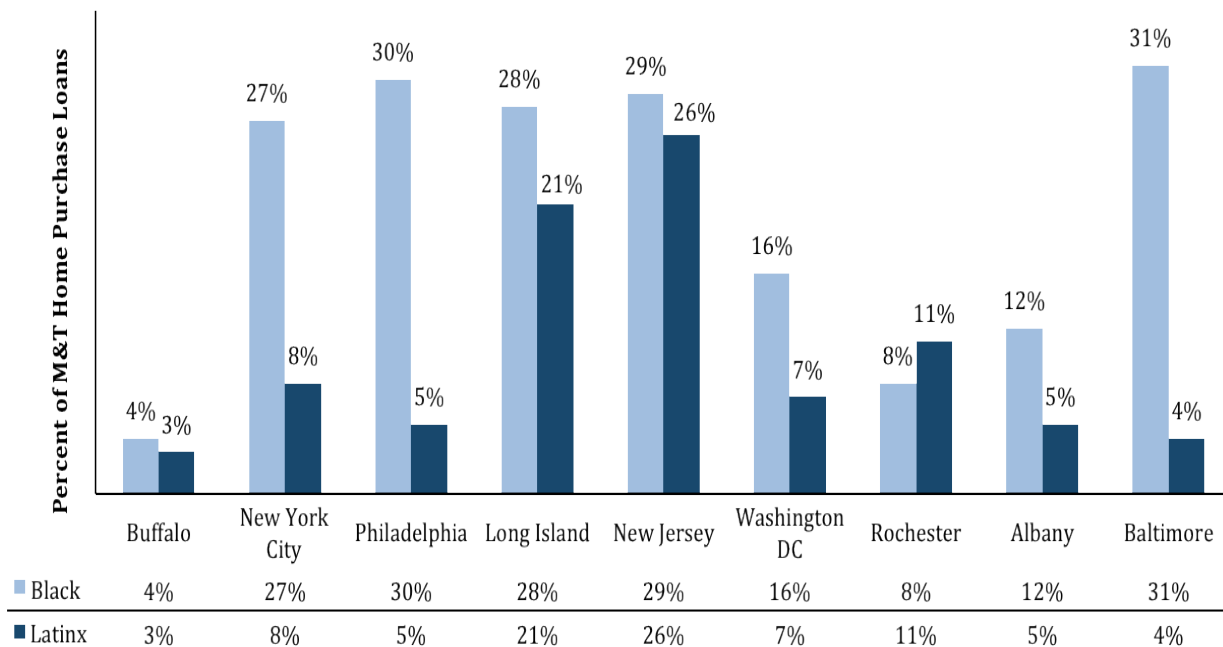
***As represented by selected lenders

We are concerned that M&T is setting the market for lending discrepancies that continue the tradition of redlining in our city, resulting in unbanked neighborhoods, segregation and poverty. One statistic encapsulates all the others—only 2.96% of M&T home purchase mortgage originations in the Buffalo MSA go to borrowers of color in neighborhoods where people of color are the majority. This number needs to improve if our city ever intends to reverse its long history of redlining, segregation and poverty.

c. M&T’s Performance in Other Markets

BNCRC knows that M&T can improve in Buffalo-Niagara because it has been a leader in other regions. National Community Reinvestment Coalition (“NCRC”) analysis of regional HMDA data demonstrate that while M&T struggles here, it continues to outpace the market elsewhere. In the Buffalo MSA from 2017-2019, only 4% (216/5083) of M&T home purchase mortgage originations went to Black borrowers and only 3% (130/5083) to Latinx. At the same time, M&T substantially outperformed the market for home purchase mortgages to Black and Latinx in Philadelphia (+13%), New York City (+23%),²⁵ Long Island (+22%), New Jersey (+28%), and Baltimore (+8%). For home purchase loans in New York City in 2018, M&T made 44% to Black borrowers (46/104) and 22% to Latinx borrowers (23/104).²⁶ While M&T controls much less of the market in these cities, the numbers indicate M&T has the ability to perform much better in Buffalo. Table 7 compares M&T’s lending performance in the Buffalo MSA with other regions in its footprint:

Table 7: Percent of M&T Home Purchase Loans to Black and Latinx Borrowers 2017-2019



We are concerned that M&T is spending community outreach resources and focusing its CRA compliance efforts in new markets while ignoring the needs of its hometown. This concern compounds when M&T’s proposed merger with People’s United would extend its footprint into

²⁵ A recent report by Association for Neighborhood & Housing Development (“ANHD”) demonstrates that M&T is a leader in many lending categories in New York City. M&T had the highest rating of large banks in OCC’s new “one-ratio metric” (page 14); by far the highest percent of home purchase loans to minorities (page 34); and by far the highest percent of home purchase loans to LMI borrowers (page 36). ANHD. *Bank Reinvestment at Risk: OCC’s CRA Rule Will Hinder Covid Recovery* (2020) https://anhd.org/sites/default/files/2019_anhd_bank_report_sept2020.pdf.

²⁶ *Id.* at 34.

five new states in New England and the New York metropolitan area. In its press release announcing the merger,²⁷ M&T acknowledged the merger's size and impact. It noted that the combined company would create a banking franchise with approximately \$200 billion in assets and a network of more than 1100 branches and over 2000 ATMs, spanning 12 states. According to M&T, the combined franchise would operate across "some of the most populated and attractive banking markets in the United States." The bank noted that the merger would "create the leading community focused commercial bank in the Northeast and mid-Atlantic regions" and would span an "economically diverse region that accounts for over 20% of the US population and 25% of US GDP." If approved, the merger would make M&T the 14th largest bank in the country.

BNCRC is concerned what this expansion will mean for M&T's commitment to improving access to credit, amongst other financial needs in Buffalo-Niagara. This is especially worrisome considering the systemic problems in recent People's United CRA performance reviews and the resources it will take to improve in its new footprint. We believe that the only way to ensure lending in our communities of color improves is for M&T to enter a community benefits agreement in Buffalo-Niagara before the merger is approved.

People's United's Recent CRA Performance

BNCRC is concerned that M&T will need to spend valuable community outreach resources in its new footprint due to People's United CRA performance issues. Numerous problems were raised during People's United last two CRA reviews in 2016 and 2019, especially with lending in larger metropolitan areas. For instance, in its 2016 CRA review,²⁸ People's United performed "Low Satisfactory" on its lending test in Boston,²⁹ "Low Satisfactory" in Connecticut,³⁰ and "Needs to Improve" in New York City.³¹ The OCC noted that "the geographic distribution of home purchase mortgage loans was poor" in Boston and "very poor" in New York.

Many issues remained in its 2019 CRA review,³² including lending in Boston³³ and New Hampshire,³⁴ investments and services in New York City,³⁵ and branch locations in both

²⁷ Available online at: <https://newsroom.mtb.com/2021-02-22-M-T-Bank-Corporation-Announces-Agreement-to-Acquire-Peoples-United-Financial-Inc>.

²⁸ Available online at: <https://www.occ.gov/static/cra/craeval/may18/25103.pdf>.

²⁹ *Id.* at 13 ("Overall, the geographic distribution of home mortgage loans was poor").

³⁰ *Id.* at 31 ("The overall geographic distribution of home mortgage loans was poor").

³¹ *Id.* at 68 ("The overall geographic distribution of home purchase loans was very poor. The bank's geographic distribution of home purchase loans during 2014 through 2015 was very poor. The percentage of loans made in low-income geographies was significantly below the percentage of owner-occupied units in these geographies. The percentage of loans made in moderate-income geographies was well below the percentage of owner-occupied units in these geographies. The bank's market share in low-income census tracts was significantly below its overall market share for home purchase loans. The bank's market share in moderate-income census tracts was well below its overall market share for home purchase loans. The bank's performance in 2013 was consistent with the performance noted in 2014 through 2015, and was very poor").

³² Available online at: <https://www.occ.gov/static/cra/craeval/May20/25103.pdf>.

³³ *Id.* at 12 ("The proportion of loans to low-income borrowers was significantly below the proportion of low-income families and below the aggregate distribution of loans").

³⁴ *Id.* at 49 ("A poor geographic distribution of both home mortgage loans and small loans to businesses").

Hartford³⁶ and New York City.³⁷ In Hartford, only 4 of 76 branches were in low-income geographies and 13 in moderate-income geographies, which the OCC noted “was significantly below the percentage of the population residing in these geographies.”³⁸ The same problem was found in New York, where 6 of 204 branches were in low-income geographies and 35 in middle-income tracts, again “significantly below the percentage of the population residing in these geographies.”³⁹

Also concerning were public comments made during the regulatory review process of recent People’s United mergers, including with Suffolk Bank on Long Island in 2017.⁴⁰ For instance, NCRC noted in its first public comment to the People’s United-Suffolk Bank merger, “In New York City, 41.1% of all home purchase loans from 2012 to 2014 went to people of color, yet only 20.3% of People’s United’s home loans went to people of color, indicating that People’s United trailed all lenders by 20.3 percentage points (PP).”⁴¹ Fair Finance Watch noted in its first comment that “in the New York City MSA in 2014 [...] People’s United made 82 home purchase loans to whites and NONE to African Americans or Latinos,” and noted in a second comment “that in 2015 in the New York City MSA, People’s United made 110 home purchase loans to whites and only ONE to an African American and only four to Latinos.” In a public comment to People’s United’s later acquisition of Connecticut’s Farmington Bank, Fair Finance Watch noted “In 2016, the most recent year for which HMDA data is publicly available, People’s got even worse: in the NYC MSA it made 144 home purchase loans to whites (more than in 2015) and still only one to an African American.” People’s United attempted to justify the lending disparities due to its recent entry into the NYC market,⁴² but the statistics indicate the practices continued and even worsened over the years.

Improving People’s United’s performance throughout its footprint will take substantial resources from M&T. The company will need to expend considerable community outreach and “managerial” resources in order to improve performance in its new footprint. BNCRC is concerned what this will mean for M&T’s performance in its hometown. We urge federal

³⁵ *Id.* at 21 (“Investment Test in the New York CSA is rated Low Satisfactory [...] Service Test in New York CSA is rated Low Satisfactory”)

³⁶ *Id.* at 30 (“The bank has 76 branches in the AA with four branches in low-income and 13 branches in moderate-income geographies. The percentage of branches located in low-income areas was significantly below the percentage of the population residing in these geographies”).

³⁷ *Id.* at 22 (“The bank has 204 branches in the AA with six branches in low-income and 35 branches in moderate-income geographies. The percentage of branches located in low-income areas was significantly below the percentage of the population residing in these geographies”).

³⁸ *Id.* at 30.

³⁹ *Id.* at 22.

⁴⁰ See Federal Reserve approval order. Available online at:

<https://www.federalreserve.gov/newsevents/pressreleases/files/orders20170316a1.pdf>.

⁴¹ The data on Long Island was equally as troubling. (“We are also concerned with People’s United’s lending in Suffolk County where People’s United trailed all lenders from 2012 through 2014 by 10.3 PP in lending to LMI applicants. Furthermore, People’s United denied 50% of applications submitted by African Americans when all lenders in Suffolk County during the time period only denied 21.7% of applications from African Americans”). The statistics did not improve according to NCRC’s third public comment (“There was minimal to no improvement in home purchase originations to underserved borrowers and census tracts in New York City from 2014 to 2015. Originations actually went down in census tracts that are majority people of color from 6 originations in 2014 to 4 in 2015.”)

⁴² FRB Approval Order at 10.

regulators to require M&T to enter a community benefits agreement for the Buffalo-Niagara region in order to make sure we're not left behind.

Community Commitments in Buffalo-Niagara

In press releases and public notifications of the planned M&T-People's United merger, both institutions have continued to stress their commitment to communities. In the initial press release,⁴³ M&T CEO René Jones labeled People's United as "a partner with an equally long history of serving and supporting customers, businesses and communities[,]” and stressed that “our common legacies and our complementary footprints will strengthen our ability to serve our communities and customers, and provide solutions that make a difference in people's lives.” People's United CEO Jack Barnes, who will join the M&T board of directors upon completion of the merger, shared similar sentiments: “M&T is a like-minded partner that shares our culture of supporting communities by focusing on building meaningful relationships and providing personalized products, services and local market expertise to customers, while building on our legacy of excellence in service.” In its merger application to the Federal Reserve, M&T ensured “Post-Transaction, M&T will continue [M&T and People's United's] strong commitment to serving their customers and, in particular, the needs of low- or moderate-income (“LMI”) communities.”⁴⁴ We are concerned that this “shared commitment to local communities” does not align with recent lending performance of either institution and believe such commitments can only be secure if agreed to in a community benefits plan.

BNCRC and our coalition of community organizations recognize the importance of a community benefits agreement as a mechanism to encourage banks such as M&T to continue the things they do well and to improve upon other areas of service to our communities. The BNCRC encourages M&T and DFS to view a community benefits agreement in Buffalo-Niagara as a formalized commitment to address the concerns laid out in this letter. The following is a list of potential commitments; with specifications to be addressed in the community benefits negotiation process we believe will help improve M&T's performance:

1. Mortgage Lending to People and Communities of Color
 - Increase rates to Black and Latinx borrowers
 - Increase rates in neighborhoods where people of color are the majority
2. Philanthropy
 - Improve accessibility
 - Consider organizations that are not 501(c)(3)s
 - Gift and grant to smaller organizations, particularly those led by people of color
3. Accountability and Transparency
 - Annual report of lending/investments followed by annual community meeting
 - Quarterly progress reports to BNCRC
 - Data sharing and transparency around philanthropy and all areas of lending, particularly CDLI and mortgage lending specific to race

⁴³ Available online at: <https://newsroom.mtb.com/2021-02-22-M-T-Bank-Corporation-Announces-Agreement-to-Acquire-Peoples-United-Financial-Inc>.

⁴⁴ Merger Application at 15.

- Ability to submit written questions to M&T and receive prompt written responses from M&T
- 4. Commitment to not divert CRA resources from Buffalo-Niagara
 - Increase lending (specifically mortgage and CDLI CRA lending) in Buffalo MSA
 - Open lines of communication between CRA Officers and BNCRC

Conclusion

Equitable lending in low-to-moderate income areas is an essential aspect of community reinvestment and can support the economic development of low-income neighborhoods. Often, low-income neighborhoods are synonymous with our neighborhoods where predominantly people of color live. Buffalo is no exception. Although M&T holds over 62% of Buffalo's deposits and originates nearly 40% of mortgages from depository institutions in the region, only 5% of their mortgages are in neighborhoods where people of color are the majority and less than 10% are issued to borrowers of color. M&T must improve in its hometown. We believe that a community benefits agreement with local organizations will not only improve M&T's performance, but has the potential to reverse our region's legacy of redlining and concomitant segregation and poverty. Federal regulators can help this effort by requiring M&T to enter into a community benefits agreement in Buffalo-Niagara before approving the merger.

Sincerely,

____s/Kathryn Franco____
Kathryn Franco
Coalition Chair
Buffalo Niagara Community Reinvestment Coalition



Broome County Urban League

*Empowering Communities.
Changing Lives.*

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Office of the General Counsel
New York State Department of Financial
Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

April 29, 2021

Subject: M&T Bank merger with People's United

To Whom It May Concern:

I am pleased to write this letter in support of M & T Bank. I have been the CEO of the Broome County Urban League since 2006. The Broome County Urban League (BCUL) is one of the 88 affiliates of the National Urban League, representing the oldest and largest community-based movement empowering the poor, underserved and minorities to enter the economic and social mainstream. Over the course of more than 50 years the Broome County Urban League has expanded its programs and services to address the greater needs of the community.

The clientele served by BCUL programs range in age from 5 years to 74 years of age, with many of the clients being in the 15-to-49-year age group. The BCUL serves approximately 3,000 individuals annually. 75% of the clients come from a household with an annual income of less than \$12,000. Roughly, 78% of the family's report receiving a form of government assistance (public assistance, food stamps, Medicaid, SSI, WIC, free or reduced lunch).

The BCUL has been working with M&T bank for over 15 years. The organization has been supported by M & T employees serving on our board, volunteering at fundraising events, donating to our Annual Golf Tournament and Annual Dinner as well as providing grants to assist us with our afterschool and summer youth programs. The support of M&T has been paramount to our program delivery to the children and families in Broome County who need it most.

All our interaction with M & T Bank has been exemplary. Staff have always been professional and kind and very accommodating even during some of our most difficult times. The BCUL has always appreciated the partnership with M&T.

The Broome County Urban League fully supports the merger with Peoples United. Their community focused banking and commitment to the areas they are in will enhance the growth, prosperity, and opportunities to the people they serve.

Please feel free to contact me at 607-723-7303 ext. 102 or jlesko@bcul.org if you have any additional questions.

Sincerely,
Jennifer Lesko
Jennifer A. Lesko, MS. ED
President/CEO



Empowering Communities and Changing Lives.



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One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

4/19/2021

Subject: Support of M&T Bank merger with People's United Bank

To whom it may concern:

In support of the efforts of M&T Bank in its proposed merger with People's United Bank, I would like to take this opportunity to comment on our organization's experience with People's United Bank.

I have lived in the Boston area for 4 years and was able to see, quickly, that my non-profit organization has benefitted greatly from its relationship with People's United Bank. I am the CEO of the largest hospice and palliative care agencies in this state – Care Dimensions. I was comforted by the service and attention we received from People's United Bank because I came from Buffalo, NY where we also enjoyed a wonderful relationship with M&T bank! I even got to have lunch with Bob Wilmers a few times! What a great guy and a great organization.

In Buffalo, I was the CEO of Hospice Buffalo. It was obvious that M&T Bank was serious about investing in the not-for-profit programs throughout Buffalo and western New York state. I note a great similarity of People's United Bank to M&T Bank and I am thrilled to hear of the merger under consideration.

For more than 178 years, People's United Bank has focused on the fundamental principles of providing expertise to its customers, partnering with communities, and valuing the contributions of its employees. Our organization has been fortunate to be a recipient of the bank's community support and investment.

People's United Bank has been Care Dimensions' primary bank for more than 10 years and with the predecessor Danvers Bank for 20 more. Over the years there has been ongoing support for a variety of fundraising, volunteering, memorial events and investing. Most recently, we built our second Hospice House and People's United Bank provided the capital financing for that project.

I support the proposed M&T Bank merger with People's United Bank. The character of each is very much aligned and greatly respected. M&T Bank and People's United Bank's common legacies and complementary footprints will strengthen their ability to serve their customers and our communities. I believe that combining two organizations with a well-established commitment to its communities, including strong support for volunteerism and charitable giving, will provide long term value to our organization and an exciting opportunity for our communities.

I would be glad to provide more information and am at your service.

Sincerely,

Patricia Ahern, RN, MBA, FACHE
CEO Care Dimensions
pahern@ caredimensions.org
888-283-1722

From: NY Banksup Applications Comments
Sent: Thursday, April 01, 2021 1:02 PM
To: Whidbee, Robin; Caetano, Ruth; Brannon, Lisa; Hosein, Nadira
Subject: FW: M&T Bank merger with People's United
Attachments: CCF Letter -Support M&T.pdf

From: Wendy Fleischer
Sent: Thursday, April 1, 2021 1:02:01 PM (UTC-05:00) Eastern Time (US & Canada)
To: NY Banksup Applications Comments
Cc: Flax, Steve; Vazcones, Jonathan
Subject: [External] M&T Bank merger with People's United

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Dear Sir or Madam,

This letter is to indicate Change Capital Fund's support for M&T's merger with People's United such that it will enable M&T to sustain and increase its valuable contributions to the low-income communities of New York City.

M&T is a founding member of the Change Capital Fund, an unusual collaborative of banks, foundations, intermediaries, and the Mayor's Office of Economic Opportunity which pool their funding and expertise to benefit the city's low-income communities. CCF is the oldest and longest-standing donor collaborative in New York. For a quarter century we have provided support to community organizations which offer housing, jobs, services and advocacy to the people who need them most. Change Capital Fund provides rare flexible, multi-year support which has helped build the capacity and resilience of scores of community organizations.

M&T has been a leader in Change Capital one of our most generous and enduring contributors since our inception. Steven Flax, Administrative VP, Community Reinvestment Group and Regional CRA Manager, has been Change Capital Fund's Chairman over many years. His leadership is the reason our donor collaborative has held together while staying true to our mission and providing a pillar of support for New York's community development field. Jonathan Vazcones, Vice President for Community Reinvestment is a valued member of Change Capital's Technical Assistance Committee, where we greatly benefit from his insights and contributions. It is to the Bank's credit that such extraordinarily talented and high-integrity people represent M&T as agents of positive change in our community.

We hope and trust that M&T's merger with People's United will multiply resources for the kinds of innovation M&T so generously supports and has supported over our 25-year history.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

Wendy Fleischer



Wendy Fleischer
Donor Representative
347-683-0538
wendy@wendyfleischer.com
www.changecapitalfund.org



March 30, 2021

Federal Reserve Bank of New York
Attention: Bank Applications Officer
33 Liberty Street
New York, NY 10045

Re: M&T Bank merger with People's United

Dear Sir or Madam,

This letter is to indicate Change Capital Fund's support for M&T's merger with People's United such that it will enable M&T to sustain and increase its valuable contributions to the low-income communities of New York City.

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M&T has been a leader in Change Capital one of our most generous and enduring contributors since our inception. Steven Flax, Administrative VP, Community Reinvestment Group and Regional CRA Manager, has been Change Capital Fund's Chairman over many years. His leadership is the reason our donor collaborative has held together while staying true to our mission and providing a pillar of support for New York's community development field. Jonathan Vazcones, Vice President for Community Reinvestment is a valued member of Change Capital's Technical Assistance Committee, where we greatly benefit from his insights and contributions. It is to the Bank's credit that such extraordinarily talented and high-integrity people represent M&T as agents of positive change in our community.

We hope and trust that M&T's merger with People's United will multiply resources for the kinds of innovation M&T so generously supports and has supported over our 25-year history.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

A handwritten signature in black ink that reads 'Wendy Fleischer'.

Wendy Fleischer

Cc: Steven Flax and Jonathan Vazcones, M&T

ALTMAN FOUNDATION
BANK UNITED
CAPITAL ONE
DEUTSCHE BANK AMERICAS FOUNDATION
ENTERPRISE COMMUNITY PARTNERS

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MUFG
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C/O UNITED WAY OF NEW YORK CITY,
CCF FISCAL SPONSOR
205 East 42 Street
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DONORS' REPRESENTATIVE
Wendy Fleischer
347-683-0538
wendy@wendyfleischer.com



Chautauqua Home Rehabilitation & Improvement Corporation (CHRIC)

2 Academy St, Mayville, NY 14757
(716) 753-4650 fax – (716)753-4508 TDD – (800)662-1220

www.chric.org chric@fairpoint.net

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Ivan J. Hurwitz, Vice President
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Office of the General Counsel
New York State Department of Financial
Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

4/23/21

Subject: M&T Bank merger with People's United

To Whom It May Concern:


Chautauqua Home Rehabilitation and Improvement Corporation (CHRIC) is a 501C3 non-profit, located in Chautauqua County, New York. We have been around since 1978 and our mission is "Promoting neighborhood stabilization, community revitalization, and economic development through projects and partnerships that positively impact Chautauqua County and its residents." As Executive Director of CHRIC for the past 8 years, I fully understand the need for funds to come back into our local economies and how important CRA grants are to nonprofits like ours.

CHRIC has a wonderful relationship with M&T, and has been a partner in community development for many years. In that time, we have successfully secured AHP funding to rehabilitate residential homes so that they could provide affordable, safe housing to low to moderate income individuals, as well as provide us with our critically important line of credit and various CRA donations. The bulk of all our banking needs is also done through M&T, as we have multiple checking and savings accounts that we maintain for our various program and projects on a year to year basis.

In my time as Executive Director for CHRIC, our partnership with M&T Bank has always been so important in helping us complete the work we need to for our community. We are even fortunate enough to have a local branch manager as one of our Board of Directors. This close partnership is one that hope can only grow moving forward. We support this merger with People's United and feel that it will provide organizations like CHRIC the opportunity to receive additional support for the work we do and improve the lives of our clients.

If you would like to reach out to me directly, please feel free to call me at 716-753-4514 or at josh_freifeld@chric.org.

Sincerely,


Joshua Freifeld, Executive Director CHRIC



"Promoting neighborhood stabilization, community revitalization, and economic development through projects and partnerships that positively impact Chautauqua County and its residents."





CITIZENS INN

4/15/2021

Board of Directors

Steve Vesey
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Operations Manager

Ali Haydock
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Gianna Langis
Senior Development Officer

Rachel Leibowitz
Development Officer

Subject: Support of M&T Bank merger with People's United Bank

To whom it may concern:

In support of the efforts of M&T Bank in its proposed merger with People's United Bank, I would like to take this opportunity to comment on our organization's experience with People's United Bank.

My name is Corey Jackson. I have been Executive Director of Citizens Inn for 8 years, but my involvement in the organization goes back to 1983 when my dad and next door neighbor, with others, founded the organization. I saw the partnership between Citizens Inn and People's Bank (Danvers Bank at the time) lead to great success for the most vulnerable in our community.

For more than 178 years, People's United has focused on the fundamental principles of providing expertise to its customers, partnering with communities, and valuing the contributions of its employees. Our organization has been fortunate to be a recipient of the bank's community support and/or investment.

Citizens Inn, Inc. has had a longstanding partnership with People's United Bank, formerly Danvers Bank. For decades, they have supported our efforts around development and renovation of multi-family affordable housing. In recent years, People's United Bank Charitable Foundation has supported our efforts around providing much needed food and support to those suffering from food insecurity in our community. This has included funds for programming, a refrigerated truck and funds to cover a renovation of our main building at 71 Wallis Street in Peabody.

Citizens Inn, Inc. fully supports a merger between M&T Bank and People's United Bank.

M&T and People's United Bank's common legacies and complementary footprints will strengthen their ability to serve their customers and our communities. I believe that combining two organizations with a well-established commitment to its communities, including strong support for volunteerism and charitable giving, will provide long term value to our organization and an exciting opportunity for our communities.

If you have any questions, you can reach me at cjackson@citizensinn.org.

Sincerely,

Executive Director
Citizens Inn, Inc.

April 15, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Subject: M&T Bank merger with People's United

Dear Mr. Hurwitz:

Since 1966, East House has been on the cutting edge of providing recovery services and programs to individuals in recovery from mental illness and substance use disorders in the Greater Rochester area. Beyond housing and care coordination, East House provides services to ensure that clients have the opportunities for a successful recovery. Based on the eight dimensions of wellness, East House Recovery Services provides these opportunities.

M&T Bank has played a key role in the success of East House. Beginning in 2006, the M&T Foundation has donated annually to our organization. M&T bank has provided checking and savings account services for both East House Corporation and East House Foundation, as well as lines of credit to fund the purchase and renovation of real estate for client recovery services and treatment. Most recently, M&T Bank has been a member-lender of the Federal Home Loan Bank of New York, sponsoring a 123 unit Affordable Housing project that will help to provide quality housing for people with mental illness and substance use disorders at East House.

My business relationship with M&T bank goes back 17 years, when I began as CEO of NeighborWorks. I partnered with M&T again as CEO of Volunteers of America, and am proud to be working with them at East House where I have served as the CEO/President since January, 2019. It is always a pleasure to work with the staff of M&T, and I value the relationships I have built over the years, in particular my 17 year relationship with Beverly Fair-Brooks, VP and Regional Community Reinvestment Officer, my 15 year relationship with Carlos Carballada of the M&T Foundation, and Regional President, Dan Burns. M&T Bank's exceptional customer service, dedication to their clients, and community support set them apart from other banks. East House is proud to partner with M&T Bank and strongly supports their merger with People's United .

Sincerely,



Kimberly Brumber
CEO/President

EOC

31 West Main Street
3rd Floor – Suite # 300
Patchogue, N Y 11772
Phone: (631) 289-2124
Fax: (631) 289-2178

Economic Opportunity Council of Suffolk, Inc.

April 12, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Subject: Support of M&T Bank merger with People's United Bank

To whom it may concern:

In support of the efforts of M&T Bank in its proposed merger with People's United Bank, I would like to take this opportunity to comment on our organization's experience with People's United Bank.

The Economic Opportunity Council of Suffolk, Inc. (EOC) is a not-for-profit organization and has been serving communities in need for over 50 years. Our mission is to promote a goal of self-sufficiency by broadening the minds of children, revitalizing communities and assisting families and children in need through the provision of services and to coordinate available federal, state, local and private resources.

For more than 178 years, People's United has focused on the fundamental principles of providing expertise to its customers, partnering with communities, and valuing the contributions of its employees. Our organization has been fortunate to be a recipient of the bank's community support and/or investment.

EOC has an outstanding working relationship for the past 5 years with People's United Bank. The bank has supported all of our banking needs including charitable events.

EOC has an outstanding working relationship with People's United Bank and has been working with them for many years. People's United Bank has been very supportive over the years and has played a significant role in assisting communities in need. I greatly support the M & T Bank merger with People's United Bank.

M&T and People's United Bank's common legacies and complementary footprints will strengthen their ability to serve their customers and our communities. I believe that combining two organizations with a well-established commitment to its communities, including strong support for volunteerism and charitable giving, will provide long term value to our organization and an exciting opportunity for our communities.

Please feel free to contact me at (631) 289-2124 Ext. 101 or email me at afassett@eoc-suffolk.com.

Sincerely,



Adrian Fassett
President/CEO

E-mail us at: eoc@eoc-suffolk.com
or visit our website at:
eoc-suffolk.com

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ADMINISTRATION: Chief Executive Officer – Adrian R. Fassett; Chief Financial Officer – Songhi Davis

An Affirmative Action Employer



We build strength, stability and self-reliance through affordable homeownership.

April 7, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Sent by email to:
comments.applications@ny.frb.org

Office of the General Counsel
New York State Department of Financial Services
One State Street
New York, NY 10004-1417
Sent by email to: comments@dfs.ny.gov

Subject: M&T Bank merger with People's United

Dear Mr. Hurwitz and the Office of General Counsel at the NYS Department of Financial Services:

On behalf of Habitat for Humanity Capital District, I am writing to express my support of the M&T Bank merger with People's United.

Since 1988, Habitat for Humanity Capital District has served New York's capital region as an independent affiliate of Habitat International. To date we have built more than 145 homes in partnership with local families throughout Albany and Rensselaer counties. Habitat builds new homes and rehabilitates vacant homes for first-time homebuyers. Habitat then sells the homes to first-time homebuyers and finances them with affordable mortgage loans. Habitat homebuyers are qualified based on their level of need, their willingness to become partners in the program, and their ability to obtain and repay an affordable loan.

For most of our history, Habitat affiliates originated and serviced all mortgage loans made to Habitat homebuyers. Habitat did this because access to affordable, responsible and fair mortgage loans was routinely denied or restricted to the largely low-wealth communities of color with whom Habitat partners. Fortunately, in part through Habitat's advocacy, many commercial banks are readily lending and banking within our disinvested communities and with households who have been shut out from homeownership for decades. The bank that we rely on most for mortgage lending is M&T Bank. M&T has been an integral partner in making homeownership possible for more than 35 families that have partnered with Habitat since 2017. M&T originates a SONYMA mortgage loan product that is exclusive to Habitat affiliates and works tirelessly with our approved homebuyers to guide them through the process. They are available to answer questions, address concerns and help prepare first-time buyers for success.

I began working at Habitat in 2011 as the organization's director of development, where I became familiar with M&T Bank's philanthropic commitment to our community and to supporting Habitat's mission of building strength and stability through affordable homeownership. M&T

Bank has offered not only financial support, but offers educational and development opportunities for Habitat staff and is a visible partner in our community and in the neighborhoods where Habitat builds. M&T Bank has also sponsored several of our applications to the Federal Home Loan Bank of New York's Affordable Housing Program, unlocking additional funding that we use to build affordable homes in the cities of Albany and Troy, NY.

Since becoming Habitat's executive director in 2015, I have also worked with M&T Bank's commercial lending team. We have a line of credit that supports many of our construction projects and bridges the financing gap we have between when we start construction and when our permanent grant and charitable funds are received. This line of credit and the capable team that supports this relationship have been critical to our ability to continue building in underserved, underinvested neighborhoods where the cost of construction is always higher than what the resale value of a home will be. Without construction financing, we would not be able to build at scale or have the capital to undertake larger projects.

M&T Bank has mobilized teams of volunteers to build with us on our construction sites and to help at the Habitat ReStore, our home improvement resale operation that helps fund our homebuilding program. Additionally, members from M&T Bank have served on committees and our Board of Directors. M&T Bank staff members regularly attend and support events that Habitat hosts – as well as events hosted by many of our nonprofit partners.

In 2020, as our organization struggled to adjust to significantly reduced revenue, M&T Bank reached out to see how they could help us weather the Covid-19 storm. We applied and received funding through the Paycheck Protection Program; M&T communicated with us and assisted us throughout the confusing process. The bank also helped us understand the PPP loan forgiveness terms, and we successfully received approval for loan forgiveness several weeks ago. We were also just awarded a second round of PPP funds through M&T, which will be crucial to our ability to get back on solid ground after this pandemic.

I have worked to develop relationships with several area banks, including ones with larger footprints and with smaller community institutions. M&T has been the most accessible, supportive and reliable banking partner of any with whom we've done business. Their team puts in effort to maintain a strong relationship with me and my staff, and are always quick to help us troubleshoot or make connections for us within the greater community.

I'm appreciative of M&T's investment in Habitat's mission and, more importantly, in the neighborhoods where we build and in the families with whom we partner. If you have any questions, please feel free to contact me at christine@habitatcd.org or (518) 462-2993 x104.

Sincerely,



Christine Schudde
Executive Director



We build strength, stability, self-reliance *and* shelter.

April 21, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Dear Mr. Hurwitz:

I am pleased to be writing in support of the M&T Bank merger with People's United.

At Habitat for Humanity of Greater Newburgh, our mission is to build homes, community, and hope for low-income homeowners by providing access to an affordable mortgage. During our 21-year history, we have built over 100 houses in the city of Newburgh and given families a hand up to the safety, stability, and self-reliance of a safe, decent home. As Executive Director for the last three years, I have seen firsthand the impact that M&T's support has had on Habitat Newburgh.

M&T has been supporting Habitat Newburgh's work and helping to revitalize neighborhoods for over 15 years. The bank has offered support through grants, volunteering on site, and sponsoring houses. M&T sponsored our 100th house and volunteer groups of M&T employees were on site building the house as well. Many Habitat homeowners have chosen to finance their homes through M&T's mortgage services and benefit from the fact that M&T's loan officers have a wide understanding of the various mortgage processes required for a Habitat loan.

M&T's support has been invaluable for Habitat Newburgh's neighborhood revitalization efforts. Through grant funding, house sponsorships, and volunteer hours from M&T, we have been able to continue to give a hand up to hard working families in the city of Newburgh. We have also been able to inspire a wider change by taking a neighborhood-based approach to our building, which lifts up an entire area through neighborhood associations and inspiring others to build. M&T Bank has been with us every step of the way, and it has had a great impact in building hope and community in the city of Newburgh.

Regards,

Matthew Arbolino
Executive Director
Habitat for Humanity of Greater Newburgh



Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Office of the General Counsel
New York State Department of Financial
Services
One State Street, New York, NY 10004-
1417
Email: comments@dfs.ny.gov

Re: M&T Bank merger with People's United

To whom it may concern:

HDC MidAtlantic is pleased to write this letter in support of M&T Bank Corporation's proposed merger with People's United. HDC MidAtlantic is a not-for-profit affordable housing provider based in Lancaster, PA and as President and CEO since July of 2019, I have been thrilled to work with our partners at M&T.

HDC owns and/or manages over 3,000 apartments, providing housing that is safe and affordable to those with lower incomes, focusing on seniors, families, and individuals living with disabilities. Serving over 4,000 residents in 55 communities located in urban, suburban and rural areas across Pennsylvania, Delaware and Maryland, HDC builds hope and opportunity for all residents to reach their full potential by creating, preserving, and strengthening affordable housing communities.

We know we cannot do this work alone and rely on steadfast community partners like M&T Bank that support our mission, embrace our values, and help us create change in our communities. We have a long history of work alongside M&T and below I am proud to share just a short list of some of the activities in which M&T Bank has played an integral role:

- Represent a trusted banking partner, with \$3,352,258 in deposits from HDC as of the end of 2020, our second largest banking partnership among the 25 institutions with which we currently have relationships
- Served as investors and lenders in HDC's affordable housing developments for over a decade
- Sponsored HDC for a Federal Home Loan Bank of New York Affordable Housing Program (AHP) application
- Partnered with HDC to transition from the Limited Partnership position at the end of a project's compliance period at minimal expense, allowing the project to be recapitalized, rehabilitated, and preserved as affordable housing for decades to come
- Supported various housing development and preservation initiatives with investments through the Pennsylvania DCED Neighborhood Assistance Program
- Provided corporate sponsorship dollars to support our annual fundraising events and in 2021 for our 50th anniversary celebration
- Supported HDC's work through grant funds provided by the M&T Charitable Foundation
- Engaged volunteers to support our work, with staff currently serving on the Resource Development Committee of our Board of Directors

4-6 West King Street | Suite 4 | Lancaster, PA 17603-3824 | 717-291-1911 | hdcweb.com





In addition to the support they have provided, HDC is excited at the opportunity to continue growing our relationship with M&T in the coming years. Our partners at M&T have expressed interest in serving as a construction lender, letter of credit provider, and local bank account holder, all opportunities we are excited to explore moving forward.

In summary, M&T Bank has proven itself as an important partner across all facets of our work. We are confident that they will do the same for others and support the proposed merger in hopes it expands their impact. If I can be of further assistance regarding this matter, please do not hesitate to contact me at the email or phone number provided below.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dana Hanchin", followed by a horizontal line extending to the right.

Dana Hanchin
President and CEO
HDC MidAtlantic
dhanchin@hdcweb.org
717-291-1911





April 21, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
By electronic mail: comments.applications@ny.frb.org

Re: M&T Bank Merger with People's United

Dear Mr. Hurwitz,

As the President and Chief Executive Officer of the Housing and Community Development Network of New Jersey (“the Network”), I am pleased to submit this letter of support on behalf of M&T Bank’s merger with People’s United. Since our founding in 1989, the Network has been the premiere statewide association of more than 270 nonprofit developers and private sector members committed to making sure everyone can afford to call New Jersey home.

The Network and M&T Bank have been strong and committed partners for many years and have worked together during that time to create and support thriving communities. We are proud to work with M&T Bank to deliver affordable homes, community development lending and other economic investments to meet that goal.

We have worked with M&T Bank and its leaders in a number of ways, including:

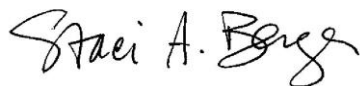
- Coordinating and publicizing low and moderate income lending products for NJ’s underserved neighborhoods, including below market mortgages and home improvement loans, construction and permanent financing for affordable housing, small business loans targeted to women and minorities, community and economic development and grants to nonprofit organizations;
- Working with Bank leaders to expand and strengthen NJ’s signature community investment tool, the Neighborhood Revitalization Tax Credit, providing 100% tax credit to investors with a state tax liability for investing in resident-driven neighborhood plans and projects;
- Launching a community development mentoring program with signature support from M&T Bank and its staff, to coach emerging leaders in the field and support the professional development of new leaders from underrepresented communities, especially Black and brown practitioners; and
- Inviting Bank leaders to help found and participate in our Community Development Investment Advisory Board (CDIAB), where market leaders incubate ideas and innovate products to meet the dynamic needs of the underserved communities. M&T has been a key member of the CDIAB and helped us to identify and respond to needs in critical markets.

In addition, M&T Bank and its leaders have supported the Network's housing counseling program, helping us launch our HUD-certified, funded housing counseling intermediary. We have grown, with the bank's support, to be the largest intermediary in the Garden State, providing technical assistance and training to nine sub-grantees and 40 other counseling organizations who participate in our counseling work. This work is now expanding to include rental housing counseling, a crucial element of our COVID response program.

M&T Bank has been a valuable partner, supporting networking and learning events like our Healthy Homes and Communities Summit and Under One Roof, our Annual Membership meeting. Both events bring community development practitioners, private sector lenders, public officials and industry leaders together to share strategies and build pathways to safe, stable and affordable communities.

We look forward to working with all stakeholders in this process, including mechanisms for implementing M&T's ongoing commitment to addressing the lending and investment needs of New Jersey's diverse and dynamic neighborhoods. If I can be of additional assistance in your review or provide any information, please do not hesitate to contact me by email, sberger@hcdnj.org or by cell, 732-██████████.

Sincerely,

A handwritten signature in cursive script that reads "Staci A. Berger".

Staci Berger, President and CEO

CC: Office of the General Counsel, New York State Department of Financial Services, by electronic mail

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Denis J. Woods

Federal Reserve Bank of New York
Attention: Bank Applications Officer
33 Liberty Street
New York, NY 10045

April 12, 2021

Subject: M&T Bank merger with People's United

To whom it may concern:

My name is DeAnna Eason and I am the Executive Director of Housing Opportunities Made Equal, Inc. (HOME). HOME is a civil rights organization which, since 1963, has led the struggle for fair and equal access to housing in Western New York. HOME's mission is to assist people to live in the housing and communities of their choice through education, advocacy, the enforcement of fair housing laws, and the creation of housing opportunities.

More than 20 years ago I was hired as a Mobility Counselor for HOME's Greater Buffalo Community Housing Center (CHC). It was my job to assist housing choice voucher recipients with locating safe and affordable housing in areas of greater opportunity – lower crime and poverty rates, closer to grocery stores and employment opportunities - and to supply these clients with security deposit grants and moving funds. After the governmental funding for this mobility program ended, M&T became a chief source of funding for the CHC, allowing HOME to continue serving a population that had been overlooked and underserved for years. For nearly two decades, M&T has helped HOME find safe and affordable housing in areas of greater opportunity for hundreds of families.

In addition to the CHC support, M&T has met HOME's banking needs for several decades; supported HOME by being an ongoing sponsor of our yearly fundraiser, HOME's Annual Dinner Gala; permitted employees to serve on several of HOME's committees and our board of directors; and donated to our capital campaign that funded our permanent office spaces and 10 units of affordable housing located at 1542 Main Street – the historical racial divide.

HOME is grateful for M&T's support of our programs, and vision over the past several years. Their enduring support has assisted us in touching more than 5,000 individuals yearly, by distributing fair housing education to home seekers and housing providers, advocating for the rights of those illegally denied housing and through the enforcement of fair housing laws.

HOME supports M&T's merger with People's United. We look forward to our continued collaboration with M&T while fighting for fair housing in Western New York. We are confident that this merger will work to support HOME's mission of promoting the value of diversity and ensuring equality and equity in housing.

Please feel free to contact me if you need any further information, 716-854-1400, ext. 23.

Sincerely,



M. DeAnna Eason
Executive Director



LEVITICUS FUND

Faith Capital For Building Communities

220 White Plains Road, Suite 125
Tarrytown, NY 10591
914-909-4381

April 29, 2021

Federal Reserve Bank of New York
Attention: Bank Applications Officer
33 Liberty Street
New York, NY 10045

Email: comments.applications@ny.frb.org

RE: M&T Bank's Proposed Acquisition of People's United Financial

Dear Review Committee:

The Leviticus 25:23 Alternative Fund, Inc. ("Leviticus") appreciates the opportunity to comment in support of M&T Bank's ("M&T") proposed acquisition of People's United Financial ("PUF").

Leviticus is a nonprofit, CDFI loan fund offering unconventional financing and technical assistance to meet the needs of low-income communities across New York, New Jersey and Connecticut. Our donors and investors trust us to leverage their resources to promote social justice and equitable opportunities. We strive to serve individuals and neighborhoods who are often forgotten.

Leviticus fills a distinct niche within the community development sector. We provide flexible, fixed-rate, low-cost financing to nonprofit developers of affordable and supportive housing, childcare and early education centers, charter public schools, human services facilities, and economic development projects, including those featuring healthy food retailers. Many of our loans are provided during pre-construction, a risky phase when nonprofits need capital to prepare a project for receipt of development financing.

Over the years, we have enjoyed and have greatly appreciated grant support from both M&T and PUF; equity equivalent investment ("EQ2") support from PUF; and volunteer support from M&T. All of this has helped us tangibly further our mission and expand our impact.

As the combination of M&T and PUF is considered, we encourage the leadership of M&T to continue and hopefully expand its commitment to partnering with Leviticus and our colleague CDFIs by bolstering our work by providing:

1. Grant capital, which is vital to growing our net assets and expanding our capital pool through borrowing to support housing and community facility projects that assist low-income families and improve neighborhoods.
2. General recourse, unsecured loan capital that allows us to lend to housing and community facility providers. These organizations need capital to make early, riskier loans during predevelopment, when construction financing is uncommitted. This seed capital jump-starts a development, takes significant pressure off a nonprofit's liquidity, and advances the project so that conventional lenders and public agencies are positioned to underwrite development financing commitments.
3. EQ2s a particularly potent form of loan that, if not unduly constrained by regulators, provides a longer term, low-cost, equity-like resource to a CDFI, permitting it to increase its lending without fully leveraging its net assets to do so. PUF has been a significant provider of this resource to Leviticus and other CDFIs.

Combining the assets of M&T and PUF will create the 14th largest bank in the country. We are hopeful that the management team of the new entity will maintain its previously demonstrated commitment to assisting under-resourced communities in its service areas.

We are grateful for the past support of both M&T and PUF, who have been steadfast partners in our growth and success, particularly over the last seven years. We look forward to having an even deeper relationship with the new, larger M&T. We are encouraged by recent conversations with M&T's leadership and look forward to continuing this important dialogue in the future.

Very truly yours,

Leviticus 25:23 Alternative Fund, Inc.

By: 
Greg Maher
Executive Director

From: Julie Barrett O'Neill
Sent: Friday, April 30, 2021 9:20:10 AM (UTC-05:00) Eastern Time (US & Canada)
To: NY Banksup Applications Comments
Cc: Comments@dfs.ny.gov; mjosephs@lisc.org
Subject: [External] LISC Comments on MT Peoples United Merger

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The Local Initiatives Support Corporation (LISC) is pleased to provide comments regarding the proposed merger of M&T Bank and People's United Bank. LISC has partnered with both institutions in support of our community development initiatives, and we look forward to ongoing collaboration and enhanced outcomes assuming the merger is approved.

We are particularly heartened by M&T's recent leadership on efforts to address systemic racism. As this merger strengthens M&T's position, we look forward to further leadership by M&T on diversity, equity, inclusion and justice, which we hope will result in: increased mortgage lending and small business lending to Black, Indigenous, and People of Color (BIPOC) borrowers and within BIPOC majority census tracts; increased investments in non-profit community development corporations serving those populations and communities, including predevelopment loan funds for affordable housing and community development projects; and the preservation and expansion of physical banking locations within and adjacent to BIPOC majority census tracts, including People's United Bank locations in Stop & Shop supermarkets in Connecticut and New York.

We thank you for consideration of these comments, and hope that the agencies will move forward with approval of the merger, subject to appropriate considerations of prior and ongoing commitments by the institutions to invest in majority BIPOC communities and underserved populations.

Our full comment letter is attached.

Regards,

Julie Barrett O'Neill, Executive Director (she/her/hers)
LISC WNY | Local Initiatives Support Corporation
T 716.322.2310

E JBarrettONeill@lisc.org

www.lisc.org/wny



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April 29, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Office of the General Counsel
New York State Department of Financial Services
1 State Street
New York, New York 10004-1417

Subject: Support for M&T Bank Merger with People's United Bank

The Local Initiatives Support Corporation (LISC) is pleased to provide comments regarding the proposed merger of M&T Bank and People's United Bank. LISC has partnered with both institutions in support of our community development initiatives, and we look forward to ongoing collaboration and enhanced outcomes assuming the merger is approved.

Established in 1979, LISC is a national nonprofit housing and community development organization that is dedicated to helping community residents transform distressed neighborhoods into healthy and sustainable communities of choice and opportunity. LISC's comprehensive approach to community development and our national scale have made LISC a unique leader in the fight to improve quality of life in communities that have been underinvested and marginalized. Throughout our 40 plus years of work, LISC's model has been to partner with communities to effectively channel capital, enhance infrastructure, and change the systems that create inequality of opportunity.

In 2020, the COVID-19 pandemic, the resulting recession, and the anguished public outcry over the deaths of Black men and women at the hands of police coalesced to highlight the many ways in which our nation is failing to address racial and economic inequalities. Moreover, the past year has provoked a growing collective recognition that the challenges communities and individuals face are interdependent – from lack of access to basic needs like safety, housing and healthcare, to limited educational and economic opportunities.

In many ways, this moment of collective crisis has confirmed the value of LISC's model and the critical nature of our work. However, it has also highlighted the ways in which we need to continue to evolve in our next phase of organizational growth. Not only do we need to think more boldly and ambitiously, we need to absorb the lessons of the pandemic – that a universal remedy will never fully benefit the hardest-hit communities. This requires us to deliberately and thoughtfully consider how LISC can work with its financial partners to support a truly inclusive recovery and rebuilding process established with trusted community partners. While our mission

and approach will not change, we will make the most of our data and ask hard questions of ourselves to ensure that our work is reversing prevailing racist patterns and practices.

LISC has had a long term and valuable relationship with both M&T Bank and People's United, which have both been excellent partners to LISC. Since our inception, LISC has received significant financial and technical support from the banks, including:

\$24 million of equity investments through the Low Income Housing Tax Credit program. People's United Bank has invested \$24 million with LISC's affiliate, the National Equity Fund (NEF), since 2014 to support the development or rehabilitation of affordable housing properties throughout the country, including senior housing, supportive housing, and housing for persons with disabilities. People's United has a proactive and thoughtful approach to deal selection and underwriting to ensure that the properties and their residents thrive.

\$21.5 million of combined debt investments and equity investments to support community revitalization and economic recovery. These M&T investments included a \$20 million New Markets Tax Credit investment for the construction of a Target store in the East Liberty Neighborhood in Pittsburgh, PA. The project, on a designated brownfield, created 175 jobs. M&T also provided \$1.5 million in capital to the New York Forward Loan Fund at a preferred interest rate, which we have used to support small businesses, nonprofits and small landlords as part of an economic recovery program that has, overall, made more than 1,000 loans totaling more than \$60 million.

Nearly \$700,000 in grants since 2016, used primarily to support our local LISC office operations and program delivery at local LISC sites in Connecticut, Massachusetts, New Jersey and New York. The general operating support grants have proven indispensable to building and maintaining a team of skilled community development professionals in our local LISC sites, and the programmatic grants have supported a number of local initiatives.

In-kind services. M&T and People's United officials have provided critical in-kind support to LISC by actively participating in and leading advisory boards and committees at our local LISC sites, including sites in Buffalo, New York City, Newark, and Connecticut.

We are particularly heartened by M&T's recent leadership on efforts to address systemic racism. As this merger strengthens M&T's position, we look forward to further leadership by M&T on diversity, equity, inclusion and justice, which we hope will result in: increased mortgage lending and small business lending to Black, Indigenous, and People of Color (BIPOC) borrowers and within BIPOC majority census tracts; increased investments in non-profit community development corporations serving those populations and communities, including predevelopment loan funds for affordable housing and community development projects; and the preservation and expansion of physical banking locations within and adjacent to BIPOC majority census tracts, including People's United Bank locations in Stop & Shop supermarkets in Connecticut and New York.

We thank you for consideration of these comments, and hope that the agencies will move forward with approval of the merger, subject to appropriate considerations of prior and ongoing commitments by the institutions to invest in majority BIPOC communities and underserved populations.

Sincerely,



Lisa L. Glover
President and CEO



**GREATER ROCHESTER
COMMUNITY REINVESTMENT COALITION
1 WEST MAIN STREET, SUITE 200
ROCHESTER, NEW YORK 14614**

April 29, 2021

Federal Reserve Bank of New York
Ivan J. Hurwitz, Senior Vice President
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Re: M&T Bank Corporation's Proposal to Acquire People's United Financial and People's United Bank

Dear Mr. Hurwitz:

The Greater Rochester Community Reinvestment Coalition (GRCRC) is writing to urge the Federal Reserve Board and the Federal Reserve Bank of New York to **make the approval of M&T Bank's application to acquire People's United Bank contingent upon M&T's commitment to negotiate and sign a community benefits agreement (CBA) with the National Community Reinvestment Coalition (NCRC) and its member organizations** located within the bank's post-merger footprint.

This letter shares our concerns around the Rochester NY MSA's largest depository acquiring another bank that expands its footprint to downstate New York, including Long Island and New York City, and to parts of New England; why GRCRC believes a CBA is important for ensuring that, going forward, the larger bank commits to serve the communities in which it is located; and provides ideas for how M&T can continue to serve the Rochester community.

The Greater Rochester Community Reinvestment Coalition (GRCRC) was launched in 1993 to generate and continue discussions about lending patterns in Rochester. GRCRC, convened by Empire Justice Center, has met with numerous banks and state and federal regulators during CRA exams and mergers, and submitted dozens of data-driven comments to the appropriate state and federal regulators who have oversight of the banks. GRCRC, Empire Justice Center, and its predecessor organization Public Interest Law Office of Rochester, have released seventeen analyses of home mortgage lending, small business lending, and access to credit over the past 29 years. The organizations use data driven analyses to identify strengths and weaknesses in lending

patterns and to generate discussions with the top financial depositories in the Rochester NY MSA.¹

Bank Expansions into Larger Markets

It has been the experience of GRCRC that when banks that are located and/or headquartered in the Rochester MSA expand into other, often larger, markets, you can pretty much hear the sucking sound of lending, investments, and leadership and community development staff leaving Rochester to go to the larger markets.

M&T Bank has been the largest depository in the Rochester MSA since 2012. As of June 2020, the bank has almost \$4.6 billion of the area’s deposits for over 20% of the market. As the bank has expanded its footprint over the years, the percentage of its total footprint deposits located in the Rochester area has declined from 5.5% in 2012 to 3.9% in 2020. The table below illustrates the problem further. It shows the branches and deposits of M&T and People’s United at the national level as of June 2020 and the estimated combined numbers post-merger. Nationally, the combined bank’s branches and deposits could increase substantially, by 55% and 43% respectively. However, all these increases will be outside the Rochester MSA market, so the percentage of national branches and deposits in the Rochester area will decline. Branches in the Rochester market will decrease from 3.8% to 2.4%, and deposits in the Rochester market will decline from 3.9% to 2.8%.

Post-Merger Change in M&T Focus on the Rochester MSA Market							
	People's	M&T	% Pre merger in ROC Mkt	Combined Post Merger	% Increase	# Post Merger in ROC Mkt	% Post Merger in ROC Mkt
Branches	421	767	3.78%	1188	55%	29	2.44%
Deposits	50,207,439	115,502,877	3.94%	165,710,316	43%	4,552,148	2.75%

This is why we are urging M&T Bank to sign a community benefits agreement with NCRC and its member organizations to make a written, substantive commitment to serve all the communities, particularly Black, Indigenous, and other People of Color (BIPOC) communities and low-moderate income communities within the combined bank’s footprint. We are also urging the FRB and FRBNY to make the approval of the merger contingent upon such an agreement.

GRCRC commented on October 8, 2020 on M&T’s most recent CRA performance evaluation (letter attached in Appendix). Since we did much of the mortgage, small business lending and CRA-related investments analysis in that letter, our comments here focus on summarizing our

¹ Our most recent analyses are “#AllTogetherNow: Improving Small Business Lending in the Rochester NY Community” (found at: <https://empirejustice.org/wp-content/uploads/2018/01/alltogethernow-s.pdf>) and “Too Big to Fail...Too Poor to Bank: How Mainstream Financial Services Can Help Low-Income Working Families Succeed” (found at: <https://empirejustice.org/wp-content/uploads/2018/09/Access-to-Credit-Report-2018-FINAL.pdf>).

comments from October 2020, updating the mortgage lending summary, and sharing opportunities in the Rochester MSA for M&T to invest in as it implements the CBA.

SUMMARIES AND UPDATES

Mortgage Lending Summary and Update

In our comment letter on M&T's CRA performance, we noted that we were concerned by the bank's decline in home purchase loan originations between 2014 and 2018, particularly in the MSA and to Black and Latino households.

Since the CRA exam comment letter, we have been able to examine the 2019 mortgage lending data. M&T held its total lending in the Rochester MSA steady, while increasing lending slightly to Black and Brown households and in majority BIPOC census tracts. Between 2018 and 2019, M&T home purchase lending increased slightly from 388 to 400 loans in the Rochester MSA, while its lending declined in the city of Rochester and to low-moderate households and remained relatively unchanged in loans to Black and Brown households and in LMI and BIPOC census tracts. (See 2019 Top 8 Lending Tables at the end of this letter.) So, while M&T responded in our CRA exam comment letter that the bank had experienced a transition in its residential loan staff and was hiring in 2019 and 2020, the uneven performance in 2019 suggests that the transition was still occurring in 2019.

GRCRC urges M&T, while training its new loan staff, to make sure they are aware of the history of redlining in the Rochester community and that they receive training and support to address implicit biases and to work with Rochester's BIPOC, immigrant, limited English proficient, deaf and hard of hearing, and disabled communities to ensure equitable access to mortgage lending.

Small Business Lending Summary

In order to stabilize the economy, create jobs and build wealth in the Rochester community, area businesses need access to affordable, responsible credit. This is especially true now during the pandemic.

M&T shared during one of our meetings that the bank has a 20-person small business team in the Rochester MSA, the largest of any bank. The bank also noted it now has a bundled product set with reduced fees for small businesses and that the team is starting to work with smaller businesses. Also, according to M&T, in June of 2018 the bank introduced a small business credit card with loan amounts as low as \$2,000. M&T believes the card should help drive more activity with smaller businesses and over time decrease the bank's average loan size.

As seen in our October 2020 comment letter, sole proprietorships and other micro-businesses, particularly Black and Brown-owned businesses, are struggling to survive and come out on the other side of this pandemic. We urge M&T to work with GRCRC members and the City of Rochester to see how its small business team can help these businesses and whether its product suite and its relatively new small business credit card need to be tweaked for the current economic climate. M&T also should commit to increasing lending to smaller and micro-businesses, particularly those in low-moderate income neighborhoods or neighborhoods of color, and to BIPOC and immigrant-owned businesses.

REINVESTMENT OF DEPOSITS INTO THE COMMUNITY AND OPPORTUNITIES FOR INVESTMENT

Reinvestment of Deposits Summary

Table 10c in the attached October 2020 comment letter shows that while M&T's deposits over the three exam periods (2008, 2010, 2020) on which GRCRC commented have grown by 68% to \$3.76 billion in 2019, its annualized dollar volume of reinvestments in the Rochester community has declined by 11 percent. Moreover, the annualized percentage of deposits M&T has reinvested in the community has declined by 47%--from 10.6 percent in the 2008 exam period to 5.6 percent in the 2020 exam period.

As noted earlier, M&T has been the largest depository in the Rochester MSA since 2012, so we are very concerned with M&T's substantially lower annual rate of reinvestment in the Rochester community during its most recent exam as opposed to earlier exams. It was during these exams that M&T made several other acquisitions and expanded its footprint. We do not want the acquisition of People's United to result in a further erosion of reinvestment rates in the Rochester MSA and other communities that may have a relatively small percentage of the bank's total deposits. (See our October 2020 letter below for more on GRCRC's comments on M&T's rate of reinvestments and the bank's response.)

GRCRC urges M&T to find creative ways to expand its lending and investments as the bank continues to expand its footprint. Our coalition has several members with expertise in community development who would be willing to work with the bank to find ways to reinvest in the Rochester community. GRCRC believes that such reinvesting is a way to increase a bank can increase its market presence.

A signed community benefits agreement will show the bank's commitment to all the communities in which it has a presence. Following are opportunities for M&T to consider, which will help the bank fulfill its obligations to the Rochester community under the community benefits agreement and the Community Reinvestment Act.

Community Development Opportunities

Structural Racial and Income Inequality in Upstate New York

The CRA was passed in 1977 to address the decades of redlining that had been happening in our communities. While the law says banks should serve the entire community in which they do business, including low- and moderate- income (LMI) communities, redlining mainly happened in, and continues to happen in and impact, Black and Brown communities. This is why banks must make decisions about their CRA-related lending, investments and grants through the lens of racial equity, as well as economic equity.

Our October 2020 letter lays out in detail the inequalities across communities, incomes and race/ethnicity, and how bank policies and practices do not adequately address them, at best, and likely perpetuate them, at worst.

As in the rest of the nation, there is much work to be done in New York to come to terms with our history and to address the structural racial and income inequality. We need to look at the laws and economic policies that perpetuate structural racism and keep communities segregated. We also need structural change to ensure that jobs pay a living wage. New York State must develop and foster an environment where affordable housing, health care, and quality childcare are a reality for all people.

At the institutional level, banks must shift policies, practices and culture to align with racial equity, anti-oppression, and cultural humility. This includes:

- Becoming welcoming for all people particularly those who have been historically, and continue to be, marginalized
- Assuring that employees, from the CEO down to staff underwriting loans, and those working with the public, commit to doing internal and interpersonal work to address internalized racism and other forms of oppression
- Finding ways to go into the community to create ease/support for BIPOC and Black and Brown-owned businesses.

A Brookings' paper shares how private sector leaders can significantly move the needle towards racial equity and an equitable economy via a 3-part framework:²

² <https://www.brookings.edu/essay/from-commitments-to-action-how-ceos-can-advance-racial-equity-in-their-regional-economies/>.

- Adopt internal changes within individual companies to promote diversity, equity, and inclusion.
- Act collectively with other CEOs to make regionwide progress on racial equity and equitable growth, including improving key regional performance indicators.
- Encourage business-led civic organizations to adopt their own changes toward equity and inclusive economic growth.

The paper also includes links to data metrics to measure progress at the MSA level. We urge local M&T leaders to work with other local private sector leaders and groups to implement this framework in the areas in which the bank does business.

In addition to this internal and collaborative racial equity work, M&T can take constructive action to support BIPOC people, businesses and communities. M&T can:

- Start tracking how much of its CRA related activities and support (lending, philanthropy, and community development loans and investments) goes to BIPOC people, businesses and organizations led by people of color, and BIPOC communities, and create specific goals to increase these levels of support over time.
- Partner with and/or support BIPOC-led organizations, particularly smaller/micro organizations, that M&T has not worked with in the past, including through investments, grants, and hiring local BIPOC-led vendors for supplies and services.
- Learn about the history of redlining in Rochester, as well as in the other cities within the bank's footprint, and work with the Black and Brown residents of the impacted neighborhoods to address the vestiges of redlining and to build wealth and equity in ways that do not push-out lower income residents.

Responding to the COVID-19 Pandemic

Upstate New York had still not fully recovered from the financial crisis of 2008 when COVID-19 struck. It is now clear that Black and Brown and lower-income communities are disproportionately suffering from the Coronavirus pandemic and its economic impacts. Empire Justice published an article last fall showing that systemic racism, of which redlining is just one manifestation, created the conditions that lead to today's racial inequities in health outcomes, including the higher rates of COVID-19 cases and deaths of African-American and Latinx people and in Black and Brown communities.³

³ <https://empirejustice.org/news/covid-19-disparities-rochester-ny-legacy-redlining-city-frederick-douglass-susan-b-anthony/>

It is also clear as we come out of this pandemic that homeowners, renters and small businesses will continue to be negatively impacted from the economic fallout of pandemic shutdowns, unemployment and reopening restrictions.

Forbearance

At the end of 2020, nearly 12% of all New York homeowners were delinquent on their mortgage, three times greater than the Great Recession. The foreclosure crisis disproportionately affected New York's communities of color and increased the racial wealth gap, and the coronavirus pandemic has followed that trend. The health impacts and economic devastation have affected Black and Brown homeowners the most. On average, Black homeowners are more than twice as likely to be delinquent than White homeowners since September 2020. Statewide, 43% of clients served by the NYS Office of the Attorney General's **Homeowner Protection Program (HOPP)** are homeowners of color; in NYC, that number is 75%.

HOPP provides legal representation and housing counseling services to homeowners, especially those experiencing financial distress due to COVID-19. Empire Justice Center administers HOPP for the whole state, outside of NYC. M&T is currently the 4th largest servicer in the state among HOPP clients.

GRCRC urges M&T to become a leader, the standard setter, to address the crisis NYS is facing. This includes updating loss-mitigation processes to work with rather than against homeowners who are delinquent; increased flexibility to work with homeowners to prevent foreclosures as we navigate the new landscape of preventing default caused by COVID; developing a grant or zero interest loan for people with LMI and/or disabilities facing foreclosure due to delinquent taxes. Tax foreclosures are a serious problem in Upstate NY due to a more rigid forfeiture regime than other parts of the country.

These ideas are in addition to those in our October 2020 letter.

Evictions

In the coming weeks and months, state and federal moratoria on evictions will come to an end. This will be followed by a wave of evictions, in which a large percentage of people who rent may become homeless or lose their housing stability. Evictions have been on hold for months during the COVID-19 pandemic, but rental payments have not.

An average of more than 8,000 evictions are filed in Rochester each year – six times the national rate,⁴ and New York’s eviction moratorium was recently extended to August 31. Moreover, fewer than 10% of tenants have access to an attorney during disputes with their landlords.⁵

The horizon is more hopeful today than in October 2020, when we wrote our CRA exam comment letter. The NYS Legislature recently approved a \$3.5 million tenant defense fund for upstate cities, of which over \$800,000 will be for the **Tenant Defense Project**, jointly run by Rochester’s legal services community in the Telesca Center for Justice to provide tenants free access to attorneys in eviction cases.

Still, we urge M&T to consider the requests in our October 2020 letter, including working with small, local landlords who are mortgage holders, and investing in initiatives to address racial disparities in evictions and stable housing.

Debt Collection

Debt collection activities and cases are on the rise. While the composition of debt over the years has generally stayed the same, overall debt has increased. Mortgage debt has increased each year since 2015, as have auto loan, credit card and student loan debt, which are the largest sources of debt.⁶ Debt collection judgments have long-term negative impacts on credit and wealth building.

Legal Assistance of Western New York (LawNY), the primary free legal service provider in 13 of the 14 counties in the Rochester MSA and the rural counties in the Finger Lakes, is averaging 13 new collection lawsuit intakes a week, which is more than double what the organization typically sees and is very troubling. LawNY is also getting more and more calls from people the organization has had to turn away for help because they are a few hundred dollars over the income limits. LawNY needs more unrestricted funding sources, so it can represent more individuals in these cases. We urge M&T to consider providing this funding.

Support for Black and Brown-Owned Small and Micro-Businesses

The **Southwest Quadrant Street Liaison Office of the 19th Ward Community Association** (the office) has been promoting COVID-19 financial assistance programs since the beginning of the pandemic shutdown to its neighborhood small businesses in southwest Rochester, most of which are Black and Brown. The office has relationships with about 400 small businesses in the neighborhood and provided this update since the October 2020 letter.

⁴ <https://13wham.com/news/local/additional-state-funds-coming-upstate-for-tenant-defense-program>.

⁵ <https://wskg.org/news/3-5-million-tenant-defense-fund-announced/>.

⁶ <https://www.abajournal.com/web/article/pandemic-worsens-already-growing-debt-problem-with-many-legal-remedies-on-hold>.

In Southwest Rochester the great majority of businesses are surviving the pandemic financial stress due to a combination of grants administered by the City of Rochester, grants administered by nonprofits, and Paycheck Protection Program (PPP) loans from a few banks that were fully compensated for their administrative costs. Very few of the 400 businesses the liaison office works with closed permanently as a result of the pandemic.

The liaison office reviewed PPP lending through January 20, 2021 and found that almost 400 PPP loans were made in the 3 zip codes in the city's southwest quadrant. The loans totaled \$71 million, ranged from \$5,917,200 to \$1,000, and averaged \$180,000. M&T Bank was the 3rd largest PPP bank lender in the neighborhood. PPP loans were used in place of pandemic-related grants that some businesses could not or would not take advantage of. They were taken out by home-based businesses, certain other businesses, and nonprofits, which were not eligible for the grants offered by the City and nonprofits, and by other businesses that usually don't take advantage of grants like minimarts.

Clearly, the SW Street Liaison Office is deeply connected to, is trusted by, and understands the small business community in the city's southwest quadrant. **Working with Black and Brown-owned businesses is more than altruism; it is about building relationships and realizing and acting from the perspective of opportunity.**

GRCRC urges M&T to partner with the office to find out how best to support its work and the businesses in the area when the Paycheck Protection Program ends on May 31, particularly Black and Brown-owned businesses and the area's smallest businesses.

Addressing Disparities in Work

The pandemic continues to impact the ability of people to find work that will support their families. Tens of thousands of New Yorkers are still unemployed and filing for unemployment. In April 2021, there were 26,000 unemployed in Monroe County and 36,000 in Erie County. Black and Brown unemployment is even higher. Nationally, only 54% of Black employees have returned to work.⁷ New Yorkers applying for unemployment insurance benefits can face hurdles to accessing benefits. Failure to receive unemployment insurance may result in eviction, foreclosure and other negative outcomes. No- and low-income New Yorkers doubled-up in their housing during the last recession, but the length, severity, and uncertainty of the pandemic, in addition to the increased health risks of doubling-up, create additional challenges.

The large number of New Yorkers filing for unemployment overwhelmed the aging computer at the NY Department of Labor (NY DOL). In April 2020, **Empire Justice Center** wrote and posted on its website a FAQ explaining how New Yorkers could access unemployment insurance

⁷ <https://www.politico.com/news/2021/03/23/black-workers-pandemic-recovery-477640>.

benefits. Empire Justice also launched Unemployment and Paid Leave Legal Hotline. People could directly call the hotline or call if their questions were not answered by the FAQ; those leaving messages would have their calls returned. Empire Justice served 961 families via the hotline between April 2020 and March 2021. In Rochester, the hotline served laid off, older low-income industrial workers with limited computer skills. These workers were unable to navigate NY DOL's ancient computer system. The hotline also supported NYC performing artists, who are considered self-employed and were denied benefits because of their non-traditional employment.

Empire Justice's Unemployment and Paid Leave Legal Hotline resulted in well over \$1 million in unemployment insurance benefits to New Yorkers who would otherwise have had no income. The hotline was described by a NYC 311 responder as "the best and most responsive help for UI [unemployment insurance] issues" and by one caller as a "lifeline." The organization is still returning the latest calls but has temporarily shut down the hotline until it has the resources to staff it again. Empire Justice Center is looking for funding to reopen the hotline.

The mission of the **Urban League of Rochester, Inc. (ULR)** is to enable African Americans, Latinos, the poor and other disadvantaged to secure economic self-reliance, parity and power, and civil rights. ULR has been providing workforce development programs since 1967 and serves individuals with intersectional needs who face multiple barriers to employment and self-sufficiency such as substance abuse, involvement with the criminal justice system, low literacy levels, absence of a high school diploma, lack of adequate child care and transportation, and other issues associated with systemic and concentrated urban poverty. Many of these challenges disproportionately affect people of color and low-income individuals due to historical inequities and racial discrimination such as but not limited to, racial profiling, poor distribution of resources and capital investment, and redlining and housing segregation. These disparities affect the individuals in ULR's workforce development programs and emphasize the importance of basic needs being met as well as service provision including direct assistance, referrals, and connection to resources, that is also intersectional.

ULR currently has four workforce development programs. YouthBuild provides comprehensive services to disadvantaged youth ages 18-24. The program is recognized by the NYS Department of Labor as a Direct Entry Provider for apprenticeship programs. It provides hands-on construction and advanced manufacturing training using the Pre-Apprentice Certificate Training (PACT), Certified Production Technician Training, TASC (high school equivalency) preparation, case management, job readiness training, job placement, personal development, and follow-up activities. ULR's Navigator program provides disconnected youth aged 17-21 with support and advocacy services to help them successfully attain a high school degree or equivalent, improve educational and occupational skills, and transition to post-secondary education or employment. In addition, ULR operates two U.S. Department of Labor funded

programs – Project BEAM, a reentry program for adults aged 25 and older and Project Steps to Success, a reentry program for justice system involved young adults aged 18 to 24. Both programs help individuals successfully re-enter society by addressing their barriers and helping them attain the employment skills required to enter current in-demand occupations. GRCRC asks M&T to work with ULR to find the most effective ways to support its workforce development programs.

Abusive Auto Lending

As described in our October 2020 letter, due to lack of public transportation, working families need reliable autos to get to work, appointments, childcare and grocery shopping. The need for autos makes Upstate New York a haven for subprime auto lenders and unscrupulous “Buy Here Pay Here” dealers who know that most of the people entering their doors are not able to get an affordable loan from a bank. These car loans have abusive and discriminatory interest rates (up to 24.99%), so that loans have high loan-to-value ratios ranging from 125-175%. Long loan terms mean that the car stops running before the loan is paid.

LawNY describes in our October letter how subprime auto lenders take advantage of its clients to put them into these abusive, unaffordable loans. LawNY provides legal representation to borrowers when they end up defaulting on these predatory loans.

The **Genesee Co-op FCU** (GCFCU) is Rochester’s only community development credit union (CDCU). The credit union has a diverse staff that speaks a variety of languages, so credit union members are comfortable referring friends and family there. It is through personal referrals that GCFCU gets new members seeking to be refinanced out of their predatory auto loans. And the credit union is able to do this.

GRCRC urges M&T to commit to providing a specific amount of its auto financing (both direct and indirect) to borrowers with low and moderate incomes. These auto loans should be for borrowers with credit scores as low as 550 with interest rates no more than 16%, and they should be without predatory terms that trap borrowers and prevent them from achieving homeownership.

In addition to offering safer, affordable auto loans for subprime consumers, we urge M&T to also:

- Fund LawNY and/or other legal services programs to assist borrowers deceived by predatory lenders.
- Provide GCFCU with the additional equity it needs to confront the coming foreclosure crisis and predatory auto lending that residents, especially Black residents of Rochester

are facing, and to support homeownership in the city. This is described in more detail in our October 2020 letter.

- Share with advocates a breakout of the bank’s auto lending, both direct and indirect, including its A/B/C/D/E paper and its approval/scoring/pricing matrix.

Language Access

Over 5.7 million people living in New York speak a language other than English. Of these, 2.5 million speak English less than well (i.e., they have Limited English Proficiency (“LEP”)). Monroe County has a population of 741,770, of which 103,800 or 14% speak a language other than English at home (US Census Population Estimate, 2015-2019). This includes many Spanish-speaking American citizens who relocated from Puerto Rico to Monroe County after Hurricane Maria in 2017. Rochester also has a significant population of refugees who speak Arabic, Nepali, Somali, and Swahili. And Rochester has the largest concentration of deaf and hard of hearing residents in the country.

The need for language access for bank customers in our community is great, including the need for in-language access to products such as mortgages and consumer loans, as well as language access for consumers with mortgage delinquencies and facing foreclosure who need forbearances or loan modifications. Perhaps no population faces greater challenges in obtaining information about available mortgage relief than LEP borrowers. Without access to better banking options, individuals in the LEP and the Deaf or Hard of Hearing communities also are at greater risk of predatory lending.

Following the last recession **Empire Justice Center** represented homeowners with foreclosure prevention and supported not-for-profit organizations throughout New York State. Based on its statewide and national work, Empire Justice identified patterns where foreclosure support organizations took advantage of unsophisticated homeowners in default. Many LEP borrowers who spoke no English and were new Americans were vulnerable to organizations that targeted them. Banks must serve LEP borrowers in-language to help them protect their scarce assets and wealth.

We appreciate that M&T has a COVID-related Spanish language web page on mtb.com, and that the bank has put signage into specific branches in a number of languages, including Spanish, Burmese, Korean and Chinese. We urge M&T to take further action, such as:

- Having staff available at its branches who can assist deaf and hard of hearing and LEP customers.
- Providing in-language product information for mortgages, auto loans, other consumer loans, and checking accounts.

- Including more languages on its entire website.
- Supporting the **Monroe County Language Access Coalition**, a group of not-for-profits that serve LEP and deaf and hard of hearing residents. The coalition will be working on a community needs survey. M&T can support this survey and the other work of the coalition.

(See our October 2020 letter for more details.)

Special Needs of New York’s Rural Communities

In addition to the needs shared in our October 2020 letter, **LawNY** also shared that it is representing tenants of a mobile home park in a rural community with about 175 manufactured homes, mostly owned by senior citizens. The previous owners allowed the park to deteriorate, including the central meeting place, a community center. The community center was a focus of civic activity by the tenants, most of whom are committed to improving conditions in the park and now do not have a good place to meet. GRCRC urges M&T to provide grants and/or low interest loans to mobile home parks to address deteriorated community spaces and other infrastructure.

LawNY’s review of data showed 29% of the homes in Allegany County, NY are valued at \$50,000 or less and 72% at \$100,000 or less. We ask M&T to create a pilot program to permit residents of very rural communities, who may have poor credit but other positive factors, to buy low cost homes.

Climate Change and a Just Transition

In 2019, NYS adopted the country’s most ambitious climate targets--to have 100 percent carbon-free electricity by 2040 and have economy-wide, net-zero carbon emissions by 2050.⁸ We need massive investments to make this happen, and we need to make sure it is a just transition, where, at a minimum, poor communities and communities of color are not disproportionately burdened or harmed.⁹

The **Climate Solutions Accelerator of the Genesee-Finger Lakes Region** has ideas for how banks can support this very heavy lift. M&T can:

- Provide low cost home improvement or refinance loans and other innovative financing products to people of color and LMI households and tenant occupied buildings to make home energy efficiency projects more affordable and feasible. This will allow owners to

⁸ <https://www.vox.com/energy-and-environment/2019/6/20/18691058/new-york-green-new-deal-climate-change-cuomo>.

⁹ <https://climatejusticealliance.org/just-transition/>.

weatherize, get heat pumps and electric furnaces and hot water heaters, to put in electric car chargers, and to install solar panels,¹⁰ which will reduce energy costs, decrease families' carbon footprint and improve indoor air quality.

- Provide affordable financing for small businesses, particularly micro-businesses and Black and Brown-owned businesses, that want to improve their energy efficiency and reduce their reliance on fossil fuels.
- Develop community development financing goals and products to support projects that provide substantive opportunities for LMI communities to benefit from the transition to renewable energy and reduce their use of fossil fuels, e.g. community solar, district geothermal.
- Support nonprofit organizations that are working to support clean energy workforce development.
- Reduce the bank's own carbon footprint.

GRCRC urges M&T to work with Climate Solutions Accelerator on implementing these much-needed initiatives.

Other Racial Justice and Anti-Oppression Investment Opportunities

Flower City Noire Collective

GRCRC urges M&T to consider providing unrestricted financial support to the **Flower City Noire Collective** a transformative initiative founded as a corrective to the transphobia, classism, and elitism they witnessed in existing mainstream activist movements, and to cultivate practices of self-care, accountability, and radical honesty. (See our October letter for more information.)

Police Accountability Board Alliance

The **Police Accountability Board Alliance (PABA)**¹¹ is a coalition of community organizations that supports and advocates for the Police Accountability Board (PAB), a civilian-led police oversight board in Rochester, NY. The Alliance strives to change the current paradigm by providing research-based information about the history of policing, shares how the PAB can work with the community to build healing relationships with its citizens, and advocates for reforms to current policies. The city of Rochester strongly supports the PAB; 75% of city residents voted to create it.

When PABA becomes a nonprofit, we ask M&T to consider making a grant to the Alliance for its work in advocating for the Police Accountability Board and increasing police accountability. PABA is currently seeking to raise \$11,000, of which about \$6,500 would be used to model transforming policing by using restorative practices when conflict arises within the Alliance.

¹⁰ <https://nextcity.org/daily/entry/the-principles-and-tools-of-revolutionary-power>.

¹¹ <https://paballiance.org/>.

Mental Health and Criminal Justice

COVID-19 has forced many local governments to cut back on much needed services for underserved communities. Rochester residents have successfully advocated for mental health workers to travel and replace law enforcement and/or assist law enforcement when responding to mental health emergency calls. The City of Rochester is piloting the **Person in Crisis (PIC) Team** to respond to mental health and substance abuse crises as a law enforcement alternative. Monroe County's **Forensic Intervention Team (FIT)** is a program that partners Office of Mental Health (OMH) clinicians with the county's eleven law enforcement agencies to assist individuals with mental health needs and who have frequent contact with law enforcement. Programs like these are underfunded leaving vulnerable people, often Black and Brown people, in Rochester neighborhoods without needed care and culturally responsive interventions. We urge M&T to partner with community-based organizations attempting to fill these voids with innovative programming and partnerships aimed at addressing racial disparities within communities.

Expansion of Current Community Development/CRA Activities

We thank M&T for supporting the work of the following GRCRC members and ask the bank to provide additional support to assure that the Rochester community can successfully come out the other side of this pandemic.

M&T Bank has partnered with **PathStone Enterprise Center** to provide technical assistance and business training to emerging and established small businesses in Buffalo-Erie County and Rochester-Monroe County.¹² M&T has been a long-time financier of the **Greater Rochester Housing Partnership (GRHP)**, a nonprofit lender dedicated to the creation and preservation of affordable housing in the Rochester, NY Region. Both PathStone Enterprise and GRHP are community development financial institutions (CDFIs), as is GCFCU.

The City of Rochester and the region continues to experience extremely high levels of poverty and inequitable access to stable neighborhoods, needed services, and quality, affordable housing for LMI residents. The pandemic has exacerbated these issues, as well as creating additional stresses for the smaller, often newer businesses that CDFIs work with. There are many opportunities for M&T to increase its support of, and develop new partnerships with, these and other CDFIs to:

- Develop and provide grants and supports for businesses heavily impacted by COVID, particularly businesses owned by people of color that were less likely to benefit from Paycheck Protection Program.

¹² PathStone Enterprise Center's new website for the Buffalo area is at: <https://www.bizupbuffalo.org/>.

- Make direct investments in CDFIs for the riskier mortgage, small business and consumer lending they do.

As a partnership between the City of Rochester and **CCCS of Rochester**, the **Rochester Financial Empowerment Center (FEC) Program** officially launched in February of 2020 shortly before the COVID pandemic lockdown. Through support from various funders, including M&T Bank, the program offers free, professional, one-on-one financial counseling. The FEC is an evidence-based model of the Cities for Financial Empowerment Fund in which FEC staff connect with clients as they navigate existing community services. (Read more about FEC in our October 2020 letter.)

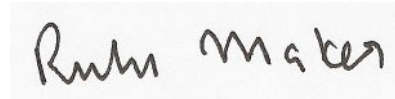
COVID-19 has exacerbated the issue with credit and credit repair. Tens of thousands of New York residents have lost income because of COVID-19 and those receiving unemployment insurance benefits had a 4-month gap in benefits, so people could not pay bills and their credit was negatively affected. Many FEC clients have a long-term goal of homeownership, so they need access to affordable credit, which means credit repair and financial empowerment counseling. It is estimated to cost \$350,000 to serve 800 people. As a result of the job interruption, job loss and lost income due the pandemic, up to 10,000 people may need credit repair and financial empowerment counseling. If the FEC were to provide credit repair for 5,000 people, this would cost an estimated \$2 million. GRCRC asks M&T to increase its support for the FEC to address the likely increased needs as we come out of this pandemic.

Conclusion

GRCRC has had a long, collaborative relationship with M&T Bank. As M&T continues to expand its footprint through its acquisition of People's United, we want to make sure the bank continues to serve the Rochester community and other Upstate New York communities. That is why **we urge the Federal Reserve Board and the Federal Reserve Bank of New York to make their approval of the merger contingent upon M&T's commitment to signing a community benefits agreement.** We believe such an agreement will provide the framework for our relationship to continue; GRCRC would be happy to work with M&T to successfully fulfill that agreement.

GRCRC is committed to fostering productive relationships with all financial institutions in the belief that the goal of meeting the credit needs of our communities includes those communities harmed by structural racism and economic inequality, and that this can be done with safe, sound, and profitable lending practices. We look forward to continuing to work with M&T to ensure that all our communities are served.

Sincerely,



Ruhi Maker, Esq.



Barbara van Kerkhove, Ph.D.
Researcher/Policy Analyst

Cc: Jesse VanTol, NCRC

Beverly Fair-Brooks, M&T

Brad Dossinger, M&T

NYS Department of Financial Services, Comments@dfs.ny.gov

Appendices:

- October 8, 2020 Letter to FRBNY on M&T CRA Exam
- 2019 Top 8 Total Mortgage Lending
- 2019 Top 8 Home Purchase Lending



**GREATER ROCHESTER
COMMUNITY REINVESTMENT COALITION
1 WEST MAIN STREET, SUITE 200
ROCHESTER, NEW YORK 14614**

October 8, 2020

Peter N. Wilde
Examiner in Charge, M&T Bank
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Via email: Peter.Wilde@ny.frb.org

Re: Comments on M&T Bank CRA Exam

Dear Mr. Wilde:

We are writing to you on behalf of the Greater Rochester Community Reinvestment Coalition (GRCRC) to submit comments regarding M&T Bank's CRA Exam conducted by the Office of the Federal Reserve Bank of New York (FRBNY) for 2014 through 2019.

The Greater Rochester Community Reinvestment Coalition (GRCRC) was launched in 1993 to generate and continue discussions about lending patterns in Rochester. GRCRC, convened by Empire Justice Center, has met with numerous banks and state and federal regulators during CRA exams and mergers, and submitted dozens of data-driven comments to the appropriate state and federal regulators who have oversight of the banks. GRCRC, Empire Justice Center, and its predecessor organization Public Interest Law Office of Rochester, have released seventeen analyses of home mortgage lending, small business lending, and access to credit over the past 28 years. The organizations use data driven analyses to identify strengths and weaknesses in lending patterns and to generate discussions with the top financial depositories in the Rochester NY MSA.¹³

In September, GRCRC held two virtual meetings with M&T to review its CD loans, investments and grants, its mortgage lending, and its small business lending performance. We also shared

¹³ Our most recent analyses are “#AllTogetherNow: Improving Small Business Lending in the Rochester NY Community” (found at: <https://empirejustice.org/wp-content/uploads/2018/01/alltogethernow-s.pdf>) and “Too Big to Fail...Too Poor to Bank: How Mainstream Financial Services Can Help Low-Income Working Families Succeed” (found at: <https://empirejustice.org/wp-content/uploads/2018/09/Access-to-Credit-Report-2018-FINAL.pdf>).

how the COVID-19 pandemic and the recession are affecting families and businesses in this community, and M&T touched upon some of its product offerings and some initiatives in which staff is participating in the Rochester community.

We shared a draft of our comment letter with M&T for any clarifications or updates. This letter incorporates much of the information shared at our two meetings as well as any relevant information, updates or clarifications provided by the bank before October 8th.

M&T Bank is very important to the Rochester metropolitan area. It is the largest depository institution serving the area. As of June 30, 2019, M&T had \$3.76 billion in deposits at its 29 offices in the Rochester area and almost 20 percent of the market.¹⁴ (See Table 1 in Appendix.)

These comments focus on three areas:

- M&T's HMDA/Mortgage Lending
- M&T's CRA Small Business Lending
- M&T's Reinvestment of Deposits into the Community, Response to Community Needs and Opportunities for Investment

M&T BANK'S HMDA LENDING IN MSA and UNDERSERVED COMMUNITIES

Our lending analysis focuses on originated loans. We examine lending from 2014-2018 to align with the lending exam period.

This section on M&T's HMDA lending is divided into the following categories:

- Total number loans and total dollar volume mortgage lending,
- Home purchase loans
- M&T's lending compared to its peers

M&T Bank's Total Mortgage Lending

Total Loans

In 2018, M&T originated 782 mortgage loans (1st lien loans on owner-occupied, 1-4 family site-built units) in the Rochester MSA compared to 646 loans in 2014, an increase of 21 percent.¹⁵

¹⁴ From the FDIC Market Share 2017 Report, as found at:
<https://www5.fdic.gov/sod/sodMarketBank.asp?barItem=2>

¹⁵ Empire Justice Center uses the HMDA LAR Raw data on the FFIEC website (through 2016) and the Static HMDA LAR data from the CFPB website (2017 and 2018).

(See Table 2 in Appendix A). Between 2014 and 2017, M&T's total loan originations declined each year, only recovering in 2018.

As seen in Table 2, while there was a **21 percent increase** in the total number of mortgage loans made by M&T in the Rochester NY MSA between 2014 and 2018, its lending in two categories decreased (to Black/Latino households) or increased at a rate lower than the MSA (city). It did increase at rates higher than the MSA for low-moderate income households and census tracts and majority nonwhite census tracts. Between 2014 and 2018, M&T's lending:

- Increased by 17% in the city.
- Decreased by 14% among Black/Latino households.
- Increased by 25% among low-moderate income households.
- Increased by 25% in low-moderate income census tracts
- Increased by 33% in majority nonwhite census tracts (50% or more nonwhite residents).

M&T has a strong, consistent record in distributing good proportions of its lending to the various targeted areas in the Rochester community, except for a decline in loans to Black/Latino households (see the bottom section of Table 2). And its distribution of loans significantly exceeded the average for all financial institutions (AFI) in every category. Of the 782 loans M&T made in 2018,

- 17% were in the city, compared to 17% in 2014, and 10% for AFI
- 11% were to Black and Latino households, compared to 16% in 2014, and 8% for AFI
- 51% were to low-moderate income households, compared to 50% in 2014, and 37% for AFI
- 16% were in low-moderate income census tracts, same as 2014, and 12% for AFI
- 10% were in nonwhite census tracts, compared to 9% in 2014, and 5% for AFI

M&T reviewed its numbers for total loans to Black & Latino households in 2014 versus 2018. The bank found 98 loans in 2014 and 90 loans in 2018, compared to Empire Justice calculations of 103 loans in 2014 and 89 loans in 2018, as found Table 2. Empire Justice went back and checked its 2014 numbers and again got 103 loans to Black and Latino households (1st lien loans on owner-occupied site-built units). Reasons for the differences could be either the data used and/or how race/ethnicity is calculated. Empire Justice used the HMDA Raw LAR data through 2016 and the static raw data in 2017 and 2018. Empire Justice also calculates its own categories for race/ethnicity, through 2017 combining the race and ethnicity variables for the applicant (Hispanic=all Hispanics of any race; Black, White and other categories=non-Hispanic/missing ethnicity of that race), and using a complicated categorization method with the new 2018 race and ethnicity categories for both the applicant and co-applicant.

Total Dollar Volume Lending

In 2018, M&T Bank originated an aggregate of \$96.2 million in total mortgage lending (1st lien loans on owner-occupied, 1-4 family site-built units). As seen by Table 3 in Appendix A, this was \$16 million or 20 percent more than the bank's dollar volume of lending in 2014.

M&T's total dollar volume of lending increased in almost every other category as well, and at rates of increased lending exceeding the 20 percent increase in the Rochester MSA as a whole. Between 2014 and 2018, M&T's dollar volume of lending **increased by**:

- 21% in the city.
- 26% among low-moderate income households.
- 37% in low-moderate income census tracts
- 54% in nonwhite census tracts.

However, the bank's dollar volume of lending to Black/Latino households **declined** by \$1.4 million or 16%.

Except for lending going to Black/Latino households, M&T maintained or saw slight increases in the proportion of its dollar volume of lending going to most areas of the Rochester community between 2014 and 2018 (see bottom section of Table 3).

Of the \$96.2 million M&T originated in the Rochester MSA in 2018,

- 14% went to the city, compared to 14% in 2014
- 8% went to Black and Latino households, compared to 11% in 2014
- 37% went to low-moderate income households, compared to 35% in 2014
- 11% went to low-moderate income census tracts, compared to 10% in 2014
- 7% went to nonwhite census tracts, compared to 5% in 2014

When comparing M&T Bank to all financial institutions (AFI) in 2018, M&T's distribution of its dollar volume of lending to all areas of the Rochester community was better than that of AFI.

M&T Bank's Home Purchase Lending

Home Purchase Loan Originations

We also analyzed M&T Bank's home purchase originations (1st lien loans on owner-occupied, 1-4 family site-built units). As can be seen by Table 4 in Appendix A, M&T originated 388 home

purchase loans in the Rochester NY MSA in 2018, a **decrease** of 129 loans or 25 percent from 2014.

While not as steep as the MSA decline, M&T's home purchase lending in all other areas of the Rochester community also declined between 2014 and 2018. Between 2014 and 2018, the number of home purchase loans originated by M&T **decreased** by:

- 11% in the city.
- 23% among Black and Latino households.
- 16% among low-moderate income households.
- 7% in low-moderate income census tracts.
- 7% in nonwhite census tracts.

Even though its home purchase lending decreased, M&T increased the proportion of its loans going to the different parts of the Rochester community between 2014 and 2018 (see bottom section of Table 4). Of the 388 home purchase loans made by M&T in 2018,

- 24 percent were in the city compared to 20 percent in 2014
- 19 percent were to Black and Latino households compared to 18 percent in 2014
- 60 percent were to low-moderate income households compared to 54 percent in 2014
- 23 percent were in low-moderate income census tracts compared to 19 percent in 2014
- 14 percent were in minority census tracts, compared to 11 percent in 2014

We also compared M&T's distribution of home purchase loans to that of all financial institutions (AFI). M&T's 2018 distribution far exceeds the average for AFI in every part of the Rochester community.

M&T Bank's Mortgage Lending Compared to Its Peers

GRCRC believes in the importance of comparing the lending of a bank to its peers. As M&T is the largest bank in the Rochester area, we compare its lending to the next seven largest banks in the Rochester MSA. In 2018 M&T **ranked first in deposits** in the Rochester MSA, with almost **20 percent of the market**, so these might be considered benchmarks as well.

Total Mortgage Lending Compared to Peers

Our first comparison is of the total number of mortgage originations by the top 8 banks (1st lien loans on owner-occupied (principal and secondary), 1-4 family site-built units). As seen on Table 5 in Appendix A, M&T originated 782 mortgage loans in 2018, making M&T the second lender among the top 8 banks, substantially behind Canandaigua National Bank, the top lender at the

MSA level. M&T's 4 percent Rochester MSA mortgage loan market share is substantially lower than its 20 percent depository market share, and the bank's second place ranking among the top 8 banks is lower than its first place depository market share ranking.

One way a depository can demonstrate its CRA commitment to a community is by maintaining market shares in the various target communities similar to or greater than its overall MSA market share (middle part of table). M&T market shares in the various Rochester communities substantially exceeded its MSA total loan market share of 4 percent in every category, putting M&T 1st in market share in 4 out of the 5 categories. In 2018, M&T had:

- 8% of the market in the city, and ranked 1st among the top 8 banks.
- 7% of the market among Black and Latino households, and ranked 2nd among the top 8 banks
- 6% of the market among low-moderate income households, and ranked 1st among the top 8 banks
- 6% of the market in low-moderate income census tracts, and ranked 1st among the top 8 banks.
- 9% of the market in nonwhite census tracts, and tied for 1st among the top 8 banks.

M&T's distribution of its total lending among the various communities or categories significantly exceeded the average distribution of the area's top 8 banks in every category (bottom part of table).

Dollar Volume Lending Compared to Peers

In 2018, M&T Bank made \$96.2 million in mortgage lending in the Rochester MSA, capturing 4 percent of the market and ranking second among the top 8 depositories in the Rochester MSA. (See Table 6 in Appendix A.) This is substantially less than its depository marketshare and less than its depository market share ranking.

Among Rochester's various markets, M&T had a dollar volume lending market share of:

- 8% in the city, and ranked 1st among the top 8 banks.
- 5% among Black and Latino households, and ranked 3rd among the top 8 banks
- 6% among low-moderate income households, and ranked 2nd among the top 8 banks
- 6% in low-moderate income census tracts, and ranked 2nd among the top 8 banks
- 10% in nonwhite census tracts, and ranked 1st among the top 8 banks

GRCRC is pleased that M&T's dollar volume market shares in all the various markets exceeds its depository or MSA lending market share, and that all but one of its market share rankings match or exceed the MSA ranking.

M&T's distribution of its dollar volume of lending among the various Rochester community categories was significantly larger than the average distribution of the area's top 8 banks.

Home Purchase Lending Compared to Peers

M&T Bank made 388 home purchase loans (1st lien loans on owner-occupied (principal and secondary), 1-4 family site-built units) in the Rochester MSA in 2018. This corresponds to 4 percent of the market, making M&T the second largest home purchase mortgage lender among the top 8 banks in the Rochester area. (See Table 7 in Appendix A.) M&T's 4 percent of the MSA market is substantially less than its depository market share.

M&T's home purchase loan market shares in all community categories were substantially larger than its Rochester MSA market share of 4 percent, and the bank ranked 1st or 2nd among the top 8 banks. M&T had a home purchase lending market share of:

- 9% in the city, and ranked 1st among the top 8 banks
- 8% among Black and Hispanic households, and ranked 2nd among the top 8 banks
- 6% among low-moderate income households, and ranked 2nd among the top 8 banks
- 7% in low-moderate income census tracts, and ranked 2nd among the top 8 banks
- 10% in minority census tracts, and ranked 2nd among the top 8 banks

M&T's distribution of its home purchase loans to the various categories significantly exceeded the top 8 average distribution in every category. Citizens Bank and Five Star Bank sometimes exceeded M&T in certain categories in the percentage of loans they distributed to an area.

Conclusion: M&T's Mortgage Lending

GRCRC believes that traditionally underserved families and communities benefit more when they obtain mortgages from lenders with a local depository presence than from little-regulated mortgage companies or lenders with no local CRA obligations. It benefits both the borrower and the bank when borrowers develop additional financial relationships with their mortgage lender.

This is why GRCRC wants M&T to maintain its strong presence in the Rochester area mortgage lending market. We are concerned by the bank's decline in home purchase loan originations since 2014, particularly in the MSA and to Black and Latino households.

During one of our meetings, M&T told us that due to retirements of residential loan staff, M&T stepped up its hiring in 2019 and 2020, including two new loan officers for CRA lending in addition to the one CRA loan officer in the Rochester market. The bank also noted that it offered the First Home Club (FHC) Program via the Federal Home Loan Bank of New York from the mid-90s until the first quarter of 2019 when FHC was no longer offered and replaced with the Homebuyer Dream Program (HDP). According to the bank, the process and availability of HDP funds greatly reduces the number of low-moderate income homebuyers M&T can help on an annual basis with down payment and closing cost assistance.

M&T shared in its response to our draft letter that the bank has extensive long-standing relationships with local housing related non-profits to continue its outreach efforts to LMI homebuyers. Examples of those relationships include NeighborWorks Community Partners Rochester, Ibero, NCS, PathStone, Urban League of Rochester and Consumer Credit Counseling Services. [All of these organizations are GRCRC members; and many have shared about their relationships with M&T below.] M&T's year-round support and participation in housing initiatives like Celebrate City Living provide an opportunity for bank products and services to be shared with those seeking homebuyer information.

M&T also shared that the residential mortgage market place continues to offer a very competitive environment, and this is fueled by the continued growth of non-bank lenders. In 2018 for example, 5 of the top 10 mortgage lenders in the Rochester MSA were non-bank lenders. GRCRC looks forward to updates from M&T on how this work and investment in new staff are addressing these challenges and impacting its mortgage lending.

M&T BANK SMALL BUSINESS LENDING

CRA Small Business Lending

Table 8 in Appendix A shows M&T Bank's CRA small business loans and dollar volume of lending from 2014 to 2018

Number of Small Business Loans

M&T originated 903 small business loans in the Rochester MSA in 2018, putting it 7th among all institutions making small business loans. The bank's 2018 lending was essentially unchanged (1% decrease) from 2014, and after a decrease from 2014 to 2017. Its small business loans to businesses in low-moderate income census tracts was also unchanged (1% decrease). M&T increased the number of loans of \$100,000 or less it made, as well as these loans to businesses in low-moderate income census tracts, loans to smaller businesses (with gross annual revenues less than \$1 million) and loans to these smaller businesses in low-moderate income census tracts.

In 2018, M&T made:

- 164 loans to businesses in low-moderate income census tracts, a decrease of 1% from 2014
- 567 loans of \$100,000 or less, an increase of 44% from 2015
- 101 loans of \$100,000 or less to businesses in low-moderate income census tracts, an increase of 38% from 2015
- 472 loans to businesses with gross annual revenues under \$1 million, an increase of 42% from 2014
- 79 loans to businesses with gross annual revenues under \$1 million in low-moderate income census tracts, an increase of 52% from 2014

M&T compared favorably to all financial institutions (AFI) in 2018 in its distribution of small business loans to the different categories. M&T's distribution was better than that of AFI with respect to distribution of loans in every category in the Rochester MSA. M&T also increased the proportion of its loans to businesses with gross annual revenues under \$1 million from 37% in 2014 to 52% in 2018.

Dollar Volume of Small Business Lending

In 2018, M&T did over \$154 million in small business lending in the Rochester MSA and maintained its #1 rank among all lenders in dollar volume lending from past years. As seen at the bottom half of Table 8 in Appendix A, this, however, is one-third of the lending done in 2014. M&T's dollar volume of small business lending also declined to businesses in low-moderate income neighborhoods. The bank maintained or increased its dollar volume of lending with respect to loans of \$100,000 or less, these smaller loans to businesses in low-moderate income tracts, and lending to businesses with gross annual revenues under \$1 million and to these smaller businesses in low-moderate income census tracts.

In 2018, M&T made:

- \$29.9 million in loans to businesses in low-moderate income census tracts, a decrease of 41% from 2014
- \$17.9 million in loans of \$100,000 or less, an increase of 2% from 2015
- \$3.7 million in loans of \$100,000 or less to businesses in low-moderate income census tracts, an increase of 16% from 2015
- \$39 million in loans to businesses with gross annual revenues under \$1 million, an increase of less than 1% from 2014

- \$8 million in loans to businesses with gross annual revenues under \$1 million in low-moderate income census tracts, an increase of 26% from 2014

M&T matched or exceeded all financial institutions in 2018 in every category of lending with respect to its distribution of its dollar volume of lending. The only area where M&T's distribution of lending declined from 2014 to 2018 was in dollar volume of lending to businesses in low-moderate income tracts.

M&T Bank's Small Business Lending Compared to Peers

As with the mortgage lending, we compare a bank's small business lending to its peers, the other depositories with the greatest market shares in the Rochester NY MSA. We compare their market shares for 2018. Table 9 in Appendix A compares the small business loans, dollar volume lending and market shares for the Rochester MSA's top 8 banks for 2018.

Number of Loans Market Share

In 2018, with 903 loans, M&T captured 5 percent of the small business loan market in the Rochester MSA, making M&T the 7th largest small business lender among all small business lenders, and 4th largest among the top 8 banks, in terms of number of loans. (See top part of Table 9.) M&T met or exceeded its overall MSA market share of 5 percent in loans to businesses with gross annual revenues under \$1 million and in loans to these smaller businesses in low-moderate income tracts, but not in loans to businesses in low-moderate income tracts. In 2018, M&T had a market share of:

- 4.8% among businesses in low-moderate income census tracts, making M&T 5th among the top 8 banks
- 3.4% in loans of \$100,000 or less, making M&T 5th among the top 8 banks
- 3.2% in loans of \$100,000 or less to businesses in low-moderate income census tracts, making M&T 5th among the top 8 banks
- 5.7% among businesses with gross annual revenues under \$1 million, putting M&T 3rd among the top 8 banks
- 5.6% among businesses with gross annual revenues under \$1 million in low-moderate income census tracts, putting M&T 5th among the top 8 banks

Dollar Volume Lending Market Share

In 2018, with \$154 million in lending, M&T captured 20.5 percent of the dollar volume of small business lending in the Rochester MSA, making it the largest dollar volume lender among all lenders and among the top 8 banks. (See the bottom half of Table 9.) M&T's market share in

dollar volume of lending in low-moderate income tracts and to businesses with gross annual revenues under \$1 million in low-moderate tracts almost met or exceeded its overall MSA market share of 20.5 percent, and is similar to its depository market share of 20 percent. Its market share of 16.7 percent of dollar volume of lending to businesses with gross annual revenues under \$1 million fell short of the bank's MSA market share. In 2018, M&T captured:

- 21.4% of the dollar volume of lending to businesses located in low-moderate income census tracts, placing M&T 1st among the top 8 banks
- 7.4% of the dollar volume of lending for loans of \$100,000 or less, placing M&T 3rd among the top 8 banks
- 8% of the dollar volume of lending for loans of \$100,000 or less to businesses in low-moderate income tracts, placing M&T 4th among the top 8 banks
- 16.7% of the dollar volume of lending to businesses with gross annual revenues under \$1 million, placing M&T 2nd among the top 8 banks
- 19.8% of the dollar volume of lending to businesses with gross annual revenues under \$1 million located in low-moderate income census tracts, placing M&T 1st among the top 8 banks

Note that in 2018, M&T's average small business loan size was \$170,850, the second highest average loan size after Five Star Bank. Still, this is M&T's smallest average loan size among any of the exam years (see Table 8). This drop in average loan size corresponds to the increase in the percentage of its loans of \$100,000 or less, from 47 percent in 2015 to 63% in 2018.

During one meeting with the bank, M&T told us that in June of 2018, the bank introduced a small business credit card with loan amounts as low as \$2,000. This likely explains the increased loans of \$100,000 or less, and probably the jump in 2018 in loans to businesses with gross annual revenues under \$1 million. M&T believes the card should help drive even more activity with smaller businesses and over time decrease the bank's average loan size. M&T noted that in 2018, 7 of the top 10 small business lenders by volume had large credit card portfolios and the largest average loan size of those seven was \$31,000.

M&T Bank's SBA Lending and Market Share 2014-2018

Table 8a in Appendix A shows the number and dollar volume of Small Business Administration (SBA 7(a) Loan Program) loans made by all financial institutions and the top 8 banks through the Rochester Branch Office between 2014 and 2018.

As seen by Table 8a, the total number of SBA 7(a) loan program loans and dollar volume of those loans in the Rochester area over the period 2014-2018 peaked in 2016, then declined in 2017 and recovered somewhat in 2018. M&T Bank's SBA 7(a) lending and dollar volume

lending also peaked in 2016. Its number of loans did not recover by 2018, but its dollar volume of lending did recover somewhat. With respect to dollar volume of lending, M&T maintained a #1 or #2 ranking among all SBA lenders out of the Rochester office; however, its market share was never as high as it was in 2014. In 2018, M&T Bank captured less than 14 percent of the dollar volume of the SBA 7(a) Loan Program lending in the Rochester NY area, substantially less than the 21 percent it captured in 2014.

While M&T's SBA dollar volume market share ranking was consistently similar to its depository market share ranking, its SBA dollar volume market share of 14 percent in 2018 is substantially less than its depository market share.

In one of our meetings with M&T, the bank shared that it does a lot of 7(a) Express loans, which are generally smaller loans to smaller businesses. A quick review of the 2017 and 2018 reports shows that M&T made the second largest number of Express loans after ESL FCU in both years.

Small Business Lending Summary

In order to stabilize the economy, create jobs and build wealth in the Rochester community, area businesses need access to affordable, responsible credit. This is especially true now during the pandemic. GRCRC is pleased that M&T is the Rochester area's leading CRA and 1st or 2nd leading SBA small business lender.

M&T shared during one of our meetings that the bank has a 20-person small business team in the Rochester MSA, the largest of any bank. The bank also noted it now has a bundled product set with reduced fees for small businesses and that the team is starting to work with smaller businesses.

As seen below, sole proprietorships and other micro-businesses, particularly Black and Brown-owned businesses, are struggling to survive during the pandemic. We urge M&T to work with GRCRC members and the City of Rochester to see how its small business team can help these businesses and whether its product suite, as well as its relatively new small business credit card, need to be tweaked for the current economic climate.

M&T BANK'S REINVESTMENT OF DEPOSITS INTO THE COMMUNITY, RESPONSE TO COMMUNITY NEEDS AND OPPORTUNITIES FOR INVESTMENT

M&T Bank shared information with us about its local community development investments, grants and loans from September 2014 through December 2019.

In addition, several GRCRC members shared information with the bank and/or us on local community development needs, how M&T has worked with their organizations to address them, and suggestions on how M&T might help address emerging and ongoing needs.

Reinvesting Deposits into the Community

M&T Bank reinvested a total of \$1,057 million in CRA-eligible loans, grants and investments in the Rochester community between 2014 and 2019, the current CRA exam period. As seen in Table 10 (Table 10a) in Appendix A, this included:

- \$404.8 million in community development loans and investments and CRA-eligible grants serving primarily low- and moderate-income families, individuals and communities
- \$259.8 million in mortgage loans to low-moderate income households and/or in low-moderate income census tracts
- \$392.6 million in CRA small business loans to businesses in low-moderate income tracts and/or to businesses with gross annual revenues under \$1 million

According to the information provided by the bank, M&T reinvested:

- \$277.5 million in community development lending in the Rochester NY MSA, including \$224 million in the City of Rochester
- \$119.6 million in community development investments in the Rochester MSA, including \$110.3 million in the City of Rochester
- \$7.7 million in CRA-eligible grants, including \$2.5 million in the City of Rochester

Again, M&T invested a total of \$1,057 million in the Rochester MSA during the current exam period.

Taking the \$3.76 billion on deposit in Rochester area M&T branches in 2019, we estimate that M&T reinvested almost 28 percent of these deposits into the Rochester community during the entire exam period, for an annualized average of 5.6 percent. (See Table 10, Table 10c.)

Table 10c also shows that while M&T's deposits over the three exam periods on which GRCRC has commented have grown by 68% to \$3.76 billion in 2019, its annualized dollar volume of reinvestments in the Rochester community have declined by 11 percent. Moreover, the annualized percentage of deposits M&T has reinvested in the community has declined by almost one-half--from 10.6 percent in the 2008 exam period to 5.6 percent in the current exam period.

GRCRC is very concerned with M&T's substantially lower annual rate of reinvestment in the Rochester community during this exam period as opposed to earlier exams. M&T has been the largest depository in the Rochester MSA since 2012. M&T's 2019 depository market share was 19.6%, which is almost 5 points lower than the bank's 24.4% market share in 2014 at the beginning of this exam period. The bank's level of deposits has grown by 68% since 2007, despite an 11% decrease since its peak in 2017. This look at M&T's recent changes in deposits and depository market share is an attempt to understand the bank's lower rate of reinvestment in the Rochester MSA. It may be that the bank's concerns about deposit levels and depository market shares and other measures of business success has resulted in a lower prioritization of how it is reinvesting in the community.

We shared the tables and our concerns with M&T at one of our meetings. M&T responded that it appears that the numbers from the previous exam periods' Community Development Loan and Investments category also include balances on previous period activity that were outstanding at the beginning of the respective exam cycle. Those outstanding balances were not included for the current exam cycle because the FRBNY no longer looks at outstanding Community Development Loans as part of the exam review. As GRCRC does not have access to the outstanding CD Loan balances from the previous exam periods, we ask that the FRBNY look at those balances and take them into account when comparing changes in reinvestments over the 3 exam periods.

GRCRC asks that M&T find creative ways to expand its lending and investments, especially if the bank continues to expand its footprint. Our coalition has several members with expertise in community development who would be willing to work with the bank to find ways to reinvest in the community. We urge M&T to put a stronger focus on reinvesting in the communities in which it does business. GRCRC believes that such reinvesting is a way to increase a bank can increase its market presence.

Specific Community Development Activities

GRCRC members shared with us the following community development activities that M&T is currently supporting.

M&T Bank has partnered with **PathStone Enterprise Center** to provide technical assistance and business training to emerging and established small businesses in Buffalo-Erie County and Rochester-Monroe County.¹⁶ We used the funds they provided to launch a business training series called Tech Talks. Tech Talks is focused on helping main street businesses grow or launch their businesses online and covers topics such as brand development and social media, website development and ecommerce integration, and marketing strategies. GRCRC would appreciate

¹⁶ PathStone Enterprise Center's new website for the Buffalo area is at: <https://www.bizupbuffalo.org/>.

M&T continuing to support this program especially as brick and mortar businesses struggle to establish an online presence during and post COVID.

For decades, M&T Bank has been a steady and critical financing partner supporting the **Greater Rochester Housing Partnership (GRHP)** and **Rochester Housing Development Fund Corporation**'s single-family homeownership programs serving low-moderate income first-time homebuyers. M&T participates in a \$15 million acquisition and construction financing pool that support these efforts to redevelop vacant single-family homes in the City of Rochester for low-moderate income first-time homebuyers. Approximately 800 homes have been rehabbed through this (**HOME Rochester**) program through a series of participation loans. M&T also provides mortgages to the program's LMI first-time homebuyers. M&T has provided mortgages to 27 buyers over the past 5 years (totaling approximately \$1.8 million of investment). M&T has also been a key mortgage lending partner locally with GRHP and SONYMA on the **Neighborhood Revitalization Program (NRP)**, to provide grants of \$20,000 to low-moderate income buyers for renovation of vacant properties in the City of Rochester and Monroe County. According to M&T, the bank originated 19 applications in 2019 and originated 14 applications between January 1 and September 18, 2020. In addition, from the standpoint of nonprofit organizational support, M&T assisted GRHP with successfully securing a PPP Loan in response to COVID-19. GRCRC is pleased with the support and investments M&T has provided GRHP and RHDFC, and we hope it will continue. GRHP is a good source of logistical support in how to address the limitations of the LIHTC.

As a partnership between the City of Rochester and **CCCS of Rochester**, the **Rochester Financial Empowerment Center (FEC) Program** officially launched in February of 2020 shortly before the COVID pandemic lockdown. Through support from various funders, including M&T Bank, the program offers free, professional, one-on-one financial counseling as a public service. The FEC is an evidence-based model that was established by the Cities for Financial Empowerment Fund and has been replicated successfully in more than a dozen cities across the U.S. By integrating financial counseling into existing community services, the FEC connects with clients as they navigate existing programs. This has shown to produce increased outcomes for clients who are working towards economic independence including improved credit scores, decreased debt, and increased savings. Additionally, the integration of FEC counseling has bolstered other outcomes that partner organizations are seeking to achieve for their clients such as reducing recidivism. Even amidst the COVID crisis, the existence of the program has demonstrated both a deep need for financial counseling as well as demonstrable outcomes that participants achieve. To date the Rochester FEC has engaged over 500 clients providing over 1,300 counseling sessions while achieving 166 outcomes. In total, participants have worked to increase savings by \$138,000 and reduce their debt by \$178,000. This is incredibly telling given the average FEC client has a median household income of \$29,000 and non-mortgage debt of \$35,000 while possessing savings of only \$200. While the program is winding down its first year

of operation and entering year two, attention is being given to the development of sustainability for year three and beyond. As with most FECs, the vision is to build a foundation of both public and private funds in order to diversify opportunities. Given that the FEC delivers so strongly in areas that are crucial for financial institutions to meet CRA requirements (i.e. improved access to credit and banking products), we encourage M&T Bank to consider additional funding support for the FEC program for year three and beyond.

Community Investment Opportunities

Structural Racial and Income Inequality in Upstate New York

We first want to frame the need for consumer protections in the big picture context of rising income inequality. Incomes of working families have not kept up with rising housing, education, childcare and health costs. This has resulted in millions of Americans struggling to pay for basic necessities. Research released by the Federal Reserve Bank of New York in the fall of 2019 revealed that 60 million Americans don't have access to prime credit. They are not in the credit economy or have maxed out their credit. They cannot borrow from most mainstream financial institutions that only lend to borrowers with good credit.

Upstate New York had still not fully recovered from the financial crisis of 2008 when COVID-19 struck. Income inequality is exemplified in the post-industrial cities of upstate New York. The city of Rochester has the highest concentration of children living in poverty compared to cities of similar size in the United States. In 2019, Rochester came in dead last in a list of the country's 50 hottest job markets published by the Wall Street Journal.¹⁷

New Yorkers are feeling the financial strain of record high debt burdens, especially in upstate areas where poverty rates are some of the worst in the nation. The poverty rates in upstate cities such as Rochester (57%), Syracuse (56%), and Buffalo (53%), despite best efforts, show no signs of decreasing in any meaningful amount. Rural areas across upstate are also deeply affected by poverty. According to a recent study by Common Ground Health, the rural and urban areas of New York State with the highest rates of poverty were also the areas with the lowest life-expectancies. Not only does financial insecurity cost New York billions of dollars per year, it contributes to a public health crisis that cannot be ignored.

In 2017, the New York Federal Reserve issued a report on the credit profile of City of Rochester residents. The 2017 report looked at data at the ZIP Code level in the City of Rochester. This report found that more than 50% of City of Rochester residents had subprime credit. In some

¹⁷ <https://www.democratandchronicle.com/story/news/2019/03/10/rochester-worst-job-market-country-wall-street-journal/3089794002/> (updated 2020 information available at <https://www.wsj.com/articles/austin>)

ZIP Codes 50 -75% of city residents had subprime credit. These ZIP Codes are majority nonwhite.¹⁸

Most bank branches have left these neighborhoods. Working families making \$15-25 an hour can't pay all their essential bills on time. These families may also have monthly incomes that are volatile. They may not have paid sick leave or a guaranteed minimum of hours. They may not be sure how much money they will have at the end of the month. Given the high cost of housing, childcare, education and health care, the minimum wage and/or volatile incomes leave families in a situation where one or more bills are left unpaid. An unexpected car repair or medical bill throws their monthly expenses into crisis. Earlier research done by the Federal Reserve documents that 40% of Americans don't have \$400 in emergency savings.

There is structural mismatch between incomes and expenses. According to research from the Federal Reserve Board, the median Black family in the under 35 age group had only \$600 in wealth, compared with \$25,400 among young white families.¹⁹ This will result in a tsunami of defaults on loans, that will have a disparate impact on Black and Brown families.

Professor Lisa Servon documented the lives of working families who use check cashers and pay day lenders. Her book "The Unbanking of America" shows that working families make very complicated choices about using a check casher instead of their own bank.²⁰

Empire Justice Center used her research to look at the underbanked in Rochester, New York. Our 2018 report "Too Big to Fail" found similar patterns in Rochester. Those who choose a check casher over their bank do so because their bank does not offer a product that fits into their lives.²¹

Banks don't serve the needs of such families. Bank products are designed for customers who have disposable income at the end of the month. When families don't have enough money to pay for essentials, an unexpected decline in income or an emergency expense results in a subprime score. Families turn to predatory products to pay rent so they are not homeless, to pay the car loan so they can keep their job, or to buy groceries so they don't go hungry.

Banks have a choice on how they process payments--to maximize short term profit or to create long term sustainability for both the bank and the customer. Even when a customer's bank book

¹⁸ <https://www.newyorkfed.org/data-and-statistics/data-visualization/community-credit-profiles/index.html#overview>

¹⁹ <https://www.federalreserve.gov/econres/notes/feds-notes/disparities-in-wealth-by-race-and-ethnicity-in-the-2019-survey-of-consumer-finances-20200928.htm>

²⁰ <https://www.lisaservon.com/>

²¹ https://empirejustice.org/resources_post/report-big-fail-poor-bank-mainstream-financial-services-can-help-low-income-working-families-succeed/

shows a balance, more and more banks choose the former, to clear deposits and charges so that the customer is hit by an overdraft fee.²²

There is no shortage of predatory lenders, who know how to make enormous profits by selling high cost products to low-income borrowers. These products are set up for the consumer to fail and for the investors behind the products to make money. The interest rates are abusive and designed to be vastly profitable with no relation to the risk taken by the lenders. These loans are bundled into investment vehicles. The largest banks fund the companies that create and market these products.

Some federal and state regulators are finally starting to look at the systemic risk posed by these practices. We need to change the laws to stop these practices that result in enormous profits for corporations, and financial hardship or worse in the life of working families.

Consumer advocates have been raising these issues for decades. Now academics and regulators are beginning to appreciate the societal costs of poverty. Being repeatedly evicted and changing schools has enormous consequences on a family's emotional and physical health. We are finally moving from a mindset that blames poor people for their poverty.

We need to look at the laws and economic policies that perpetuate structural racism and keep communities segregated. We also need structural change to ensure that jobs pay a living wage. New York State must develop and foster an environment where affordable housing, health care, and quality childcare are a reality for all people.

Responding to the COVID-19 Pandemic

It is now clear that Black and Brown and lower-income communities are disproportionately suffering from the Coronavirus pandemic and its economic impacts. Empire Justice recently published an article showing that systemic racism, of which redlining is just one manifestation, created the conditions that lead to today's racial inequities in health outcomes, including the higher rates of COVID-19 cases and deaths of African-American and Latinx people and in Black and Brown communities.²³

It is also clear that the pandemic is not over, and that homeowners, renters and small businesses will continue to be negatively impacted from the economic fallout of physical distancing and periodic pandemic shutdowns.

²² <https://www.politico.com/news/2020/09/28/racial-wealth-gap-federal-reserve-422658>

²³ <https://empirejustice.org/news/covid-19-disparities-rochester-ny-legacy-redlining-city-frederick-douglass-susan-b-anthony/>

As a response to our draft letter, M&T shared the following:

- M&T, as a result of COVID, is currently in discussion with the City of Rochester seeking ways to further assist small businesses in the urban core most impacted economically by the pandemic and the recent destruction of businesses since the death of George Floyd. M&T continues to review its support of the various small business initiatives in the City of Rochester to ensure the bank is assisting in the most meaningful way to make a difference. The bank will keep GRCRC in the loop of its efforts.
- In 2019, M&T Bank launched Money Mentor Curriculum to provide financial education workshops consistently across its footprint. The workshops will provide education from Homebuying to Budgeting to Understanding Credit and Banking Basics. The sessions can be provided in partnership with community partners or as an individual M&T community effort. M&T is offering virtually to Rochester nonprofits with clientele interested in preparing for the homebuying process or learning about savings options amid COVID.
 - GRCRC asks that M&T work with the City of Rochester Financial Empowerment Center (FEC) and Consumer Credit Counseling Service of Rochester to see how this may fit in with what they are already doing to support consumers.
- M&T Bank has employed a variety of strategies to support its borrower in this challenging economic climate. This includes an M&T COVID webpage to assist customers experiencing hardships. Customers who do not have internet access are directed the Customer Contact Center 800 number. Another example of that is the Hardship Assistance Package that M&T has shared with GRCRC (see below re: this).

Forbearance

“Over just the past week, the number of mortgages in active forbearance plans plummeted by 147,000 or 4%, according to data from Black Knight. As of Tuesday, 3.8 million borrowers were still holding off their monthly payments; that’s 7.1% of all active mortgages. Of those, three-quarters have had their terms extended from the initial three-month program.”²⁴

According to the Urban Institute Black and Hispanic homeowners have been hit harder than white homeowners by the pandemic and its economic fallout. As noted in its report, a US Census Bureau’s Household Pulse Survey, “conducted from July 16 to 21, [showed] nearly 21 percent of both Black and Hispanic homeowners missed or deferred the previous month’s mortgage payment, compared with 10 percent of white homeowners and about 13 percent of all homeowners with payments due. This gap persisted over the duration of all survey weeks, as

²⁴ <https://dsnews.com/daily-dose/09-07-2020/no-relief-for-three-million-plus-borrowers>

Black and Hispanic homeowners continue to be disproportionately burdened by the pandemic's impact on employment and financial stability.”²⁵

M&T must monitor who is accepting forbearance plans. If a disproportionate number of low-moderate income and/or Black and Brown households are not in forbearance plans, M&T must work with foreclosure advocates to ascertain the obstacles and design an outreach plan. The plan must be centered in ensuring grassroots Not-for-profits led and staffed by Black, Latinx and Asian Americans are provided with the financial resources to get the word out to the communities they serve.

We also expect M&T to follow best practices in modifying loans during and following the COVID-19 pandemic, helping to preserve homeownership especially among People of Color, including Rochester's Black community. To do so urge M&T to do everything possible to keep as many people in their homes and avoid foreclosure. M&T should provide forbearance of up to 12 months, depending on the reasons for not paying, while staying in close contact with their borrowers. Following the forbearance period, loans should be modified to add all missed payments and any escrow (if necessary) as payments on the end of the loan. This additional balance should be interest free.

After the state and much of the country shut down in March, **Empire Justice Center** put together several sets of COVID-19-related resources for people, including one entitled “COVID-19 FAQ – NYS Foreclosure, Eviction, and Consumer Debt.”²⁶ As a result of its research for this, staff members' ongoing support of homeowners facing eviction, and staff participation in state legislative hearings and on various local, state and national collaboratives, Empire Justice sent a letter to M&T in early September with additional concerns and recommendations around foreclosures and forbearance. A copy of this letter is in Appendix B.

In response to this letter and discussions at our meetings with M&T, the bank shared its Hardship Assistance Package (attached separately). Empire Justice Center reviewed this package, noting that it gives the homeowner multiple options including payment deferral and loan modification. This package could be a model for other lenders, so they could be offered to every homeowner.

Evictions

In the coming weeks and months, state and federal moratoria on evictions will come to an end. This will be followed by a wave of evictions, in which a large percentage of people who rent may become homeless or lose their housing stability. Evictions have been on hold for months during the COVID-19 pandemic, but rental payments have not.

²⁵ <https://www.urban.org/urban-wire/six-facts-you-should-know-about-current-mortgage-forbearances>

²⁶ https://empirejustice.org/resources_post/covid-19-faq-nys-foreclosure-eviction-consumer-debt/

A recent report prepared for the National Council of State Housing Agencies (NCSHA) summarizes that “Roughly 10 – 14 million renter households — home to 23–34 million renters — were behind on their rent by a total of roughly \$12 – \$17 billion as of September 14, 2020. These renters will owe \$25–\$34 billion by January 2021..., [and] up to 8.4 million renter households, which include 20.1 million individual renters, could experience an eviction filing.”²⁷

Racial disparities have historically existed in numbers of evictions in New York and around the country, and this will be exacerbated by the current crisis. People of color have been the hardest hit financially by the pandemic and they make up a disproportionate share of the people who rent, so they will be most negatively impacted by the coming eviction crisis. Rent forgiveness is the only way that most of them will be able to remain in their homes.

M&T must work with landlords to mitigate the looming eviction crisis and improve housing stability in communities of color. Extended forbearances and, if necessary, special loan modifications must be made available to mortgage holders who are landlords and have lost income because their tenants have not been able to pay rent.

In addition, we urge M&T to provide additional financial support to the joint City of Rochester, Monroe County, and 7th Judicial District initiative to address evictions.²⁸

Support for Black and Brown-Owned Small and Micro-Businesses

SW Street Liaison Office of the 19th Ward Community Association has been promoting COVID-19 financial assistance programs since March 31 to our neighborhood small businesses in southwest Rochester, most of which are Black and Brown. All but a handful are surviving the COVID restrictions, in large part due to the City of Rochester’s Business Emergency Retention Grant (BERG) - now approaching 600 applicants and still going. A similar but smaller assist was the \$100,000 KeyBank contributed to 20+ MBWE businesses via the **Urban League of Rochester**. Of the businesses the Street Liaison Office talked to, almost all declined using the PPP Loan and other forgivable loan opportunities. There are some interesting observations about cash injection for small businesses.

The Street Liaison Office identified about 125 businesses in the southwest quadrant, contacting them by visits, email, or US mail to their homes if their business was closed. The 125 businesses were identified as meeting the City's eligibility requirements for the BERG initiative: for-profit and located in a commercial facility (i.e., not a home occupation), ideally on a commercial corridor. Many are sole proprietors, the smallest of the small. They are predominantly owned

²⁷ <https://www.ncsha.org/resource/current-and-expected-rental-shortfall-and-potential-eviction-filings/>

²⁸ <https://www.monroecounty.gov/files/news/09.17.2020%20Eviction%20Assistance.pdf>

and/or operated by non-white men and women of varied ethnicities. The experience gave staff some insight into how and why businesses decided to seek one form of assistance over another, or none at all. They found that:

1. The most-favored small business financial assistance by far is the City of Rochester's newly created Business Emergency Retention Grant (BERG). It was created in March by the Mayoral Administration as a way to retain businesses, services and jobs. It started as a \$2000 grant but was increased to \$5000 as it became clear that problems would not be ending quickly. The grant covers any documented unpaid operating bills: rent or mortgage, RG&E, Internet, business phone, supplies & inventory purchases, etc. It's an outright grant, not a loan. Street Liaison staff had to keep repeating the prior sentence to the business owners. The application is relatively straightforward for a City program. At the end of the application and approval process a check arrives for the full amount of the documented need. No bank. No payback. No worry of claw-back for any reason, including failing the promised job retention. As of mid-September, the City has over 500 applications through or in the pipeline. It's literally saving hundreds of city businesses (and their worried landlords). The Street Liaison Office estimates that over 95% of the businesses are surviving.
2. The **Urban League of Rochester** and Key Bank offered and quickly gave out \$100,000 to just over 20 minority or woman-owned businesses. It too was an outright cash grant, accessible with a simple 2-page application and copies of bills due. Sadly, the program was hatched quickly on a Friday, and news about it never reached many eligible businesses before the application deadline the following Thursday. Street Liaison Office knows of one southwest business that received a \$4000 grant check. There may be others.
3. The PPP seems to have little appeal to small businesses for several reasons. It involves a bank. The application feels like a loan, because it is. There's word on the street that the money may have to be returned. One business is keeping the PPP money in savings - just in case. Several small businesses Street Liaison staff spoke to said the money wasn't worth the intimidating bank application process and the risk of something going wrong. To know if any of the 125 businesses surveyed applied for or received the PPP, the data on the less-than-\$150,000 loan businesses needs to be released.

Clearly, the SW Street Liaison Office is deeply connected to, is trusted by, and understands the small business community in the city's southwest quadrant. GRCRC urges M&T to work with the office to find out how best to support its work and the businesses in the area, particularly Black and Brown-owned businesses.

Abusive Auto Lending

In Rochester, working families need cars to get to work. Work schedules are not fixed and change at the last minute. Entry level jobs are in locations that don't have reliable public transportation or affordable housing.

For individuals in rural areas, public transit is not even an option. This makes Upstate New York a haven for subprime auto lenders and unscrupulous "Buy Here Pay Here" dealers who know that most of these individuals would not be able to get an affordable loan from a bank.

Car loans have abusive and discriminatory interest rates, so that loans have high loan-to-value ratios ranging from 125-175%. Long loan terms mean that the car stops running before the loan is paid. The dealer then refinances the amount of the unpaid loan into a new loan. That leads to higher and higher loan-to-value ratios.

Legal Assistance of Western New York (LawNY) is the primary free legal service provider in 13 of the 14 counties in the Rochester MSA and the rural counties in the Finger Lakes. LawNY turns away hundreds of callers each year seeking help with consumer legal problems. They see hidden fees for the dealership, and costly, yet worthless, extended warranties added to the contracts without the consumer's knowledge. It is not uncommon for a consumer to buy a used car with over 100,000 miles on it that was advertised at a number around \$5,000. That consumer will end up with a loan that will cost them more than three times that amount by the time they are done making payments.

The pattern LawNy has observed is that most consumers are not even made aware of the terms of the loan at the time they purchase the car. The majority of documents are signed on a computer, by clicking a button that is often controlled by the salesperson. Frequently consumers leave the lot with their car but not their contract. When they finally do receive the contract, they are shocked to learn that the car they purchased will cost them more than twice what they were told by the dealer. Because there is no cooling-off period for car sales, consumers are left with no recourse to return the car after learning it is unaffordable, and dealers will often direct consumers to the company that indirectly financed their loan, even though the consumers have only ever interacted with the dealer.

All of this results in extremely high default rates--25% for subprime auto loans made at "Buy Here Pay Here" dealerships, compared to only 1% default rates for low-interest auto loans made by traditional banks. When individuals default on their auto loans, the lender will repossess the vehicle and auction it off for a fraction of the fair market value. In most instances, this leaves a large deficiency balance on the loan that the lenders will pursue in the courts by filing lawsuits against the consumers, again increasing what the loan costs by adding attorney's fees, court

costs, and post-judgment interest. Without access to legal representation, many of these lawsuits result in default judgments against the consumers, even when there are legal defenses. Consumers will then end up paying for these cars for years after they surrendered them and for thousands of dollars more than they were ever worth. This results in a cycle of subprime credit that is almost impossible to break.

State regulators are finally taking action. On August 31, 2020 the Massachusetts Attorney General sued one of the largest subprime lenders, Credit Acceptance Corp (CAC). The complaint reflects what LawNY is seeing in the consumers who reach out to them, as described above. “The complaint . . . alleges that CAC has made high-interest subprime auto loans to Massachusetts borrowers that the company knew borrowers would be unable to repay, in violation of state law. While the company profited, borrowers experienced ruined credit, lost vehicles or down payments, and were left with an average of approximately \$9,000 of debt.”²⁹

An August Wall Street Journal article describes the problems with securitized subprime auto loans. It describes how consumers will be impacted and suggests that the investors will not lose out.³⁰ As the pandemic continues, with unemployment still running high and many businesses still not recovered, it is increasingly likely there will be a tsunami of evictions and car repossessions.

Subprime used auto credit makes it virtually impossible to become a homeowner and take the first step into saving to build assets and wealth. As the federal government has eroded protection for consumers in the past four years, we need other ways to shut down predatory and abusive used car loans.

GRCRC urges M&T and other responsible financial institutions to step up and make safe and affordable loans to their subprime clients. It is not in the interest of the local community banks or credit unions to have out of state predatory actors taking the hard-earned money of their customers. Parents should not have to work multiple jobs for 60 hours a week to try not to put their children to bed hungry.

In addition to offering safer, affordable auto loans for consumers, we urge M&T to also fund LawNY and/or other legal services programs to assist borrowers deceived by predatory lenders.

Genesee Co-op FCU (GCFCU) needs help confronting the coming foreclosure crisis and predatory auto lending that residents, especially Black residents of Rochester are facing, and to

²⁹ <https://www.mass.gov/news/ag-healey-sues-major-subprime-auto-lender-for-unfair-and-deceptive-practices-in-its-subprime#:~:text=Boston%20%E2%80%94%20A%20lawsuit%20has%20been,and%20engaging%20in%20unfair%20debt>

³⁰ https://www.wsj.com/articles/auto-lending-binge-threatens-to-unwind-when-stimulus-measures-ease-11596798003?mod=hp_lead_pos3

support homeownership in the city. We would do this by: 1. Refinancing people from loans potentially facing foreclosure due to COVID-19; 2. Refinancing predatory auto loans, and; 3. Lending to people purchasing houses in the **City Roots Community Land Trust**.

To do these three actions, GCFCU needs additional equity. Equity helps Rochester's only community development credit union (CDCU) grow, especially in this difficult time, and protects it from potential losses from the risks it faces as a community lender (it's also a community development financial institution (CDFI). This equity would ideally be in the form of grant capital, of up to \$500,000 over three years, to match its CDFI grants. Secondary capital, debt that functions like equity, at a low-interest rate, would also be helpful. Finally, GCFCU would like to work with M&T, **City Roots Community Land Trust**, and other local organizations to create a facility that would allow them to purchase mortgages from financial institutions and attempt to either help keep the homeowners in the homes, or make sure they end up as homes that are affordable to low-income people in the City. GRCRC urges M&T to support the credit union in one or more of these three ways.

As seen on their website,³¹

Flower City Noire Collective was founded in Rochester in 2016 by Tonya Noel Stevens and Kristen Walker. They founded FCNC specifically as a corrective to the transphobia, classism, and elitism they witnessed in existing mainstream activist movements, and to cultivate practices of self-care, accountability, and radical honesty. Stevens has formal training in Agriculture and Food Studies, while Walker has formal training in African American Studies and English. In addition, they have both developed extensive expertise in Black feminism and community-organizing through their work together since meeting in 2014. FCNC's mission is to "elevate womxn of color," and to center the experiences of Black queer folks in particular. According to their mission statement: "FCNC seeks to fill the void of safe, black centered spaces in Rochester, NY that center around black joy, black love, and understanding." In the words of Walker, the work is fundamentally about "space-making." Rooted in Black feminist politics and the Black radical tradition, FCNC emphasizes "the values of collective leadership, collective work and responsibility, collective education, and sustainability through skill-sharing." Their interventions include a free Black feminist mentoring program for local youth called "Petals," cultivation of green space for and with Black urban growers (B.U.G.S.), regular reading groups and other consciousness-raising efforts including a reading and discussion group, and most recently the founding of NOIRE House at the corner of Flower City and Dewey Avenue on the city's predominantly Black west side in 2019. NOIRE stands for Neighbors Organized with Imagination for Resilient Emergence and is based on the model of Hope House in Detroit, which Stevens and Walker visited in 2017. NOIRE House is actually

³¹ <http://flowercitynoirecollective.org/aboutus/>

two houses, acquired by FCNC as “legacy properties.” Walker and Stevens are currently living in one of the houses, along with other tenants, and rehabbing both houses for cooperative occupancy.

GRCRC urges M&T to consider providing unrestricted financial support to this transformative initiative.

Language Access

During our meetings with M&T and the NY Fed, Luis Ormaechea, a staff attorney with **Empire Justice Center** focusing on foreclosure prevention and language access, shared about the great need for language access for bank customers in the Rochester community, including the need for in-language access to products such as mortgages. Luis was raised in a bilingual household, where even as a child he often helped translate documents and interpret conversations for his parents (which would have included business transactions such as banking). In his work representing clients in real estate transactions and his current work representing homeowners facing foreclosure, Luis continues to see a need for increased language access to help make lending products, and banking products and services in general, available to LEP consumers. Increased language access also increases trust and builds relationships.

A current example of a need for greater language access in consumer lending products is where the COVID-19 pandemic has caused millions of homeowners to struggle to pay their mortgages. Many of those homeowners have sought, and obtained, a forbearance to provide temporary relief from mortgage payments while they seek a return to full employment. Yet a significant number of homeowners have defaulted on mortgage payments without obtaining a forbearance – putting them at elevated risk of foreclosure.

There is good reason to believe that the disparate access to forbearance plans has been caused in part by disparate access to information, made worse by limited in-language options presented to consumers with limited English proficiency. Perhaps no population faces greater challenges in obtaining information about available mortgage relief than LEP borrowers.

In addition, several GRCRC members tried to find Spanish and other language pages for LEP consumers on M&T’s website, and they found none. We thank M&T for agreeing to make these pages easier to find from the homepage. We urge M&T to do this as soon as possible, and to work with language access advocates like the **Monroe County Language Access Coalition** to increase in-language options for LEP consumers.

In response to our draft letter, M&T shared that the bank has several different initiatives it is launching to support the banking needs of LEP individuals and households. For example, it has a

COVID-related Spanish language web page on mtb.com. Signage has also been put into specific branches in a number of languages, including Spanish, Burmese, Korean and Chinese.

Special Needs of New York’s Rural Communities

During one of the meetings with M&T, an attorney at the Bath Office of the **Legal Assistance of Western New York (LawNY)** shared about the special challenges faced by the clients he represents. This attorney handles bankruptcy and foreclosure cases for the Southern Tier counties of Steuben, Allegany, Cattaraugus and Chautauqua; counties that are the tip of the Appalachian region.

These Southern Tier Counties are characterized by low home values, a high poverty rate, and limited education. The table below shows that up to 29% of the home values are under \$50,000 and up to 72% are under \$100,000. Approximately 50% of the adult population has a high school or less education.

In many of the cases from this area handled by LawNY’s Bath Office, the clients have subprime mortgages and used car loans with very high interest rates, in some cases above 24%. Low-moderate income households in the Southern Tier need more access to responsible bank lending. GRCRC urges M&T Bank to consider a special initiative for this area, such as financing home purchases of \$50,000 or less for low income households, that could have a significant impact.

Southern Tier Counties Served by LawNY Bath Office Compared to Monroe County

County	Home values (less than \$50,000)	Home values (less than \$100,000)	Percentage below 100% of poverty	Percentage with high school education or less (age 25+)
Allegany	29.0%	72.1%	12.3%	50.1%
Cattaraugus	19.5%	61.2%	12.4%	53.0%
Chautauqua	18.7%	61.2%	13.8%	47.3%
Steuben	17.3%	56.6%	11.5%	48.3%
Monroe	5.4%	25.6%	11.0%	34.8%

Source: 2011–2015 American Community Survey, as presented in County Profiles (2017) produced by Jan Vink, Cornell Program on Applied Demographics, available at <https://pad.human.cornell.edu/profiles/>.

Conclusion

The COVID-19 pandemic and its impact on the economy have revealed economic and racial disparities in the Rochester community that those with structural power have hidden (or refused to acknowledge) for decades. Like many other cities across the country, we are just beginning to examine how structural racism and economic inequality have divided our community. COVID-19 is showing us that these systems disproportionately harm Black and Brown communities, while ultimately harming us all. Like all financial institutions in this country, M&T Bank is part of and has benefitted from these systems. The benefits may be flattening out, however.

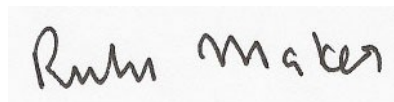
M&T's deposits in the Rochester MSA have grown by 68% since 2007 to \$3.76 billion, so that as of 2019 the bank had 19.6% of the depository market. This is despite the 2019 market share being almost 5 points lower than the bank's 24.4% market share at the beginning of this exam period and a decrease in total deposits since 2017. Total annualized reinvestments in the Rochester community, however, are 11% lower than what they were in the 2008 exam period, and almost one-half what they were as a percentage of deposits reinvested. Some of this decline in reinvestments can be explained by the decline in M&T's home purchase lending, particularly in 2016 and 2017. We are especially concerned by the decline in lending to Black and Latinx households.

With respect to loans to Rochester-area businesses, we are pleased that M&T continues to provide CRA small business lending at levels in line with its presence in the community, particularly to businesses located in low-moderate income tracts and the smaller businesses located there.

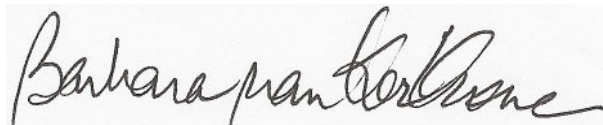
GRCRC is committed to fostering productive relationships with all financial institutions in the belief that the goal of meeting the credit needs of communities harmed by structural racism and economic inequality is compatible with safe, sound, and profitable lending practices. That is why we have provided a variety of opportunities and strategies in this letter for M&T to consider.

GRCRC members look forward to working with M&T to find ways to invest in the Rochester community that will have the most impact on community members and businesses that historically and continue to be neglected by mainstream financial institutions.

Sincerely,



Ruhi Maker, Esq.



Barbara van Kerkhove, Ph.D.
Researcher/Policy Analyst

Table 2: M&T Bank Total Mortgage Lending 2014-2018**Rochester, NY MSA**

(1st lien loans on owner-occupied, 1-4 family, site built units)

	2014	2015	2016	2017	2018	2017-2018		2014-2018	
						# change	% change	# change	% change
MSA	646	570	463	445	782	337	76%	136	21%
City	113	67	79	77	132	55	71%	19	17%
Black/Latino HH	103	64	55	71	89	18	25%	-14	-14%
Low-Mod Income HH	321	296	232	213	402	189	89%	81	25%
Low-Mod Income CT	102	56	59	72	127	55	76%	25	25%
Majority Non-White CT	60	32	35	48	80	32	67%	20	33%
						AFI			
% of loans in:	2014	2015	2016	2017	2018	2018			
City	17%	12%	17%	17%	17%	10%			
Black/Latino HH	16%	11%	12%	16%	11%	8%			
Low-Mod Income HH	50%	52%	50%	48%	51%	37%			
Low-Mod Income CT	16%	10%	13%	16%	16%	12%			
Majority Non-White CT	9%	6%	8%	11%	10%	5%			

Prepared by Empire Justice Center, September 2020.

Table 3: M&T Bank Total Dollar Volume Mortgage Lending 2014-2018

Rochester, NY MSA

(Aggregate amount of 1st lien loans on owner-occupied, 1-4 family, site built units, \$000)

	2014	2015	2016	2017	2018	2017-2018		2014-2018	
						# change	% change	# change	% change
MSA	\$80,204	\$71,367	\$60,217	\$60,020	\$96,230	\$36,210	60%	\$16,026	20%
City	\$10,900	\$6,181	\$7,615	\$6,762	\$13,240	\$6,478	96%	\$2,340	21%
Black/Latino HH	\$8,863	\$5,800	\$5,462	\$7,177	\$7,465	\$288	4%	-\$1,398	-16%
Low-Mod Income HH	\$28,062	\$27,784	\$22,147	\$20,252	\$35,260	\$15,008	74%	\$7,198	26%
Low-Mod Income CT	\$7,899	\$4,583	\$4,775	\$5,696	\$10,785	\$5,089	89%	\$2,886	37%
Majority Non-White CT	\$4,374	\$2,150	\$2,539	\$3,198	\$6,720	\$3,522	110%	\$2,346	54%
						AFI			
% of lending in:	2014	2015	2016	2017	2018	2018			
City	14%	9%	13%	11%	14%	7%			
Black/Latino HH	11%	8%	9%	12%	8%	6%			
Low-Mod Income HH	35%	39%	37%	34%	37%	25%			
Low-Mod Income CT	10%	6%	8%	9%	11%	7%			
Majority Non-White CT	5%	3%	4%	5%	7%	3%			

Prepared by Empire Justice Center, September 2020

Table 4: M&T Bank Home Purchase Loans 2014-2018**Rochester, NY MSA**

(1st lien loans on owner-occupied, 1-4 family, site built units)

	2014	2015	2016	2017	2018	2017-2018		2014-2018	
						# change	% change	# change	% change
MSA	517	443	341	356	388	32	9%	-129	-25%
City	103	59	71	68	92	24	35%	-11	-11%
Black/Latino HH	93	57	46	66	72	6	9%	-21	-23%
Low-Mod Income HH	278	255	199	184	234	50	27%	-44	-16%
Low-Mod Income CT	97	50	58	66	90	24	36%	-7	-7%
Majority Non-White CT	59	29	35	46	55	9	20%	-4	-7%
						AFI			
% of loans in:	2014	2015	2016	2017	2018	2018			
City	20%	13%	21%	19%	24%	10%			
Black/Latino HH	18%	13%	13%	19%	19%	9%			
Low-Mod Income HH	54%	58%	58%	52%	60%	36%			
Low-Mod Income CT	19%	11%	17%	19%	23%	12%			
Majority Non-White CT	11%	7%	10%	13%	14%	5%			

Prepared by Empire Justice Center, September 2020

Table 5: Top 8 Banks Total Mortgage Originations 2018

Rochester, NY MSA

(1st lien loans on owner-occupied (principal and secondary), 1-4 family, site built units)

Annual HMDA data	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	17,449	277	1,137	718	326	299	580	492	782	4,611	12,838
City	1,676	20	98	103	87	24	42	5	132	511	1,165
Black/Latino HH	1,315	18	44	88	104	26	38	11	89	418	897
Low-Mod Income HH	6,493	87	363	358	220	104	235	159	402	1,928	4,565
Low-Mod Income CT	2,115	15	105	119	99	27	64	70	127	626	1,489
Majority Non-White CT	915	9	38	74	63	14	22	1	80	301	614
MARKETSHARE											
		BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA		2%	7%	4%	2%	2%	3%	3%	4%	26%	74%
City		1%	6%	6%	5%	1%	3%	0%	8%	30%	70%
Black/Latino HH		1%	3%	7%	8%	2%	3%	1%	7%	32%	68%
Low-Mod Income HH		1%	6%	6%	3%	2%	4%	2%	6%	30%	70%
Low-Mod Income CT		1%	5%	6%	5%	1%	3%	3%	6%	30%	70%
Majority Non-White CT		1%	4%	8%	7%	2%	2%	0%	9%	33%	67%
Loans as %											
of MSA TOTAL IN:	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
City	10%	7%	9%	14%	27%	8%	7%	1%	17%	11%	9%
Black/Latino HH	8%	6%	4%	12%	32%	9%	7%	2%	11%	9%	7%
Low-Mod Income HH	37%	31%	32%	50%	67%	35%	41%	32%	51%	42%	36%
Low-Mod Income CT	12%	5%	9%	17%	30%	9%	11%	14%	16%	14%	12%
Majority Non-White CT	5%	3%	3%	10%	19%	5%	4%	0%	10%	7%	5%

Source: FFIEC Home Mortgage Disclosure Act (HMDA) 2018 Snapshot National Loan-Level Dataset, as of 8/7/2019, at: <https://ffiec.cfpb.gov/data-publication/snapshot-national-loan-level-dataset/2018>.

Prepared by: Empire Justice Center

Table 6: Top 8 Banks Dollar Amount HMDA Lending 2018

Rochester, NY MSA

Aggregate Amount of Loans (000's) (1st lien loans on owner-occupied (principal and secondary), 1-4 family, site built units)

Annual HMDA data	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	2,480,305	50,855	201,945	88,200	35,310	40,695	70,830	84,280	96,230	\$668,345	\$1,811,960
City	166,430	2,180	12,670	8,195	7,225	2,130	3,570	585	13,240	\$49,795	\$116,635
Black/Latino HH	140,245	1,920	5,520	7,720	9,250	2,500	4,290	1,855	7,465	\$40,520	\$99,725
Low-Mod Income HH	631,205	8,075	39,045	33,000	19,050	9,520	19,485	15,565	35,260	\$179,000	\$452,205
Low-Mod Income CT	185,755	1,295	13,735	8,685	7,835	2,205	5,390	7,090	10,785	\$57,020	\$128,735
Majority Non-White CT	68,295	645	3,710	4,890	4,625	1,050	1,660	75	6,720	\$23,375	\$44,920
MARKETSHARE											
		BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA		2%	8%	4%	1%	2%	3%	3%	4%	27%	73%
City		1%	8%	5%	4%	1%	2%	0%	8%	30%	70%
Black/Latino HH		1%	4%	6%	7%	2%	3%	1%	5%	29%	71%
Low-Mod Income HH		1%	6%	5%	3%	2%	3%	2%	6%	28%	72%
Low-Mod Income CT		1%	7%	5%	4%	1%	3%	4%	6%	31%	69%
Majority Non-White CT		1%	5%	7%	7%	2%	2%	0%	10%	34%	66%
Loans as %											
of MSA TOTAL IN:	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
City	7%	4%	6%	9%	20%	5%	5%	1%	14%	7%	6%
Black/Latino HH	6%	4%	3%	9%	26%	6%	6%	2%	8%	6%	6%
Low-Mod Income HH	25%	16%	19%	37%	54%	23%	28%	18%	37%	27%	25%
Low-Mod Income CT	7%	3%	7%	10%	22%	5%	8%	8%	11%	9%	7%
Majority Non-White CT	3%	1%	2%	6%	13%	3%	2%	0%	7%	3%	2%

Source: FFIEC Home Mortgage Disclosure Act (HMDA) 2018 Snapshot National Loan-Level Dataset, as of 8/7/2019, at: <https://ffiec.cfbp.gov/data-publication/snapshot-national-loan-level-dataset/2018>.

Prepared by: Empire Justice Center, 585-454-4060

Table 7: Top 8 Banks Home Purchase Originations 2018

Rochester, NY MSA

(1st lien home purchase loans on owner-occupied (principal and secondary), 1-4 family, site built units)

Annual HMDA data	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	10,798	140	833	189	222	129	133	340	388	2,374	8,424
City	1,077	9	72	38	85	12	12	3	92	323	754
Black/Latino HH	930	15	37	46	103	12	8	9	72	302	628
Low-Mod Income HH	3,921	35	270	91	169	47	57	111	234	1,014	2,907
Low-Mod Income CT	1,318	9	75	47	93	19	17	37	90	387	931
Majority Non-White CT	558	5	25	33	62	10	9	1	55	200	358

MARKETSHARE

	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	1%	8%	2%	2%	1%	1%	3%	4%	22%	78%
City	1%	7%	4%	8%	1%	1%	0%	9%	30%	70%
Black/Latino HH	2%	4%	5%	11%	1%	1%	1%	8%	32%	68%
Low-Mod Income HH	1%	7%	2%	4%	1%	1%	3%	6%	26%	74%
Low-Mod Income CT	1%	6%	4%	7%	1%	1%	3%	7%	29%	71%
Majority Non-White CT	1%	4%	6%	11%	2%	2%	0%	10%	36%	64%

Loans as %

of MSA TOTAL IN:	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
City	10%	6%	9%	20%	38%	9%	9%	1%	24%	14%	9%
Black/Latino HH	9%	11%	4%	24%	46%	9%	6%	3%	19%	13%	7%
Low-Mod Income HH	36%	25%	32%	48%	76%	36%	43%	33%	60%	43%	35%
Low-Mod Income CT	12%	6%	9%	25%	42%	15%	13%	11%	23%	16%	11%
Majority Non-White CT	5%	4%	3%	17%	28%	8%	7%	0%	14%	8%	4%

Source: FFIEC Home Mortgage Disclosure Act (HMDA) 2018 Snapshot National Loan-Level Dataset, as of 8/7/2019, at: <https://ffiec.cfbp.gov/data-publication/snapshot-national-loan-level-dataset/2018>.

Prepared by: Empire Justice Center, 585-454-4060

Table 8: M&T Bank Small Business Lending 2014-2018

Rochester NY MSA (Inside and Outside Assessment Area)

Number of Loans						2017-2018	2017-2018	2014-2018	2014-2018
	2014	2015	2016	2017	2018	# change	% change	# change	% change
Number of Loans Ranking		9	9	9	7				
Rochester MSA Total	910	842	853	695	903	208	30%	-7	-1%
Rochester MSA in LMI CT	166	171	179	137	164	27	20%	-2	-1%
Loan Amt <= \$100,000		394	414	340	567	227	67%	173	44%
Loan Amt <= \$100,000 in LMI CT		73	90	67	101	34	51%	28	38%
Bus. w. GAR < \$1 M	334	384	441	337	473	136	40%	139	42%
Bus. w. GAR < \$1 M in LMI CT	52	67	87	60	79	19	32%	27	52%
						AFI			
% of Rochester MSA Loans In:	2014	2015	2016	2017	2018	2018			
Rochester MSA in LMI CT	18%	20%	21%	20%	18%	19.1%			
Loan Amt <= \$100,000		47%	49%	49%	63%	92.3%			
Loan Amt <= \$100,000 in LMI CT		9%	11%	10%	11%	17.7%			
Bus. w. GAR < \$1 M	37%	46%	52%	48%	52%	46.0%			
Bus. w. GAR < \$1 M in LMI CT	6%	8%	10%	9%	9%	7.9%			
Aggregate Amount of Loans (Millions of Dollars)						2017-2018	2017-2018	2014-2018	2014-2018
	2014	2015	2016	2017	2018	# change	% change	# change	% change
Dollar Volume of Lending Ranking		1	1	1	1				
Rochester MSA Total	\$229.00	\$212.88	\$206.27	\$153.92	\$154.28	\$.36	0%	-\$74.72	-33%
<i>Avg Loan Size (in thousands)</i>	\$251.65	\$252.82	\$241.82	\$221.46	\$170.85	-\$20.35	-8%	-\$80.80	-32%
Rochester MSA in LMI CT	\$50.48	\$48.84	\$41.44	\$31.87	\$29.90	-\$1.97	-6%	-\$20.58	-41%
Loan Amt <= \$100,000		\$17.53	\$15.88	\$15.42	\$17.90	-\$1.65	-9%	\$.37	2%
Loan Amt <= \$100,000 in LMI CT		\$3.16	\$3.79	\$3.14	\$3.65	\$.63	20%	\$.50	16%
Bus. w. GAR < \$1 M	\$38.88	\$50.09	\$56.98	\$41.12	\$39.04	-\$2.08	-5%	\$.15	0%
Bus. w. GAR < \$1 M in LMI CT	\$6.35	\$7.35	\$8.29	\$6.08	\$7.99	\$1.90	31%	\$1.64	26%
						AFI			
% of Rochester MSA Loans In:	2014	2015	2016	2017	2018	2018			
Rochester MSA in LMI CT	22%	23%	20%	21%	19%	18.6%			
Loan Amt <= \$100,000		8%	8%	10%	12%	32.4%			
Loan Amt <= \$100,000 in LMI CT		1%	2%	2%	2%	6.1%			
Bus. w. GAR < \$1 M	17%	24%	28%	27%	25%	31.1%			
Bus. w. GAR < \$1 M in LMI CT	3%	3%	4%	4%	5%	5.4%			

Notes: Changes for loan amt<=\$100,00 are for 2015-2018.

Prepared by Empire Justice Center, September 2020

Table 8a: Top 8 Banks Small Business Administration (SBA) Lending Through the Rochester Branch Office, NY 2014-2018

(All 7(a) Loan Programs, Fiscal Year Ending September 2014-2018)

Total 7(a) Loans

	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank*	Lyons NB	M&T	Top 8	OFI
2014	313	0	29	12	47	3	6	26	89	212	101
2015	404	0	22	39	79	1	3	19	89	252	152
2016	541	0	26	68	117	1	9	26	140	387	154
2017	447	1	28	38	62	1	14	24	85	253	194
2018	456	1	32	8	68	3	12	50	71	245	211

Marketshare

	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
2014	0.0%	9.3%	3.8%	15.0%	1.0%	1.9%	8.3%	28.4%	68%	32%
2015	0.0%	5.4%	9.7%	19.6%	0.2%	0.7%	4.7%	22.0%	62%	38%
2016	0.0%	4.8%	12.6%	21.6%	0.2%	1.7%	4.8%	25.9%	72%	28%
2017	0.2%	6.3%	8.5%	13.9%	0.2%	3.1%	5.4%	19.0%	57%	43%
2018	0.2%	7.0%	1.8%	14.9%	0.7%	2.6%	11.0%	15.6%	53.7%	46.3%

Total Amount of 7(a) Loans (Thousands of Dollars)

	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
2014	\$53,182.60	\$0.0	\$4,053.8	\$1,001.0	\$2,057.4	\$450.5	\$4,015.0	\$6,877.0	\$11,158.0	\$29,612.7	\$ 23,569.9
2015	\$73,366.80	\$0.0	\$4,409.8	\$5,328.7	\$6,514.1	\$297.5	\$660.0	\$7,487.7	\$8,756.7	\$33,454.5	\$ 39,912.3
2016	\$77,106.70	\$0.0	\$3,539.9	\$6,553.1	\$8,210.5	\$200.0	\$2,351.9	\$9,395.1	\$11,291.4	\$41,541.9	\$ 35,564.8
2017	\$59,855.40	\$150.0	\$4,149.9	\$4,001.4	\$5,863.6	\$50.0	\$2,236.0	\$3,913.2	\$9,325.6	\$29,689.7	\$ 30,165.7
2018	\$75,168.00	\$60.0	\$5,766.4	\$514.8	\$4,981.9	\$102.0	\$5,868.0	\$9,380.0	\$10,434.3	\$37,107.4	\$ 38,060.6

Rank Among All SBA Lenders**

	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T
2014	-	4	12	10	17	5	2	1
2015	-	7	6	5	21	16	4	2
2016	-	9	5	3	20	11	2	1
2017	23	6	7	4	27	9	8	1
2018	29	6	15	7	24	5	3	2

Marketshare

	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
2014	0.0%	7.6%	1.9%	3.9%	0.8%	7.5%	12.9%	21.0%	56%	44%
2015	0.0%	6.0%	7.3%	8.9%	0.4%	0.9%	10.2%	11.9%	46%	54%
2016	0.0%	4.6%	8.5%	10.6%	0.3%	3.1%	12.2%	14.6%	54%	46%
2017	0.3%	6.9%	6.7%	9.8%	0.1%	3.7%	6.5%	15.6%	50%	50%
2018	0.1%	7.7%	0.7%	6.6%	0.1%	7.8%	12.5%	13.9%	49.4%	50.6%

Notes: Tables provided by M&T Bank

* KeyBank merged with First Niagara in Q3 2016. Numbers are always only those reported under KeyBank.

** Ranking by total dollar amount among ALL SBA 7(a) loan program lenders.

Counties served by the Rochester Branch Office are: Monroe, Ontario, Seneca, Yates and Livingston. AFI: All SBA Lenders; OFI: Other SBA Lenders.

Prepared by: Empire Justice Center, 09/2020

Table 9: Top 8 Banks Small Business Lending, 2018
Top 8 Depositories, Rochester, NY MSA

Number of Loans												
	AFI	BOA	CNB	Citizens	Cmty Bk	Five Star	JPMC	KeyBank	M&T	Top 7	Top 8	OFI
Number of Loans Ranking		6	4	13	25	14	2	10	7			
Rochester MSA Total	17,900	960	1,417	315	85	252	3,072	688	903	7,607	7,692	10,208
Rochester MSA in LMI CT	3,419	186	284	58	21	36	453	180	164	1,361	1,382	2,037
Loan Amt <= \$100,000	16,518	916	1,222	300	61	138	3,046	587	567	6,776	6,837	9,681
Loan Amt <= \$100,000 in LMI CT	3,162	176	243	57	16	21	449	147	101	1,194	1,210	1,952
Bus. w. GAR < \$1 M	8,232	450	734	275	52	143	939	443	473	3,457	3,509	4,723
Bus. w. GAR < \$1 M in LMI CT	1,417	87	144	52	15	15	127	110	79	614	629	788
Marketshare												
		BOA	CNB	Citizens	Cmty Bk	Five Star	JPMC	KeyBank	M&T	Top 7	Top 8	OFI
Rochester MSA Total		5.4%	7.9%	1.8%	0.5%	1.4%	17.2%	3.8%	5.0%	42.5%	43.0%	57.0%
Rochester MSA in LMI CT		5.4%	8.3%	1.7%	0.6%	1.1%	13.2%	5.3%	4.8%	39.8%	40.4%	59.6%
Loan Amt <= \$100,000		5.5%	7.4%	1.8%	0.4%	0.8%	18.4%	3.6%	3.4%	41.0%	41.4%	58.6%
Loan Amt <= \$100,000 in LMI CT		5.6%	7.7%	1.8%	0.5%	0.7%	14.2%	4.6%	3.2%	37.8%	38.3%	61.7%
Bus. w. GAR < \$1 M		5.5%	8.9%	3.3%	0.6%	1.7%	11.4%	5.4%	5.7%	42.0%	42.6%	57.4%
Bus. w. GAR < \$1 M in LMI CT		6.1%	10.2%	3.7%	1.1%	1.1%	9.0%	7.8%	5.6%	43.3%	44.4%	55.6%
Percentage of Rochester MSA Loans In:												
	AFI	BOA	CNB	Citizens	Cmty Bk	Five Star	JPMC	KeyBank	M&T	Top 7	Top 8	OFI
Rochester MSA in LMI CT	19.1%	19.4%	20.0%	18.4%	24.7%	14.3%	14.7%	26.2%	18.2%	17.9%	18.0%	20.0%
Loan Amt <= \$100,000	92.3%	95.4%	86.2%	95.2%	71.8%	54.8%	99.2%	85.3%	62.8%	89.1%	88.9%	94.8%
Loan Amt <= \$100,000 in LMI CT	17.7%	18.3%	17.1%	18.1%	18.8%	8.3%	14.6%	21.4%	11.2%	15.7%	15.7%	19.1%
Bus. w. GAR < \$1 M	46.0%	46.9%	51.8%	87.3%	61.2%	56.7%	30.6%	64.4%	52.4%	45.4%	45.6%	46.3%
Bus. w. GAR < \$1 M in LMI CT	7.9%	9.1%	10.2%	16.5%	17.6%	6.0%	4.1%	16.0%	8.7%	8.1%	8.2%	7.7%
Total Amount of Loans (Millions of Dollars)												
	AFI	BOA	CNB	Citizens	Cmty Bk	Five Star	JPMC	KeyBank	M&T	Top 7	Top 8	OFI
Dollar Volume of Lending Ranking		8	2	17	16	3	6	4	1			
Rochester MSA Total	\$750.75	\$30.55	\$109.69	\$11.86	\$12.40	\$54.08	\$43.69	\$51.18	\$154.28	\$455.33	\$467.73	\$283.02
<i>Avg Loan Size (in thousands)</i>	\$41.94	\$31.82	\$77.41	\$37.66	\$145.92	\$214.62	\$14.22	\$74.38	\$170.85	\$59.86	\$60.81	\$27.73
Rochester MSA in LMI CT	\$139.85	\$6.81	\$22.01	\$1.79	\$2.88	\$8.05	\$7.64	\$16.98	\$29.90	\$93.18	\$96.06	\$43.80
Loan Amt <= \$100,000	\$243.47	\$13.98	\$38.48	\$6.56	\$2.26	\$4.82	\$32.19	\$15.66	\$17.90	\$129.59	\$131.85	\$111.62
Loan Amt <= \$100,000 in LMI CT	\$45.59	\$2.60	\$7.69	\$1.64	\$0.45	\$0.88	\$5.33	\$4.12	\$3.65	\$25.91	\$26.36	\$19.23
Bus. w. GAR < \$1 M	\$233.15	\$7.52	\$39.08	\$6.27	\$5.24	\$13.91	\$14.34	\$19.51	\$39.04	\$139.66	\$144.90	\$88.26
Bus. w. GAR < \$1 M in LMI CT	\$40.33	\$1.11	\$7.39	\$1.37	\$0.40	\$1.83	\$2.11	\$5.60	\$7.99	\$27.39	\$27.79	\$12.54
Marketshare												
		BOA	CNB	Citizens	Cmty Bk	Five Star	JPMC	KeyBank	M&T	Top 7	Top 8	OFI
Rochester MSA Total		4.1%	14.6%	1.6%	1.7%	7.2%	5.8%	6.8%	20.5%	60.6%	62.3%	37.7%
Rochester MSA in LMI CT		4.9%	15.7%	1.3%	2.1%	5.8%	5.5%	12.1%	21.4%	66.6%	68.7%	31.3%
Loan Amt <= \$100,000		5.7%	15.8%	2.7%	0.9%	2.0%	13.2%	6.4%	7.4%	53.2%	54.2%	45.8%
Loan Amt <= \$100,000 in LMI CT		5.7%	16.9%	3.6%	1.0%	1.9%	11.7%	9.0%	8.0%	56.8%	57.8%	42.2%
Bus. w. GAR < \$1 M		3.2%	16.8%	2.7%	2.2%	6.0%	6.1%	8.4%	16.7%	59.9%	62.1%	37.9%
Bus. w. GAR < \$1 M in LMI CT		2.7%	18.3%	3.4%	1.0%	4.5%	5.2%	13.9%	19.8%	67.9%	68.9%	31.1%
Percentage of Rochester MSA Loans In:												
	AFI	BOA	CNB	Citizens	Cmty Bk	Five Star	JPMC	KeyBank	M&T	Top 7	Top 8	OFI
Rochester MSA in LMI CT	18.6%	22.3%	20.1%	15.1%	23.2%	14.9%	17.5%	33.2%	19.4%	20.5%	20.5%	15.5%
Loan Amt <= \$100,000	32.4%	45.8%	35.1%	55.3%	18.2%	8.9%	73.7%	30.6%	11.6%	28.5%	28.2%	39.4%
Loan Amt <= \$100,000 in LMI CT	6.1%	8.5%	7.0%	13.8%	3.6%	1.6%	12.2%	8.1%	2.4%	5.7%	5.6%	6.8%
Bus. w. GAR < \$1 M	31.1%	24.6%	35.6%	52.9%	42.3%	25.7%	32.8%	38.1%	25.3%	30.7%	31.0%	31.2%
Bus. w. GAR < \$1 M in LMI CT	5.4%	3.6%	6.7%	11.5%	3.2%	3.4%	4.8%	11.0%	5.2%	6.0%	5.9%	4.4%
Notes: JPMC includes Chase Bank USA, NA and JPMorgan Chase Bank, NA. Lyons NB reported no loans, so included the next largest bank--Community Bank (Cmty Bk). Loans/Lending Ranking is ranking among all lenders reporting CRA small business lending data. AFI: All Financial Institutions OFI: Other Financial Institutions												
Prepared by: Empire Justice Center, 585-454-4060												

Table 10

Table 10a: M&T Bank Community Development Lending, Investments and Grants and CRA Eligible Mortgage and Small Eligible Mortgage and Small Business Lending			Table 10b: M&T Bank Community Development Lending, Investments and Grants and CRA Eligible Mortgage and Eligible Mortgage and Small Business Lending		
Rochester MSA			Rochester MSA		
(in thousands)			(units)		
2020 Exam Period (2014-2019)			2020 Exam Period (2014-2019)		
	City of Rochester	Total		City of Rochester	Total
Community Development Loans	\$224,035	\$277,515	Community Development Loans	63	74
Community Development Investments	\$110,313	\$119,551	Community Development Investments	7	8
CRA-Eligible Grants	\$2,500	\$7,707	CRA-Eligible Grants	267	919
Subtotal	\$336,848	\$404,773	Subtotal	337	1001
Mortgage Lending*	\$131,240	\$259,803	Mortgage Lending*	720	2598
Small Business Lending**	n/a	\$392,583	Small Business Lending**	n/a	2441
Total	\$468,088	\$1,057,159	Total	1057	6040
Note: * Includes all HMDA mortgage originations to low-moderate income households and/or in low-moderate census tracts (unduplicated)			Note: * Includes all HMDA mortgage originations to low-moderate income households and/or in low-moderate census tracts (unduplicated)		
** Includes CRA Small business loans in low-moderate income census tracts and to businesses with gross annual revenues under \$1 million (unduplicated). Data not available for loans in city.			** Includes CRA Small business loans in low-moderate income census tracts and to businesses with gross annual revenues under \$1 million (unduplicated). Data not available for loans in city.		
The loan period is 2014 through 2018 for HMDA and Small Business Reportable Loans. CD Loans, Qualified Investments and CRA Grants are from Sept 1, 2014 through December 31, 2019.			CD numbers provided by M&T Bank; mortgage lending and small business lending numbers calculated by Empire Justice.		
Numbers, except for mortgage and small business lending, provided by M&T Bank.					

Table 10c: M&T Deposits Versus CRA-Related Reinvestments in the Rochester NY Community					
	Deposits (thousands)	Total Reinvestments (thousands)	Annualized Reinvestments (thousands)	% Deposits Reinvested	
				Entire Exam Period	Annualized
2020 Exam Period (2014-2018/2019, 5 yrs)	\$3,760,039	\$1,057,159	\$211,432	28.12%	5.62%
2010 Exam Period (2008-2009, 2 yrs)	\$2,488,247	\$450,293	\$225,147	18.10%	9.05%
2008 Exam Period (2006-2007, 2 yrs)	\$2,236,222	\$473,570	\$236,785	21.18%	10.59%
2008-2020 Change (#)	\$1,523,817	\$583,589	-\$25,353	6.94%	-4.97%
2008-2020 Change (%)	68%	123%	-11%	32.76%	-46.89%
Prepared by Empire Justice Center, September 2020					

Appendix B: Letter to M&T Bank re: Forbearances

Sent via email on September 10, 2020

Dear Beverly

Thanks for making time to talk yesterday.

As you know Empire Justice Center represents homeowners in foreclosure. The clients contact one of the local housing counseling agencies, and when appropriate the case is referred to Empire Justice Center for legal representation. Kevin Purcell Esq. is the supervising attorney of the Foreclosure Prevention Project and works closely with the Rochester courts to make sure that homeowners know their right.

We know that federally-backed loans (Fannie Mae, Freddie Mac, HUD, etc.) have rules regarding forbearance. We would like to know about M&T's current policy for forbearance of portfolio loans. What are you seeing and how is M&T handling those forbearance requests?

Fannie Mae's National housing survey found that homeowners with incomes under \$50,000, Black and Brown Homeowners and LEP homeowners are less aware of this option. Senator Brown's press release below links to this information.

<https://www.brown.senate.gov/newsroom/press/release/brown-warren-van-hollen-menendez-and-reed-probe-cfpbs-failure-to-alert-borrowers-to-mortgage-relief-options-during-pandemic>

LEP homeowners face additional challenges. M and T has a Spanish speaking loan officer, so we assume that many of your LEP customers may have mortgages. What steps are you taking to reach out to homeowners, including LEP homeowners? What emails are sent in Spanish or other language. Are there bank staff who work on loan modification who speak Spanish. What happens to LEP borrowers who speak the other languages in upstate New York.

Marlene Cortes is the founder of the Monroe County Language Access Coalition. Luis Ormaechea Esq. and Marlene work on language Access issues both at the Federal and local level. Luis also represents homeowners in foreclosure. Based on Marlene and Luis's work we recommend that Limited-English-proficient borrowers who need help understanding their options or who want help communicating with their mortgage company should be advised to contact a housing counseling agency approved by HUD. (Certified housing counselors at these agencies offer services at no cost. Borrowers can find a HUD-approved counseling agency with counselors who speak their language. at: <https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>.)

I know that a lot of this information may be available online, but as you know that not everyone is able to access information online. Covid places additional challenges to using the internet in public spaces. Can homeowners come to a branch to get this same information? What languages is this information available in, either in posters or handouts. Is there social media in English, Spanish and other languages to share this information. Are homeowners being made aware that coming into a branch is an option? Any information you can provide regarding how homeowners are being made aware of these options would be greatly appreciated.

If possible, we would like to receive this information in advance of the September 22nd meeting so that we can have a meaningful dialogue on that day. One or more of our foreclosure attorneys will join the meeting. We also hope to have representatives from the local housing counseling agencies. Since this maybe a longer conversation we can add 30 minutes on September 22nd to discuss this. While zoom will not be available for the last 30 minutes. we can just do a conference call.

Thanks' so much for our conversation yesterday. It has been an honor to work with you over the decades. Rochester is very luck to have someone with a deep and sacred connection to the Black and Brown community. Someone who is able to elevate the voices of the unheard to the highest reaches of M and T Bank.

In gratitude,

Ruhi Maker. Esq.

Top 8 Banks Total Mortgage Originations 2019

Rochester, NY MSA

(1st lien loans on owner-occupied (principal and secondary), 1-4 family, site built units)

Annual HMDA data	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	18,667	294	1,246	705	378	360	517	580	789	4,869	13,798
City	1,777	55	94	97	130	32	39	4	99	550	1,227
Black/Latino HH	1,786	78	70	72	148	48	32	16	95	559	1,227
Low-Mod Income HH	7,228	134	400	364	267	120	183	183	359	2,010	5,218
Low-Mod Income CT	2,293	60	97	115	140	42	61	69	121	705	1,588
Majority Non-White CT	1,017	40	35	72	102	13	22	0	68	352	665

MARKETSHARE

	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	2%	7%	4%	2%	2%	3%	3%	4%	26%	74%
City	3%	5%	5%	7%	2%	2%	0%	6%	31%	69%
Black/Latino HH	4%	4%	4%	8%	3%	2%	1%	5%	31%	69%
Low-Mod Income HH	2%	6%	5%	4%	2%	3%	3%	5%	28%	72%
Low-Mod Income CT	3%	4%	5%	6%	2%	3%	3%	5%	31%	69%
Majority Non-White CT	4%	3%	7%	10%	1%	2%	0%	7%	35%	65%

Loans as %

of MSA TOTAL IN:	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
City	10%	19%	8%	14%	34%	9%	8%	1%	13%	11%	9%
Black/Latino HH	10%	27%	6%	10%	39%	13%	6%	3%	12%	11%	9%
Low-Mod Income HH	39%	46%	32%	52%	71%	33%	35%	32%	46%	41%	38%
Low-Mod Income CT	12%	20%	8%	16%	37%	12%	12%	12%	15%	14%	12%
Majority Non-White CT	5%	14%	3%	10%	27%	4%	4%	0%	9%	7%	5%

Source: FFIEC Home Mortgage Disclosure Act (HMDA) 2019 Snapshot National Loan-Level Dataset, as of 6/13/2020, at: <https://ffiec.cfpb.gov/data-publication/snapshot-national-loan-level-dataset/2019>.

Prepared by: Empire Justice Center, 585-454-4060

Top 8 Banks Home Purchase Originations 2019

Rochester, NY MSA

(1st lien home purchase loans on owner-occupied (principal and secondary), 1-4 family, site built units)

Annual HMDA data	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA	11,126	170	794	128	286	175	146	394	400	2,493	8,633
City	1,182	42	66	27	128	21	8	4	72	368	814
Black/Latino HH	1,285	70	56	24	145	30	9	11	75	420	865
Low-Mod Income HH	4,491	84	281	64	232	59	46	124	221	1,111	3,380
Low-Mod Income CT	1,504	51	71	37	129	25	14	44	88	459	1,045
Majority Non-White CT	684	37	24	21	102	10	4	0	53	251	433
MARKETSHARE											
		BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
MSA		2%	7%	1%	3%	2%	1%	4%	4%	22%	78%
City		4%	6%	2%	11%	2%	1%	0%	6%	31%	69%
Black/Latino HH		5%	4%	2%	11%	2%	1%	1%	6%	33%	67%
Low-Mod Income HH		2%	6%	1%	5%	1%	1%	3%	5%	25%	75%
Low-Mod Income CT		3%	5%	2%	9%	2%	1%	3%	6%	31%	69%
Majority Non-White CT		5%	4%	3%	15%	1%	1%	0%	8%	37%	63%
Loans as %											
of MSA TOTAL IN:	AFI	BOA	CNB	Citizens	Five Star	JPMC	KeyBank	Lyons NB	M&T	Top 8	OFI
City	11%	25%	8%	21%	45%	12%	5%	1%	18%	15%	9%
Black/Latino HH	12%	41%	7%	19%	51%	17%	6%	3%	19%	17%	10%
Low-Mod Income HH	40%	49%	35%	50%	81%	34%	32%	31%	55%	45%	39%
Low-Mod Income CT	14%	30%	9%	29%	45%	14%	10%	11%	22%	18%	12%
Majority Non-White CT	6%	22%	3%	16%	36%	6%	3%	0%	13%	10%	5%

Source: FFIEC Home Mortgage Disclosure Act (HMDA) 2019 Snapshot National Loan-Level Dataset, as of 6/13/2020, at: <https://ffiec.cfpb.gov/data-publication/snapshot-national-loan-level-dataset/2019>.

Prepared by: Empire Justice Center, 585-454-4060



Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Office of the General Counsel
New York State Department of Financial
Services
One State Street, New York, NY 10004-
1417
Email: comments@dfs.ny.gov

April 20, 2021

Subject: M&T Bank merger with People's United

HOCN is a not-for-profit Community Development Corporation created to stabilize Buffalo's core communities through redevelopment, preservation, and affordable housing development. For the sixth year in a row, HOCN has partnered with the City of Buffalo and City of Buffalo Urban Renewal Agency to provide assistance to homeowners in your community. HOCN is able to assist homeowners in the West Side, Upper West Side, Lower West Side, Elmwood-Bidwell, Elmwood-Bryant, Allentown and Central Planning Neighborhoods with applications.

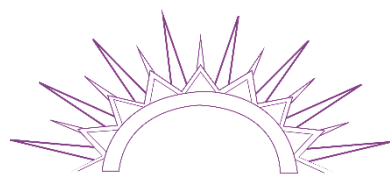
M&T Bank's has contributed a generous amount throughout the years to ensure that our community outreach initiatives continue to empower HOCN into boosting outreach efforts and engaging residents in the West Side, Upper West Side, Lower West Side, Elmwood-Bidwell, Elmwood-Bryant, Allentown and Central Planning Neighborhoods. These smaller efforts weave together HOCN's more prominent projects; they have a large impact on the reputation of HOCN in the neighborhood, and do a great deal to boost the community's overall pride. HOCN and M&T Bank worked together in 2018 in Volunteer-led community event to clean up Lasalle Park. We accomplished our goal of working in groups and moving our way up and down the park and picking up debris, etc.) We had a total of over 30 devoted volunteers from M&T Bank in helping HOCN clean the neighborhood Park.

HOCN is incredibly excited about the partnership and in support with M&T Bank and People United working together, we know personally that they are in good hands.

HOCN is incredibly excited about the partnership and in support with M&T Bank and People United working together we know personally that they are in good hands. We look forward to the upcoming years and hopefully working together again. Please do not hesitate to contact our office by phone at (716) 882-7661.

Sincerely,

Stephanie Simeon
Executive Director



LIGA DE MUJERES HISPANAS
Hispanic Women's League Inc.

Hispanic Women's League

P.O. BOX 874 Buffalo, NY 14201

E-mail: contact@hispanicwomensleague.org • Website: www.hispanicwomensleague.org

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Natalia Land
President

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Maggie Orta
Amérida Ortíz-Weinmann
Charlie Rodríguez

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Lucy A. Candelario
Susana González
Ellen Sullivan-García

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

April 22, 2021

Subject: M&T Bank merger with People's United

Dear Mr. Hurwitz:

The Hispanic Women's League is a nonprofit, community-based organization founded in the city of Buffalo and a staple within the Latino community for the past 42 years. The mission of the Hispanic Women's League is to improve the quality of life, assist in personal and professional development, and advocate for the concerns of the Hispanic/Latina woman. The primary commitment of the Hispanic Women's League is to provide scholarships to women of Hispanic/Latinx descent for the attainment of higher education. Also, the League performs and participates in numerous community services, fundraising efforts, and makes contributions specifically geared to address the unique concerns of the Hispanic/Latina woman and the Latino community. We empower, advocate, mentor, and support the Latina woman and all women in our community.

HWL has a financial relationship with M&T that goes back many years. For one we have trusted M&T with our financials for the last 40+ years. HWL has relied on its professionals to maintain our checking and saving accounts. M&T staff has provided us with personal assistance during times of transition of new treasurer by ensuring our records were updated and all the necessary paperwork was in place. Additionally, M&T has been a strong supporter of our scholarship initiative in the past by purchasing ads for our program and by donating towards a scholarship. Most recently, we have partnered with HOLA to conduct four financial literacy series sessions facilitated by Marisa Monroy. Our members can leverage the tools offered during the sessions and apply them to their everyday life to make smarter financial decisions.

Personally, having been President of the Hispanic Women's league for the last two and half years continue to be happy to maintain the relationship with M&T Bank. I have been part of HWL for the last twelve years and I was, at one point, the Treasurer. I can attest to the fact that M&T has always been there for us for support and guidance.

As President, I want to express my support of M&T Bank's impending merger with People's United Financial. Inc.

If there are any questions about our support, I can be reached at 716-445-4118, or via email at contact@hispanicwomensleague.org

Sincerely,

Natalia Land, Hispanic Women's League President

April 15, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Office of the General Counsel
New York State Department of Financial Services
One State Street
New York, NY 10004-1417

Subject: ***Support of M&T Bank merger with People's United Bank***

Dear Mr. Hurwitz:

I am writing to comment on our organization's positive and long-term experience with People's United Bank to support the proposed merger between M&T Bank and People's United Bank,

National Equity Fund (NEF) is a non-profit organization founded in 1987 to raise and deploy capital from private investors primarily using the low-income housing tax credit (LIHTC). Our investments total more than \$18 billion in 2,867 LIHTC developments, which has created 195,347 affordable homes for low-income families and individuals throughout the United States. Many of our investors are banks, and we have enjoyed a strong relationship with Peoples United Bank, who is committed to investing in the communities in which it works. Peoples United Bank has invested over \$24 million with NEF since 2014. In addition to the volume of investment, Peoples United Bank takes a proactive and thoughtful approach to their deal selection and underwriting to ensure that the properties and residents thrive.

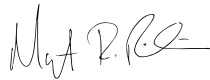
For more than 178 years, People's United has focused on the fundamental principles of providing expertise to its customers, partnering with communities, and valuing the

contributions of its employees. NEF has been very fortunate to be a recipient of the bank's investment.

NEF is supportive of the proposed merger with M&T Bank and we are confident the newly formed organization will continue Peoples United Bank's commitment to the communities it serves. M&T and People's United Bank's common legacies and complementary footprints will strengthen their ability to serve their customers and our communities. I believe that combining two organizations with a well-established commitment to its communities, including strong support for volunteerism and charitable giving, will provide long term value to our organization and an exciting opportunity for our communities.

I hope this information is useful. Please do not hesitate to contact me should more information be needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Reilein".

Matt Reilein
President and CEO



PARTNERSHIP
FOR THE
PUBLIC GOOD

April 27, 2021

Ivan J. Hurwitz
Senior Vice President
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Comments.applications@ny.frb.org

Office of the Comptroller of the Currency
340 Madison Avenue
New York, NY 10173-0002

RE: M&T Bank Corporation, Buffalo, New York; to acquire People's United Financial Inc., and thereby indirectly acquire People's United Bank National Association, both of Bridgeport, Connecticut.

To Whom It May Concern:

My name is Sarah Wooton and I am writing to formally submit a public comment regarding M&T Bank Corporation's acquisition of People's United Financial, Inc. On behalf of my community, I would like to express concerns about banking services and the impact M&T's acquisition of People's United will have in Buffalo, New York. I request the Federal Reserve and Office of the Comptroller of the Currency consider these concerns to ensure that M&T meets the needs of all residents in Buffalo, New York. For communities to flourish and for economic mobility to take place, it is important for our largest hometown bank to invest in our communities and respond to community needs.

Partnership for the Public Good (PPG) is a community-based think tank that builds a more just, sustainable, and culturally vibrant Buffalo Niagara through action-oriented research, policy development, and citizen engagement. We are a partner-based organization with over 300 partner groups, primarily in the Western New York area. Our partners often express concern about the history of redlining in our city and its long-lasting impacts of disinvestment and lack of access to resources for our most vulnerable populations.

As major players in the history of redlining and other discriminatory practices, we believe all banks, including M&T, should be doing more to benefit our low-income and especially vulnerable residents. We would like to see more access to physical branches in low-income


neighborhoods on the East Side of Buffalo, as there is limited access to physical banks currently. We would also like to see increased small business lending to low and moderate-income residents in Buffalo, especially residents of color. We often hear from our partners that they would like to see new businesses in disinvested neighborhoods. Providing more small business loans in LMI census tracts would help expand our local economy and would improve the quality of life in many of our formerly redlined neighborhoods.

M&T should also consider alternative methods of gauging credit worthiness, such as ability of applicants to make rent and car payments on-time. Oftentimes, due to poverty, low-income individuals go through difficult financial situations that negatively impact their credit. For example, we've heard many stories of family members unable to pay utility bills, who subsequently create a new utility account under their child's name. When, due to poverty, they are unable to pay the utility bills again, the child's credit suffers—before they even know what credit is. Years later, that person—now an adult—could be employed, dutifully paying their bills on time, and in a position to apply for a loan, yet they have not been able to rehabilitate their credit. In cases like these, M&T should have a policy in place to evaluate alternative forms of credit worthiness.

As a resident of Buffalo and as a PPG staff member, I am worried that M&T buying another regional bank will further stretch M&T's resources and lead to less banking services in Buffalo. I am concerned what it will mean for myself and others in my community that rely on M&T as the largest financial institution in Western New York. I would like to know what M&T plans to do in Buffalo and how it plans to use its expansion to improve its services here.

I believe that M&T owes its hometown residents assurances and commitments for how the merger will benefit Buffalo. I would like to see M&T enter into a local community benefits agreement to make sure that our voices are heard.

Sincerely,



Sarah Wooton
Community Researcher
Partnership for the Public Good



Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Email: comments.applications@ny.frb.org
Office of the General Counsel
New York State Department of Financial Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

April 15, 2021

Subject: M&T Bank merger with People's United

To Whom It May Concern:

I am writing as the Executive Director of Preservation Buffalo Niagara, the regional historic preservation non-profit serving the five counties of Western New York. I have been with the organization for over five years, during which time we have grown substantially in budget, staffing, and reach. Our mission is to identify, protect, and promote the unique architecture and historic legacy of western New York while connecting people to the places they love. We do this through a wide range of programming, including tours, lectures, workshops, technical assistance, and direct intervention in at-risk properties.

M&T has been a partner with PBN from our inception in 2009. Annually, M&T has supported our tour and workshop programs, allowing us to educate the public about our region's important architectural and historic contributions. In recent years, in addition to the educational programming that M&T has supported, they have also supported our efforts to transform a blighted rooming house – one of the oldest buildings in downtown Buffalo that was threatened with demolition – into affordable housing and office space. Their financial assistance led to us acquiring the building and we are currently working on the redevelopment plan. Their assistance has been invaluable to this effort.

We support M&T's merger with People's United because we know that they will continue to be a strong community partner to us and to many others.



Should you wish to get in touch with me, you can reach me at jfisher@pbnsaves.org or at (716) 852-3300.

Sincerely,

Jessie Fisher
Executive Director



April 12, 2021

via email:

Federal Reserve Bank of New York: comments.applications@ny.frb.org

State Regulator-NYS Dept of Financial Services: comments@dfs.ny.gov

Subject: Support of M&T Bank merger with People's United Bank

To whom it may concern:

I am writing on behalf of SoundWaters in support of the efforts of M&T Bank in its proposed merger with People's United Bank. Given our long history with both banks as depositor, borrower, charitable recipient and friend, we support their plans and have an expectation that the merger will lead to increased services, lending and charitable resources being made available to local communities.

M&T Bank has been a tremendous corporate partner in four critical ways:

1. Program support. M&T Bank had been a consistent program supporter of SoundWaters for many years.
2. Membership on the SoundWaters Board. At SoundWaters we have been fortunate for many years to have a Board member from M&T Bank, who has contributed hundreds of hours in guiding SoundWaters and providing planning, strategy and guidance on governance.
3. Group volunteering. Over the years, many groups of M&T Bank employees have volunteered for community activities, including beach clean ups and public festivals.
4. M&T's people. M&T Bank is not a faceless corporate entity. The people of M&T are our colleagues and neighbors. Their kids go to our summer camp. They volunteer at our events. They are present in our community.

Given our history together, and the quality of the M&T's team, all of us at SoundWaters are confident that M&T Bank will continue to be a strong corporate citizen and we expect that, as they grow, other organizations and communities will benefit, as we have, from the community activities of M&T Bank.

Sincerely,

Leigh Shemitz, PhD
President, SoundWaters

cc: Jonathan Vazcones and Steven Flax, M&T Bank

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Chair

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Anthony Allott
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Paul Huston
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Jake Rath
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Mike Solecki
Chris Von Ancken

Capital Campaign Chair

Scott Mitchell

Founder

Len Miller

President

Leigh W. Shemitz, Ph.D.

Tompkins Community Action

an active community can produce powerful change

April 14, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org
Office of the General Counsel
New York State Department of Financial Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

Subject: M&T Bank merger with People's United

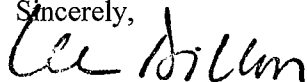
To Whom It May Concern:

Tompkins Community Action has been a solid partner with M&T bank for as long as I have been Executive Director, which is over 20 years. TCAction is part of a national and state network of Community Action Agencies who were created out of President Johnson's "War on Poverty" and we remain a strong and vibrant network today! I have worked successfully with our local and Rochester based M&T financial services for over 20 years and a few years added to that; since 1985 as the TCAction Housing Services Director, and have always been very impressed with the support that we've garnered to move forward our mission: Tompkins Community Action collaborates with individuals and organizations to sustain and improve economic opportunity and social justice for families and individuals impacted directly or indirectly by poverty.

TCAction has worked collaboratively with M&T Bank for many years locally as our banker and have used M&T to assist with purchases and closures on properties for Supportive Housing Programs for individuals and families experiencing homelessness and Childcare facilities for our Head Start Programming. and has honored thousands of dollars in requests for monies to help with program activities.

Our experiences have been excellent and the support of the staff terrific! TCAction wholeheartedly supports M&T's merger with People's United.

Sincerely,



Lee Dillon
Executive Director



www.HomeMattersHere.org

April 14, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Email: comments.applications@ny.frb.org
Office of the General Counsel
New York State Department of Financial
Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

Subject: Support of M&T Bank merger with People's United Bank

To whom it may concern:

In support of the efforts of M&T Bank in its proposed merger with People's United Bank, I would like to take this opportunity to comment on our organization's experience with People's United Bank.

The Windham & Windsor Housing Trust is a 33-year-old non-profit that provides housing opportunities to residents in the southeast corner of Vermont. Throughout our housing development initiatives, rental management, shared equity homeownership program, pre-purchase counseling and housing rehab program, we annually provide housing services to over 2,000 residents in our region. Until I became Executive Director 3 years ago, the organization was led by its founding Executive Director who helped grow the organization into the mature, impactful entity it is today. What started as a community vision to restore the historic character of the main entryway into downtown Brattleboro and save several multi-family apartment buildings that were home to some of the community's poorest residents, has now evolved into an organization that leads positive change in communities throughout our entire two country footprints. Our housing development activities, in particular, help revitalize downtowns and village centers, provide much needed homes and preserve the historic character of neighborhoods.

Throughout the growth and impact of the Windham & Windsor Housing Trust, People's United has been by our side and a strong partner in a variety of ways. In addition to several reserve and investment accounts held at the Bank, a member of the commercial banking team sits on our Board and as treasurer, is an officer on the Executive Committee. A home mortgage lender is a member of our Green Mountain Home Repair Loan Review Committee, a governing body that reviews and approves loans that help improve the homes of Vermont's elderly population and lower income homeowners. We have also received many sponsorships grants and program grants from the bank over the years that have supported our homebuyer education programs.

Some of the biggest impact the bank has had in our communities, however, is through partnering with the Housing Trust on the development of new multi-family homes, many in locations that strengthen neighborhoods in measurable ways. Through almost \$22,000,000 in equity investments in 7 partnerships, the bank has been an incredible agent of positive change in our community.

Windham & Windsor Housing Trust

68 BIRGE STREET
BRATTLEBORO, VT 05301

Ph/TTY (802) 254-4604 Fax (802) 254-4656



Windham & Windsor Housing Trust

56 MAIN STREET STE 210
SPRINGFIELD, VT 05156
Ph/TTY (802) 885-3220 Fax (802) 885-5811

Moreover, Art Casavante and his team have joined with us in taking on some of the most challenging, yet impactful projects in our community. One great example is the Wilder Block in downtown Brattleboro. Devasted by a fire that threatened to take down the whole block, this historic brick building sits at the edge of the Wetstone River and is the cornerstone building one sees when driving north. While many felt that the building should simply be torn down, others had a vision of restoring it to both preserve the apartments above the storefronts and retain the character of Brattleboro's historic streetscape. Art understood that this project represented more than bricks and mortar and the return on investment in part, because People's United Bank's offices are located a short walk from the Wilder Block. The Bank is part of the community and as such, keenly understands the multiple impacts these projects have, to the people who live in them and the surrounding neighborhoods.

The current project on which we are partnering is another downtown building located in the village of Bellows Falls. Originally a concrete parking garage built in the 1920s, it is now a severely blighted structure at the north entrance to the village and is the first thing one sees when entering Vermont from the bridge over the Connecticut River. It is a significant impediment to the continued economic revitalization to this town which is known as one of Vermont's poorest. When complete, the Bellows Falls Garage will feature a restored historic front façade and a newly built modern, efficient building containing 27 new apartments that will provide homes to people with a range of incomes.

Finally, I want to highlight the quality of the people who work for People's United Bank. Without exception, everyone with whom we interact and/or partner is a consummate professional, skillful, kind and community minded. These folks embody community banking at its best and exemplify how a financial institution can utilize its assets and human capital to effect positive change with a community. Cathy Eakin, the home mortgage lender in the Brattleboro office, for example, has worked closely with our housing counseling team to help countless 1st time homebuyers navigate the complex and sometimes intimidating process of applying for a mortgage. She is known as one of the best in Vermont and we are very lucky to have her in our community.

We were pleased to learn that the pending merger with M&T will enhance People's United Bank's ability to continue to invest in our community. The two banks common legacies and complementary footprints will strengthen their ability to serve their customers and our communities. I believe that combining two organizations with a well-established commitment to its communities, including strong support for volunteerism and charitable giving, will provide long term value to our organization and an exciting opportunity for our communities.

Please do not hesitate to contact me if you have any questions about what I've shared or if you have any additional questions that I can answer.

Sincerely,



Elizabeth Bridgewater
Executive Director



Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

April 19, 2021

Subject: M&T Bank Corporation merger with People's United Financial, Inc.

To Whom It May Concern:

I am Vice President of Programs at the Ralph C. Wilson, Jr. Foundation ("Foundation") and am writing here to provide a letter of support for the merger of M&T Bank Corporation ("M&T Bank") and People's United Financial, Inc. ("People's United").

The Ralph C. Wilson, Jr. Foundation, located in Detroit, Michigan, was established in 2015 and funds in a 7-county region of Southeast Michigan and a 9-county region of Western New York, which includes Erie County (Buffalo, NY), Monroe County (Rochester, NY), as well as: Allegany, Chautauqua, Genesee, Niagara, Wyoming, Cattaraugus, and Orleans Counties. The Foundation's mission is to improve the quality of life in our geographic footprint with focused and strategic grant-making in our program areas, and it is a limited life foundation, ending in 2035. I have been at the Foundation since August 2016 and lead two major Foundation program areas: (1) Entrepreneurship and Economic Development and (2) Young Adults and Working Families. In both these program areas, I have worked directly with M&T Bank staff.

Over the last two years, in my experience working with M&T Bank on three different projects, I have found M&T Bank staff and leadership to be a dedicated and deeply committed partner. In connection with the Foundation's Entrepreneurship and Economic Development program area whose objective is to promote inclusive economic growth, I have worked extremely closely with the Bank's Corporate CRA Officer in setting up a fund (the "Open4 Fund") focused on supporting local Community Development Financial Institutions (CDFIs) and the related small business support ecosystem to better serve minority and women-owned businesses and the entrepreneurs leading them in Western New York (including the Rochester metropolitan area).

The Fund's goal is to help CDFIs and other business service organization non-profits to: build their organizational capacity; enhance technical assistance and other business services; increase loan pools; and improve the broader ecosystem. In building and launching the Fund, M&T Bank has been a critical partner with the Foundation in its thought partnership, financial contribution (through a grant to the Fund), and on-going commitment to marketing and communicating about the Fund to reach as wide an audience of small business entrepreneurs and owners as possible.



In the workforce training arena, I have worked with M&T Bank on two projects -- targeting training for unemployed or underemployed adults and also youth in Western New York. First, with M&T Bank's launch of its information technology (IT) training program, Tech Buffalo, the Bank demonstrated its commitment to IT training, not only for people to fill openings at the Bank, but also to fulfill a broader vision to increase the employability of the wider population through IT training -- recognizing the larger community benefits of a more highly trained population for both employees and employers. The Foundation has made a grant to Tech Buffalo to support the community IT training program.

Second, over the last year, the Foundation inaugurated a readiness assessment and design of a youth apprenticeship program in Western New York. M&T Bank has been an early and important champion of this concept with the Foundation, a lead voice in the local youth apprenticeship Advisory Council, and indicated a strong interest in participating in the soon-to-be launched youth apprenticeship pilot program.

In all three instances, in my experience working with M&T Bank staff, the Bank has demonstrated a deep commitment to improving opportunities for minority and low-income populations -- whether it is increasing access to financial and technical support for minority entrepreneurs to start small businesses or augmenting the job training and employment pipeline for those who need additional employment skills and opportunities. My experience with these projects is that M&T Bank leadership and staff are genuinely and deeply committed to improving lives and building wealth in the communities it serves.

I support M&T Bank's merger with People's United and would be happy to answer any questions about my work with M&T Bank over the last couple of years. If there are any follow up questions, I can be reached at lavea.brachman@rcwjrf.org or by cell phone at 614-[REDACTED]

Sincerely,

Lavea Brachman
Vice President of Programs
Ralph C. Wilson, Jr. Foundation



Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Office of the General Counsel
New York State Department of Financial
Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

April 29, 2021

Subject: Support of M&T Bank merger with People's United Bank

To whom it may concern:

In support of the efforts of M&T Bank in its proposed merger with People's United Bank, I would like to take this opportunity to comment on our organization's experience with People's United Bank.

The mission of the Sara Holbrook Community Center is to develop responsible and productive children, youth and families through social development, educational and recreational opportunities. We educate students, support families, and focus on instilling hope for the future in those we serve. Founded in 1937 we have been a safe and enriching center for primarily disenfranchised children, youth and families, providing needed programs and services. SHCC has two locations in Burlington, in neighborhoods with the highest concentrations of poverty in VT. SHCC holds true to its original vision, now serving children 18 months - 18 years.

For more than 178 years, People's United has focused on the fundamental principles of providing expertise to its customers, partnering with communities, and valuing the contributions of its employees. Our organization has been fortunate to be a recipient of the bank's community support and/or investment. Our partnership with People's United Bank has been extensive and wholly positive. The bulk of our organizations banking and credit card accounts are PUB products and the support we receive surrounding those is personalized to our non-profits needs and has been stellar. Furthermore, People's Community Foundation has supported our organization through charitable giving and volunteerism. Their funding, and presence has allowed us to use their giving to leverage others to follow suit. In talking to staff at the bank, I understand that this merger is in the best interest of our community. It's clear that M&T and People's United Bank's common legacies and complementary footprints will strengthen their ability to serve their customers and our communities. I believe that combining two organizations with a well-established commitment to its communities, including strong support for volunteerism and charitable giving, will provide long term value to our organization and an exciting opportunity for our communities.

Sincerely,

Christine Lloyd-Newberry, MPA, CPS
Executive Director
she/her/hers

April 23, 2021

To Bank Applications Officer,

On behalf of Spring Bank, a CDFI bank based in the Bronx, NY, I am pleased to have this opportunity to describe the ways that M&T bank has supported our community development activities.

As a mission-led bank, we rely on core deposits from bank partners which enable us to continue to lend in LMI communities. Since 2015 the bank has had a depository relationship M&T initiated by Jonathan Vazcones, Vice President / Community Reinvestment. By keeping a deposit with Spring Bank, they have helped ensure that we can continue to lend in LMI communities.

Just this year, 2021, M&T partnered with the New York City Mayor's Fund, Spring Bank and our nonprofit partner Ariva, to support an initiative to encourage more Bronx residents to use free tax preparation services at Ariva, by offering a low interest rate Spring Bank loan to bridge the period between tax filing and refund receipt. M&T has provided funds to reserve against losses, enabling the provision of the loan at an affordable rate with no minimum credit score requirements and no fees. M&T also supports Ariva, which in addition to tax preparation can provide any Spring Bank customer with free financial counseling. Thus M&T has helped create a truly holistic program.

We appreciate the many ways that M&T supports community development in the neighborhoods we serve and would be happy to answer any questions.

Sincerely,

Melanie Stern

Melanie Stern
CRA Officer



69 East 167th St.
Bronx, NY 10452
Customer Service (718) 879-5000
www.springbankny.com

April 30, 2021

Ivan J. Hurwitz
Senior Vice President
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Comments.applications@ny.frb.org

Northeastern District Office
Director for District Licensing
Office of the Comptroller of the Currency
340 Madison Avenue, Fifth Floor
New York, NY 10173-0002
NE.Licensing@occ.treas.gov

RE: M&T Bank Corporation, Buffalo, New York; to acquire People’s United Financial Inc., and thereby indirectly acquire People’s United Bank National Association, both of Bridgeport, Connecticut.

To Whom It May Concern:

The Western New York Law Center is a not-for-profit law firm that has represented low-and-moderate income individuals in the Buffalo MSA free of charge for over one-quarter century. Given the constituencies we serve, we fear that, unless M&T signs a community benefits agreement geared to our city’s needs, the bank’s proposed merger will perpetuate practices that have long failed to serve our low-income residents—especially communities of color. The reasons for our fears are set forth below.

Introduction. M&T currently holds over 62% of all bank deposits in Buffalo and originates nearly 40% of home mortgages from depository institutions in our MSA.¹ Despite its dominant market position and 150-year presence as our “hometown” bank, headquartered in our city, the New York State Department of Financial Services recently published a report with distressing data about the bank’s performance in serving historically neglected communities. The report is entitled, “Report on Inquiry into Redlining in Buffalo, New York.”

The Redlining Report documents that from 2016-19, M&T originated only 5.68% of its mortgages in majority-minority² neighborhoods.³ Less than 10% of all its mortgages went to people of color.⁴ And that is true even though people of color comprise roughly 20% of the

¹ FDIC. Deposit Market Share Reports (2020). <https://www7.fdic.gov/sod/sodMarketBank.asp?barItem=2>; New York State Department of Financial Services. *Report on Inquiry into Redlining in Buffalo, New York* at 11-12. February 4, 2021.

https://www.dfs.ny.gov/system/files/documents/2021/02/report_redlining_buffalo_ny_20210204_1.pdf.

² The Law Center interprets the term “minority” as used in the Redlining Report to mean the historically underserved in Buffalo-Niagara; Black, Latinx, and other people and communities of color.

³ DFS Report at 11.

⁴ *Id.* at 12.

Buffalo MSA and nearly one-half of the city's population.⁵ Given the data and analysis in the Department's Redlining Report, unless M&T's banking performance dramatically improves, redlining will continue to shape banking practices and the homeownership market in Buffalo. M&T's proposed merger with People's United offered the bank the opportunity to confront the historic trends documented in the Redlining Report and advance remedies to redress the institutionalized racism that has long persisted in local banking practices. M&T has failed to seize that opportunity.

Financial institutions and federal regulators have increasingly relied on community benefits agreements to ensure mergers satisfy the convenience and needs of local communities.⁶ The Federal Reserve recently cited a local community benefits agreement between the BNCRC and KeyBank in its approval order of KeyBank's merger with First Niagara.⁷ The separate Western New York agreement ensured that the credit needs of our region were addressed head-on. We believe that the Federal Reserve and the Comptroller's Office should require M&T to work with its hometown residents to make sure this merger benefits all communities in Western New York.

A local community benefits agreement will help ensure that M&T's proposed merger benefits *all* its hometown residents, especially communities of color. To accomplish that goal, based on our experience with a recent community benefits agreement with KeyBank, any agreement with M&T must contain rigorous transparency and accountability provisions.

The Board's Authority. Federal banking laws require financial regulators to evaluate whether mergers will meet the "convenience and needs of the communities to be served."⁸ This requirement extends beyond CRA performance reviews and rather encompasses a forward-

⁵ *Id.* at 3, n. 4; *Id.* at 13.

⁶ See list of recent NCRC community benefits agreements. Available online at: <https://ncrc.org/explainer-how-ncrc-brings-banks-and-local-leaders-together-for-community-benefits-agreements/>. ("KeyBank in March 2016 for \$16.5 billion; Huntington Bancshares in May 2016 for \$16.1 billion — completed in 2020. A second plan was announced in September 2020 for \$20 billion; Fifth Third Bank in November 2016 for \$30 billion; First Financial Bank in October 2017 for \$1.7 billion; Santander Bank in November 2017 for \$11 billion; IBERIABANK in November 2017 for \$6.7 billion; First Tennessee Bank in April 2018 for \$4 billion; Wells Fargo & Company (DC) in October 2018 for \$1.6 billion; Fifth Third updated agreement in October 2018 for an additional \$2 billion; Truist in July 2019 for \$60 billion; CIT Group in November 2019 for \$7.75 billion; First Merchants Bank in June 2020 for \$1.4 billion; Morgan Stanley in September 2020 for \$15 billion; First Citizens Bank in February 2021 for \$16 billion").

⁷ FRB Order No. 2016-12. July 12, 2016. Available online at: <https://www.federalreserve.gov/newsevents/pressreleases/files/orders20160712a1.pdf> ("KeyCorp held community outreach meetings and worked closely with various community organizations to develop a National Community Benefits Plan ("Plan"). The Plan calls for KeyBank to invest \$16.5 billion in its communities over a five-year period, starting in 2017. KeyCorp asserts that up to 35 percent of the total commitment would be targeted for the areas where KeyBank and First Niagara Bank currently overlap in New York. The Plan establishes goals for loans, investments, and products specifically aimed at benefitting LMI individuals and communities, including home mortgages, small business loans, community development loans, investments, and philanthropic contributions. In addition, the Plan establishes targets for branching in LMI communities across the bank's geographic footprint and, separately, the state of New York. The bank will open an additional branch in an LMI community in East Buffalo and keep open four other branches in LMI neighborhoods that the bank initially planned to close. KeyCorp further asserts that the bank will enhance its diversity and inclusion policies, expand its community engagement and marketing efforts, and establish an advisory council made up of various community organizations that will meet periodically to assess KeyBank's progress under the Plan and to be informed of the bank's future initiatives.")

⁸ 12 U.S.C. § 1842(c)(2); 12 U.S.C. § 1828(c).

looking analysis of the new institution’s capacity to meet the credit needs of the communities in which it does business.⁹ Convenience and needs review requires regulators to analyze branch closures, particularly in LMI communities, reduction in services, price increases, marketing practices, past CRA performance, and other factors which may impact the credit needs of the general public.¹⁰ In addition, regulators must examine the “managerial resources” of the new company, which includes “the competence, experience, and integrity of the officers, directors, and principal shareholders of the company.”¹¹

In assessing whether this merger will address the convenience and needs of our community in Western New York, we would respectfully request that the Federal Reserve and Comptroller’s Office carefully consider the findings in the Department’s recent Redlining Report.

The Department’s Troubling Redlining Report. The Redlining Report notes that the Black and Latinx populations account for 48.3% of Buffalo’s residents.¹² It further confirms what has extensively been documented elsewhere: That Buffalo has “unfortunately, long been one of the most racially segregated cities in the United States” and has had “long-standing problems with housing discrimination.”¹³ But what is so impressive and creative about the Redlining Report is its willingness to connect historic discriminatory banking practices to those of today.

Citing many scholarly histories of the federal government’s Homeowners’ Loan Corporation in the 1930s, and specifically citing the “1937 HOLC Area Description of Buffalo,” the Report details the origins of redlining in our city.¹⁴ It observes that the language in the HOLC “security” maps “clearly conveys the belief that the value of the homes of majority white neighborhoods was to be preserved through segregation and excluding non-white and foreign-

⁹ As the OCC explicitly states in its Licensing Manual: “The OCC also considers the convenience and needs of the community to be served when reviewing Bank Merger Act filings. The convenience and needs factor is distinguished from the CRA requirements in that the convenience and needs analysis is prospective, whereas the CRA requires the OCC to consider the applicant’s record of performance.” OCC Comptroller’s Licensing Manual. Public Notice and Comments. Page 9. <https://www.occ.gov/publications-and-resources/publications/comptrollers-licensing-manual/files/file-pub-lm-public-notice-and-comments.pdf>.

¹⁰ *Id.* (“The OCC considers any plans of the resulting, combined bank to close branches, particularly in low- or moderate-income areas, reduce services, or provide expanded or less costly services to the community”); FDIC Law, Regulations, Related Acts. FDIC Statement of Policy on Bank Merger Transactions. Available online at: <https://www.fdic.gov/regulations/laws/rules/5000-1200.html> (“In assessing the convenience and needs of the community to be served, the FDIC will consider such elements as the extent to which the proposed merger transaction is likely to benefit the general public through higher lending limits, new or expanded services, reduced prices, increased convenience in utilizing the services and facilities of the resulting institution, or other means. The FDIC, as required by the Community Reinvestment Act, will also note and consider each institution’s Community Reinvestment Act performance evaluation record. An unsatisfactory record may form the basis for denial or conditional approval of an application.”). The Federal Reserve Board, as the “responsible agency” evaluating the M&T-People’s United merger application, must also follow these regulatory guidelines under the Bank Merger Act. 12 U.S.C. § 1828(c)(2).

¹¹ 12 U.S.C. § 1842(c)(5).

¹² DFS Report at 3, n. 4.

¹³ *Id.* at 3; 8.

¹⁴ *Id.* at 6.

born people.”¹⁵ But, as noted, the Report is more than a historical analysis. It documents that many areas deemed “hazardous” by HOLC in the 1930’s remain segregated today. Accordingly, the Redlining Report concludes that Buffalo “is still reckoning with the effects of abhorrent racism represented in the HOLC” documents.¹⁶ And finally, lest we missed the point, the Redlining Report states that “redlining by lenders has continued to take place long after it was banned.”¹⁷

Referencing the work of a local research organization, the Report notes that in 2018 approximately 85% of the people who identified as Black lived in neighborhoods east of Buffalo’s Main Street—a street that is, in effect, something of a *de facto* residential racial boundary line.¹⁸ That part of the city east of Main Street is where many of HOLC’s redlined areas were mapped in the 1930s.¹⁹ The Redlining Report observes that those living east of Main Street today continue to experience economic disadvantage, environmental hazards, lower life expectancy, below-average health outcomes and “*lack of access to quality financial services.*”²⁰

That present-day lack of access to quality financial services is reflected in the shocking disparity in homeownership rates in the region—28.9% for Black people and 73.4% for White people.²¹ In its penultimate conclusion—and one pertinent to the present merger application before the Board—the Report states that its “analysis” of redlining in Buffalo is “consistent with the conclusion that the echoes of the HOLC maps are evident today.”²²

To bring home graphically the connection between historic redlining and contemporary mortgage originations, the Redlining Report contains a map that overlays mortgage originations in Buffalo from 2016-19 against the “HOLC residential security map areas” circa 1938.²³ That overlay map confirms visually, and dramatically, the linkage between historic racial discrimination in mortgage lending in the 1930s and the persistent dearth of such lending in the present day. Yet, despite the Department’s exquisitely and poignantly documented connection between redlining nearly a century ago and what surely looks like its contemporary continuation, the M&T merger application says not a word about that history or its present-day manifestations. And of all the depository banks presently operating in Buffalo, M&T is the only one that has been operating continuously in our city since the 1930s.

Despite the history of racial discrimination documented in the Redlining Report, despite M&T’s historic presence in this community, despite its dominant market share, the bank’s merger application utterly fails to indicate, or even suggest, what, if anything, M&T can or should do to address the issues so dramatically documented in the Redlining Report. Its merger

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* at 7 (citing Anna Blatto, *A City Divided: A Brief History of Segregation in Buffalo*. Partnership for the Public Good (2018). <https://ppgbuffalo.org/files/documents/data-demographics-history/a-city-divided-a-brief-history-of-segregation-in-the-city-of-buffalo.pdf>).

¹⁹ *Id.*

²⁰ *Id.* (emphasis added).

²¹ Anna Blatto, *A City Divided* at 17.

²² DFS Report at 7.

²³ *Id.* at 8.

application fails to address why a bank that retains over 62% of all deposits in a city and originates nearly 40% of mortgages from depository institutions in the MSA, issues less than 6% of its mortgages in communities of color and less than 10% of its mortgages to people of color.

As the Redlining Report observes, “[o]ne statistic that leaps from the data is that, market-wide, loans made to minorities in the Buffalo MSA comprise only 9.74% of the total loans made in Buffalo—less than half of what would be expected given that minorities make up roughly 20% of the MSA’s population.”²⁴ Despite its market dominance and century and a half historical connection to the city, M&T’s performance in this category is nearly identical to the market average. Compare that data, with M&T’s assertion in its merger application that, once the merger is approved, it “will continue the excellent level of community reinvestment” by both banks, “including home mortgage lending[.]”²⁵

M&T’s Lending in Buffalo Lags Well Behind Its Lending in Other Cities. One of the striking things about M&T’s performance in Buffalo is how that performance contrasts with its performance in other cities. For example, as the letter from the Buffalo Niagara Community Reinvestment Coalition documents, from 2017-19 in New York City, where M&T has only .6% of the deposit share, the percentage of its home loans granted to Black borrowers was nearly 7 times what it is in Buffalo. For Latinx borrowers, it was nearly 3 times greater. A similar pattern exists in other cities. In Philadelphia and Baltimore, the percentage of M&T home purchase loans that went to Black and Latinx borrowers combined was 5 times the rate in Buffalo; in Long Island, it was 7 times greater; in New Jersey, it was nearly 8 times greater; in Washington D.C., it was more than 3 times greater; and finally, in Rochester and Albany it was 2½ times greater.²⁶

Such glaring discrepancies between M&T’s lending to Black and Latinx borrowers in Buffalo, contrasted with its robust lending in so many other cities, is troubling. Have those discrepancies turned out that way by mere happenstance?

Given M&T’s under-investment and under-performance in home lending in Buffalo, if the merger is approved, the bank’s poor performance here may not only continue but become more accentuated and pernicious. That is so, because the proposed merger will expand the bank’s footprint to larger and more affluent markets in New England and the New York metropolitan area. Under those circumstances, it is hard to imagine that the bank’s underperformance in Buffalo could be remedied by anything other than a formal bank program to rectify the consistent intercity discrepancies documented above. Any such remedy will likely not occur unless and until regulators insist on it.

Moreover, the bank’s application notes that it will “provide additional funds dedicated to supporting community development and reinvestment, and civic and charitable activities in People’s United footprint.”²⁷ That commitment could further steer community development and reinvestment monies away from Buffalo.

²⁴ *Id.* at 13.

²⁵ Merger Application at 53.

²⁶ See Table 7 of the letter sent by the Buffalo Niagara Community Reinvestment Coalition: % of M&T Home Purchase Loans to Black and Latinx Borrowers, 2017-19.

²⁷ Merger Application at 15-16.

The Omissions and Inadequacies in M&T’s Merger Application. The merger application poses numerous questions about the bank’s *future* plans and how its performance or programs might change and where and how it might improve. Unlike CRA performance evaluations that are retrospective, when federal regulators review bank merger applications, “the convenience and needs analysis is prospective[.]”²⁸

Yet M&T’s application ignores questions posed about how it might better meet the needs of low- and moderate-income individuals and communities of color *after the merger*. For example, the “convenience and needs” inquiry in Application Form FR Y-3 requires that M&T “summarize efforts undertaken or contemplated by the applicant to ascertain and address the needs of the community(ies) to be served, including community outreach activities [...]”²⁹ The word “contemplated” suggests the need for the bank to address *future* efforts it intends to take to address community needs. Additionally, the Interagency Bank Merger Act Application requires the bank to describe how the merger “will assist in meeting the existing or *anticipated* needs” of the communities to be served, “including the needs of low- and moderate-income geographies and individuals.”³⁰ That question, as well, presumes a response that addresses future needs.

Note also that the application form requires the bank to “discuss any *enhancements* in products or services expected to result from the transaction.”³¹ In response to the request for information addressing community needs, the bank’s outreach activities and any prospective enhancements in its products or services, the merger application provides no answer. It simply refers the reader to section V.F.5.³² When one turns to that section in the bank’s preliminary statement, there is no discussion whatsoever of any future efforts to address community needs or “enhancements in products or services” as a result of the merger.³³

All one finds in section V.F.5 is the assertion that “M&T Bank will continue the excellent level of community reinvestment by both M&T Bank and People’s United Bank, *including home mortgage lending*[.]”³⁴ Such conclusory statements are not responsive to the question posed. They are altogether inadequate. In our view, the Board should not accept those responses as even remotely satisfactory. Moreover, the assertion that the bank’s home mortgage lending is “excellent” is contradicted by the conclusions documented in the Redlining Report.

²⁸ As the OCC explicitly states in its Licensing Manual: “The OCC also considers the convenience and needs of the community to be served when reviewing Bank Merger Act filings. The convenience and needs factor is distinguished from the CRA requirements in that the convenience and needs analysis is prospective, whereas the CRA requires the OCC to consider the applicant’s record of performance.” OCC Comptroller’s Licensing Manual. Public Notice and Comments. Page 9. <https://www.occ.gov/publications-and-resources/publications/comptrollers-licensing-manual/files/file-pub-lm-public-notice-and-comments.pdf>.

²⁹ Merger Application, Form FR Y-3 at 14.

³⁰ Merger Application, Interagency Bank Merger Act Application Questions at 4. (emphasis added).

³¹ Merger Application, Form FR Y-3 at 15; Merger Application, Interagency Bank Merger Act Application Questions at 4. (emphasis added).

³² Merger Application, Form FR Y-3 at 15 (“Please see Section V.F.5 of the Preliminary Statement for a response to this item”); Merger Application, Interagency Bank Merger Act Application Questions at 4. (“Please see Section V.F of the Preliminary Statement for a response to this item”).

³³ Merger Application at 53.

³⁴ *Id.* (emphasis added).

The application also requires a response that identifies the “significant current and anticipated programs, products and activities *including lending*” that will result from the merger.³⁵ Here again, the bank simply refers to Section V.F. of its preliminary statement and mentions generically, and without specifics, its “products and programs that are designed to meet the needs of LMI communities and individuals.”³⁶ There is no further elaboration of anticipated programs to improve M&T’s lending performance in Western New York. There is no discussion whatsoever of “anticipated” programs as requested in the question.

In the merger form, in the section labeled “Interagency Bank Merger Act and Application Questions,” Question 3 asks whether the “business strategy and operations” of the merged institutions will remain the same or change.³⁷ The bank responded that the merged banks “currently do not anticipate initiating new products, business lines of operations [...] that either of them does not engage in at present.”³⁸ The message is unmistakable: After the merger, nothing will change for either institution. It will be business as usual.

Considering the stinging and dramatically documented Redlining Report, it is remarkable that the bank’s application says nothing about that persistent, dramatic problem and what, if anything, this merger will do to address and rectify it. M&T CRA officials have acknowledged to representatives of our Reinvestment Coalition that they had discussions with Department representatives about the findings in the Redlining Report. The bank was clearly and appropriately on notice about the problems the Redlining Report documented and could have addressed those problems in its application. It didn’t.

Rather, the message that predominates throughout the bank’s application about its present performance and future obligations and intentions is unmistakable: Our performance is fine. There is no need for us to improve. There is no need to do more than we already are doing relative to low- and moderate-income individuals and communities of color or to meet community needs. That unresponsiveness speaks volumes. It should not satisfy state or federal regulators.

Ensuring Post-Merger Compliance with Bank Promises. M&T’s application makes it plain that it believes it doesn’t need to do anything different than it is now doing to meet the needs of LMI communities. Bank representatives recently held a zoom meeting with organizations serving those communities in upstate New York. The National Community Reinvestment Coalition co-sponsored that meeting to explore whether, as part of its merger plans, M&T might enter into a community benefits agreement. M&T has historically refused to commit to a community benefits agreement.

In Western New York we are familiar with such agreements. As part of the merger between KeyBank and First Niagara in 2016 KeyBank entered into a community benefits agreement. The experience under that agreement is relevant to the Board’s consideration of the present proposed merger.

³⁵ Merger Application, Form FR Y-3 at 15 (emphasis added).

³⁶ *Id.*

³⁷ Merger Application, Interagency Bank Merger Act Application Questions at 1.

³⁸ *Id.*

KeyBank acceded to an agreement in response to community criticisms of its services to people of color. It also made written commitments to this Board about how it would improve its services.³⁹ The Board's Order approving the merger cited commitments KeyBank made in Buffalo to open a branch in an LMI community and not close certain branches in LMI neighborhoods.⁴⁰ In the "Conclusion" to its Order, the Board "specifically conditioned" its approval "on compliance by KeyCorp with all the conditions set forth in this Order, *including ... the commitments made to the Board in connection with the application.*"⁴¹

The "commitments" the Board referenced in its Order included KeyBank's "assertions" about what it planned to do in its community benefits agreements.⁴² In Buffalo, we have lived with the KeyBank agreement for five years. We have experienced persistent frustrations with the bank's performance under the agreement, including its unwillingness to forward data to enable LMI communities to evaluate its compliance with the commitments made to them. That frustration culminated with our reaching out to the New York State Attorney General. Ultimately, the Attorney General sued KeyBank for its failure to provide a service which it advertised to the public and included in the community benefits agreement.⁴³

We air these issues about KeyBank's performance post-merger not to reiterate criticisms we have advanced elsewhere. Rather, we air them proactively to address similar issues that might arise with respect to our community's ability to evaluate commitments M&T may make to this Board or, possibly, in a community benefits agreement. Communities of color have a right to know how they will benefit from a proposed merger and how they will be able to judge a bank's performance against the promises it makes to them and this Board. Should M&T make commitments to the Board or LMI communities about what it will do if a merger is approved, we ask the Board to follow its precedent in the KeyBank merger, and "specifically condition" approval on compliance by the bank with those commitments.

³⁹ FRB Order No. 2016-12 at 17-18. July 12, 2016. Available online at:

<https://www.federalreserve.gov/newsevents/pressreleases/files/orders20160712a1.pdf> ("KeyCorp held community outreach meetings and worked closely with various community organizations to develop a National Community Benefits Plan ("Plan"). The Plan calls for KeyBank to invest \$16.5 billion in its communities over a five-year period, starting in 2017. KeyCorp asserts that up to 35 percent of the total commitment would be targeted for the areas where KeyBank and First Niagara Bank currently overlap in New York. The Plan establishes goals for loans, investments, and products specifically aimed at benefitting LMI individuals and communities, including home mortgages, small business loans, community development loans, investments, and philanthropic contributions. In addition, the Plan establishes targets for branching in LMI communities across the bank's geographic footprint and, separately, the state of New York. The bank will open an additional branch in an LMI community in East Buffalo and keep open four other branches in LMI neighborhoods that the bank initially planned to close. KeyCorp further asserts that the bank will enhance its diversity and inclusion policies, expand its community engagement and marketing efforts, and establish an advisory council made up of various community organizations that will meet periodically to assess KeyBank's progress under the Plan and to be informed of the bank's future initiatives.")

⁴⁰ *Id.* at 17.

⁴¹ *Id.* at 31.

⁴² *Id.* at 17-18.

⁴³ See Memorandum of Agreement between Office of the Attorney General of the State of New York and KeyBank National Association (March 1, 2021). Available online at: https://ag.ny.gov/sites/default/files/keybank_plus_moa_-_executed.pdf

Devising mechanisms to assess a bank’s post-merger performance against its pre-merger promises is a challenging, but necessary task. It is essential to ensure that the laudatory goal and statutory obligation to meet the “convenience and needs of a community” are more than empty words. It is a challenge we respectfully urge the Board to address in any Order it might issue in this case. Crafting such a mechanism to measure performance against promise will help the Board and any community avoid repeating the failings that arose during the post-merger years in KeyBank.

The need for such a post-merger review mechanism has, in recent years, taken on pronounced significance. That is so because between 2016-21 there have been 13 bank mergers accompanied by community benefits agreements with the NCRC.⁴⁴ Banks enter those agreements, in part, to serve their communities. But they also commit to them, in part, to assure the Board that, going forward, they will meet the needs of the underserved. Banks should not be able to walk away from those commitments.

Post-merger monitoring is especially compelling because the commitments in community benefits agreements invariably affect our most vulnerable populations, often least able to protect and advocate for themselves. Moreover, the not-for-profits that serve those vulnerable populations are hard-pressed to summon the resources or expertise needed to hold banks accountable. The policy challenge facing the Board going forward, but also confronting it in this very case, is what to do about such dilemmas. Those dilemmas are front and center in this case for if the Board approves the merger, it will create one of the largest banks in the United States.

To date, the Board has been reluctant to evaluate community benefits agreements in CRA reviews. Yet those reviews may be the best way to consider a bank’s performance post-merger and measure it against promises made in community benefits agreements. What, after all, is a community benefits agreement if not a document intended to address the “convenience and needs” of the community?

Under the Bank Merger Act and Bank Holding Company Act, the Board is required to evaluate “*the convenience and needs of the community to be served.*”⁴⁵ Similarly, the Community Reinvestment Act provides that regulated banks must “demonstrate” that they “*serve the convenience and needs of the communities in which they are chartered [. . .].*”⁴⁶ It is counterintuitive to require evidence of meeting the “convenience and needs” of a community in a merger review, and then, when those mergers are accompanied by community benefits

⁴⁴ See list of recent NCRC community benefits agreements. Available online at: <https://ncrc.org/explainer-how-ncrc-brings-banks-and-local-leaders-together-for-community-benefits-agreements/>. (“KeyBank in March 2016 for \$16.5 billion; Huntington Bancshares in May 2016 for \$16.1 billion — completed in 2020. A second plan was announced in September 2020 for \$20 billion; Fifth Third Bank in November 2016 for \$30 billion; First Financial Bank in October 2017 for \$1.7 billion; Santander Bank in November 2017 for \$11 billion; IBERIABANK in November 2017 for \$6.7 billion; First Tennessee Bank in April 2018 for \$4 billion; Wells Fargo & Company (DC) in October 2018 for \$1.6 billion; Fifth Third updated agreement in October 2018 for an additional \$2 billion; Truist in July 2019 for \$60 billion; CIT Group in November 2019 for \$7.75 billion; First Merchants Bank in June 2020 for \$1.4 billion; Morgan Stanley in September 2020 for \$15 billion; First Citizens Bank in February 2021 for \$16 billion”).

⁴⁵ 12 U.S.C. § 1828(c); 12 U.S.C. § 1842(c)(2).

⁴⁶ 12 U.S.C. § 2901.

agreements, fail to consider those agreements in CRA reviews. That failure leaves the door open for banks to exercise significant, unaccountable power over the least powerful.

Conclusion. Sadly, once more, we live in an era of heightened awareness of historic, institutionalized, racial discrimination. That heightened awareness offers us an opportunity to change those historic practices in almost every realm of American life. Banking is no exception.

In terms of its impact on the daily lives of people of color, it is hard to think of an industry that has imposed greater financial harm than banking. That is especially true in banking practices affecting home mortgages. So, this proposed merger is an opportunity. It is an opportunity for the Board to insist on measures to address a sad, painful and enduring history that has persisted in Buffalo for nearly a century and that is documented brilliantly in the New York State Department of Financial Services Redlining Report. Given that history and the contemporary data presented in this letter, to unqualifiedly approve this merger would be a grievous mistake.

Rather, we urge the Board to take the most vigorous action within its authority to ensure that, as part of this merger review, M&T commits to institute specific measures and policies targeting the long-standing neglect the Redlining Report powerfully documented. We urge the Board to honor and act on the conclusions reached by the New York State Department of Financial Services. The redlining that began in Buffalo nearly a century ago produced devastating effects for the city's African-American population. Those effects and the consequent suffering have endured for generations. Regulators must insist that Buffalo's largest and oldest bank redress the effects of that historic redlining and improve M&T's current lending to people of color. Failing that, generations to come will continue to suffer.

Yours sincerely,

s/Stephen C. Halpern

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The Supportive Housing Association of New Jersey

April 8, 2021

Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

Subject: M&T Bank merger with People's United

Dear Mr. Hurwitz,

I would like to take this opportunity as the Executive Director of the Supportive Housing Association of NJ (SHA) to provide a letter in support of M&T Bank's merger with People's United. SHA is a statewide, nonprofit organization, founded in 1998, whose mission is to promote and maintain a strong supportive housing industry in New Jersey serving people with special needs. SHA's membership includes over 100 organizations of housing developers, service providers, financial institutions, corporate vendors and professional organizations, who are all dedicated to increasing housing opportunities to enable people living with disabilities to live as independently as possible. SHA strengthens the capacity of our member organizations to provide supportive housing services through information, training, and collaboration.

The people served through our membership organizations struggle with a variety of needs. These needs include those with mental illness, addictions, physical disabilities, and the homeless or those struggling to remain housed because of economic insecurity. The majority of individuals or families are low or extremely low income. Although their needs might be different they are all in need of safe, decent housing and supportive services. Access to safe, quality, affordable housing - and the supports necessary to maintain that housing - constitute one of the most basic and powerful social determinants of health. M&T has been a valuable member of the Supportive Housing Association of NJ for a decade. Their commitment in the community to our most vulnerable neighbors has been substantial. M&T understands the financing of supportive housing and the complexity in funding necessary to create an affordable housing project that serves people of low income with challenging needs. These projects not only allow people to live a healthy and successful lifestyle integrated into every community but they strengthen the community as a whole.

M&T has been an active member on SHA's Investors Council which brings together members of the banking community, state government as well as developers to find

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The Supportive Housing Association of New Jersey

creative ways to expand special needs housing. Finally their support of SHA's conference which provides education and networking opportunities to over 300 people annually and other operating support allows SHA to continue to play the vital role of strengthening the capacity of the supportive housing community.

SHA believes the merger with People's United will strengthen M&T's ability to continue to play its vital role in investing in communities. The merger will allow M&T to reach a larger footprint and leverage their expertise throughout the region to successfully serve a wider and diverse customer base which includes people with special needs.

Please do not hesitate to contact me. I would welcome the opportunity to provide additional information.

Thank you,

A handwritten signature in blue ink that reads "Diane Riley". The signature is fluid and cursive.

Diane Riley
Executive Director



Common Council

CITY OF BUFFALO

RASHEED N.C. WYATT

UNIVERSITY DISTRICT COUNCIL MEMBER

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April 22, 2021

Subject: M&T Bank merger with People's United

To Whom It May Concern:

As Council Member for the University District, I am pleased to rally my support of the merger of M&T Bank with People's United. The University District is comprised of a population of citizens who are diverse economically from low, moderate and middle class. The disparity in homeownership and employment are among some of the priorities my office continues to target as necessary goals.

M&T Bank has been a partner in various community projects. To name a few, Buffalo Promised Neighborhood; they promoted information sharing on homeownership; bank services such as their secured credit card program; outreach to Bailey Avenue Businesses over the years has managed to improve knowledge of resources, access and linkage that has empowered citizens in this district.

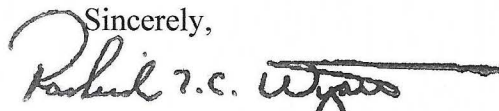
M&T Bank's involvement as a primary sponsor of the University United Festival over the past 3 years has contributed to our community having access of their banking services; personal

"Unity in University"

relationships with their staff on a grassroots level that builds trust; participation with over 5,000 -7,000 citizens who attended the event truly carries a great impact of service to the community.

The merger with People's United Bank would assist M&T Bank to continue in building upon its commitment in serving communities and investing in the health and well-being of citizens who have an interest in homeownership. Along with the future development of the Bailey Avenue Business Corridor, this merger will broaden M&T Bank's community investment, and relationship with future business developments and community activities. This excitement would bring tremendous relief for opportunities for citizens stability.

Thank you for your consideration of this merger to continue bridging the gap in economic opportunities for citizens of the University District. Please feel free to contact my office at (716) 851-5165 should you need further information.

Sincerely,

Rasheed N.C. Wyatt
University District Council Member

UNIVERSITY DISTRICT COMMUNITY DEVELOPMENT ASSOCIATION

The UDCDA is a full service agency serving the community since 1976



Ivan J. Hurwitz, Vice President
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Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001
Email: comments.applications@ny.frb.org

Office of the General Counsel
New York State Department of Financial Services
One State Street, New York, NY 10004-1417
Email: comments@dfs.ny.gov

April 28, 2021

Subject: M&T Bank merger with People's United

To Whom It May Concern:

It has been my honor to serve as the Executive Director of the University District Community Development Association for the past 15 years. The UDCDA is a full-service agency offering a wide array of community development services to residents and business owners across the University, Masten and Black Rock Districts. We provide youth and senior service programs from the Gloria J. Parks Community Center located at 3242 Main Street, while also spearheading housing and business development projects from our offices located at 995 Kensington Avenue. We work directly with business owners, block clubs, community nonprofits, educational institutions, and local government to invest resources in the people and places that make up the fabric of our beloved community.

Over the past 20 years, our organization has established a meaningful working relationship with M&T Bank. MTB has been our trusted fiscal agent for hundreds of Affordable Housing and FHLB projects. Our invaluable connection to our local community has been largely supported by M&T Bank through sponsorship of our annual community engagement events, as well as our intensive community outreach and surveying. Furthermore, the revitalization of the business association and commercial corridors within our territory has been impactful because of the generosity and commitment of MTB.

The UDCDA has remained a leader in community development because of long-standing partnerships with outstanding institutions such as M&T Bank. I have found that MTB understands the community and takes their social responsibility, seriously. The willingness of bank members to listen and respond to the needs of those that live, work, and play within our neighborhoods has and will continue to be a model of community-based leadership.

And so, it is with great enthusiasm that I extend my highest recommendation of M&T Bank regarding the prospective merger. I am confident that our community members will benefit greatly, as a result.

With utmost sincerity,



Roseann Scibilia
Executive Director, UDCDA

From: NY Banksup Applications Comments
Sent: Friday, April 09, 2021 6:56 PM
To: Whidbee, Robin; Caetano, Ruth; Brannon, Lisa; Hosein, Nadira
Subject: FW: M&T Bank merger with People's United

From: Quebral, Laura
Sent: Friday, April 9, 2021 6:55:39 PM (UTC-05:00) Eastern Time (US & Canada)
To: NY Banksup Applications Comments
Subject: [External] M&T Bank merger with People's United

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Ivan J. Hurwitz, Vice President
Bank Applications Function
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045-0001

April 9, 2021

Dear Mr. Hurwitz:

I am writing with enthusiastic support of M&T Bank's merger with People's United Bank. As Director of the University at Buffalo Regional Institute (UBRI), I have had the pleasure of working with M&T Bank on economic development and community revitalization initiatives for over ten years.

UBRI is an award-winning research center within the University at Buffalo School of Architecture and Planning. We have pursued public scholarship with community constituencies to build stronger regional economies for over 30 years. We focus on regional economic development strategy around four interconnected pillars: placemaking, workforce, sustainability and innovation. UBRI takes an objective approach to understanding complex issues and translates this understanding into useful and relevant information for the communities we serve. We guide decision making and strategic planning and assist with program implementation for our local, regional, state and national partners.

Our work aligns closely with M&T's strong commitment to community, economic and workforce development. We developed long-standing partnerships with M&T on many regionally significant projects. For example, M&T is a funder and Brad Dossinger, Corporate CRA Officer at M&T, is Advisory Council Co-Chair for **East Side Avenues (ESA)**—a unique public/private partnership that provides capital and organizational support to transformational projects on Buffalo's East Side. UBRI leads the ESA project implementation team and Brad provides invaluable leadership and counsel to the team. UBRI also works closely with M&T on **Open4**—an initiative that strengthens the region's small business support ecosystem, with a particular focus on support services for underserved minority- and women-owned businesses. Mr. Dossinger also serves as the co-chair for the Open4 collaborative funders Advisory Council. We're partnering with M&T to help build the region's technology workforce pipeline and ensure that tech training and careers are accessible to our region's most underserved populations through the **WNY Tech Skills Initiative**. UBRI also provided research that led to

Buffalo Promise Neighborhood—a long-term collaboration between M&T and the local community to empower schools, students and families in one of Buffalo’s most challenged neighborhoods.

There is no doubt that funding from M&T for these and other community, economic and workforce development projects has a tremendous impact on our region. But, beyond investment, M&T is a crucial partner, taking a leadership role in community projects. M&T leaders use their expertise to strategize and problem-solve with partners, build community, and implement important regional projects. As M&T expands through a merger with People’s United, it will continue to increase its extraordinary commitment, impacting the region in an even more meaningful way.

Please visit our website <http://regional-institute.buffalo.edu/> for more information about our role in the community. Feel free to contact me if you have questions about M&T’s collaborations with UBRI.

Sincerely,

Laura Quebral
Director
University at Buffalo Regional Institute
Research Associate Professor, School of Architecture & Planning
The State University of New York
UB Downtown Gateway
77 Goodell Street, Suite 302
Buffalo, NY 14203

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Federal Reserve Bank of New York
Attention: Bank Applications Officer
33 Liberty Street
New York, NY 10045

Email: comments.applications@ny.frb.org

April 30, 2021

Subject: M&T Bank merger with People's United

To whom it may concern:

I am writing as Vice President of External Affairs at the Women's Business Development Council to establish our organization's full support of M&T's merger with People's United Bank. The mission of WBDC is to strengthen and support economic prosperity for women through entrepreneurial and financial education services that create and grow businesses across Connecticut. In my capacity as a senior director I am responsible for all fundraising and marketing efforts as well as the strategic direction of the organization. As such, over the past 7 years I have regularly interfaced with members of the general public, elected officials, small business owners, and over 100 community partners of which M&T Bank is easily among the most dedicated.

As part of our expansion during the economic crisis, WBDC tailored its menu of services based on the changing needs of women entrepreneurs. Throughout the past year we have increased our annual client volume by 600%. This would not have been possible without the generosity of M&T Bank.

Since establishing this partnership over five years ago, M&T Bank has provided support and guidance across several WBDC platforms, most notably through a critical grant-opportunity and as a high-level sponsor of our annual fundraising event. While the monetary support which, combined, accounts for both specific programmatic funding as well unrestricted support of our operating expenses, is a critical piece of WBDC's budget, the true measure of the partnership is in the high level of engagement had with your employees, and most notably with our liaison to your bank, Jonathan Vazcones, Vice President for Community Reinvestment.

The level of guidance and stewardship offered by Jonathan to ensure a meaningful partnership for WBDC's clients is unparalleled. Further, as was most recently the case with WBDC's newly launched microgrant project, Jonathan lent a perspective to our team at the start of that effort that heightened the program at its most critical junction. When it was then time to build a grant funding pool to put dollars directly into the hands of business owners most impacted by the Covid-crisis, M&T Bank stepped up again with a \$50,000 donation that elevated WBDC's standing and undoubtedly influenced other groups to contribute at the same level.

I fully support this merger and invite you to contact me if any additional information is needed.

Regards,

A handwritten signature in blue ink, appearing to read "CL", is positioned above the printed name of Christopher Landino.

Christopher Landino
Vice President of External Affairs