

Comptroller of the Currency Administrator of National Banks

Washington, DC 20219

PUBLIC DISCLOSURE

April 6, 2009

COMMUNITY REINVESTMENT ACT PERFORMANCE EVALUATION

BNB Bank, National Association Charter Number 20622

> 2024 Center Avenue Fort Lee, NJ 07024

Office of the Comptroller of the Currency

NEW YORK METRO 343 Thornall Street Suite 610 Edison, NJ 08837

NOTE: This document is an evaluation of this institution's record of meeting the credit needs of its entire community, including low- and moderate-income neighborhoods consistent with safe and sound operation of the institution. This evaluation is not, nor should it be construed as, an assessment of the financial condition of this institution. The rating assigned to this institution does not represent an analysis, conclusion, or opinion of the federal financial supervisory agency concerning the safety and soundness of this financial institution.

TABLE OF CONTENTS

| INSTITUTION'S CRA RATING | 2 |
|--|-----|
| SCOPE OF EXAMINATION | 2 |
| DESCRIPTION OF INSTITUTION | 2 |
| SELECTION OF AREAS FOR FULL-SCOPE REVIEW | 3 |
| RATINGS | 3 |
| LOAN-TO-DEPOSIT RATIO | 4 |
| FAIR LENDING OR OTHER ILLEGAL CREDIT PRACTICES REVIEW | 4 |
| MULTISTATE METROPOLITAN AREA RATING | 5 |
| APPENDIX A: SCOPE OF EXAMINATION | A-1 |
| APPENDIX B: SUMMARY OF MULTISTATE METROPOLITAN AREA AND RATINGS | B-1 |
| | |

INSTITUTION'S CRA RATING: This institution is rated Satisfactory.

The Lending Test is rated: Satisfactory. The Community Development Test is rated: Satisfactory.

The primary factors supporting this rating include:

- BNB Bank, N.A. (BNB) quarterly average net loan-to-deposit ratio is more than reasonable and exceeds the standards for satisfactory performance;
- BNB originated a majority of its loans to borrowers within its assessment area (AA);
- BNB's borrower and geographic distribution reflects reasonable dispersion and penetration across business sizes and geographies; and
- BNB's responsiveness to the community development (CD) needs and opportunities in its AA is adequate in light of its capacity and area opportunities.

Scope of Examination

This Performance Evaluation assesses the bank's record of meeting the credit needs of the communities in which it operates. We evaluated BNB under the Intermediate Small Bank (ISB) performance criteria, which included a Lending Test and a CD test.

The Lending Test evaluates a bank's record of helping meet the credit needs of its AA through its lending activities. The evaluation period under the lending test covers the bank's performance from January 1, 2006 through March 31, 2009. Conclusions regarding BNB's lending performance are based on loans to businesses because it is considered the bank's primary loan product based on our review of the number and dollar amount of loans originated during the evaluation period.

The evaluation period for the CD test, which includes CD loans, investments and services covers the bank's performance from November 24, 2003 through April 6, 2009. All CD activities were reviewed to ensure they met the regulatory definition for community development.

Description of Institution

BNB Bank, N.A. (formerly Broadway National Bank) opened for business on September 16, 1986. The bank is wholly owned by BNB Financial Service Corporation, a one bank holding company and has two affiliated subsidiaries, BNB NJ Investment Corp and BNB Funding Corp. BNB relocated its main office from New York City to Fort Lee, New Jersey in September 2003 and, as such, became an interstate bank. The bank currently operates two full service branches in New Jersey, one full service branch in New York, and three Loan Production Offices (LPOs) located in New Jersey, New York and Pennsylvania. In November 2002, BNB sold its branch in Brooklyn, New York. BNB closed its branch office at 855 Avenue of the Americas in Manhattan in July 2007 due to building demolition. One LPO (Parsippany) was closed in September 2008 due to decreased business activity. The LPO in Edison was closed for similar reasons.

BNB had total assets of \$315,577 thousand as of December 31, 2008. The bank is recognized as a Small Business Administration (SBA) preferred lender and has been consistently acknowledged as the #1 SBA lender by the states of New York and New Jersey since 2001. Their loan portfolio is made up of 89% real estate loans, 9% commercial and industrial loans and 2% other loans. Commercial real estate and commercial lending activities collectively dominate 89% of the bank's loan portfolio and are considered the bank's primary product lines. In addition to these commercial lending activities, the bank offers personal, business and online banking services to its customers. At year-end 2008, the bank reported net loans of \$259,908 thousand, Tier 1 Capital of \$36,558 thousand and Tier 1 Leverage Ratio of 11.56%. Total deposits were \$270,933 thousand.

BNB faces substantial competition in its assessment area. The New York/New Jersey metropolitan areas include some of the largest money center financial institutions in the global market. New York City and northern New Jersey are home to super-regional giants as well as local mortgage bankers and brokers.

There are no financial or legal impediments to hinder BNB's ability to help meet the credit needs of the communities it services. The bank received a "Satisfactory" rating on its prior performance evaluation dated November 24, 2003.

Selection of Areas for Full-Scope Review

All of the bank's full service branches are located in the New York-White Plains-Wayne NY-NJ Metropolitan Division (MD) (35644) within the multi-state of New York-Northern New Jersey-Long Island, NY, NJ, PA Multistate Metropolitan Statistical Area (MMSA) (35620). The bank's lending and community development activities also extend into the Essex County of the Newark-Union-NJ-PA MD (35084), since this county is contiguous to its main office location in Fort Lee, New Jersey. For review purposes, we performed a full-scope review of each MD (35644 and 35084) designated within the bank's AA.

Ratings

BNB's overall rating is a blend of the two full-scope reviews. More weight was placed on the bank's performance in the New York-White Plains-Wayne NY-NJ MD because all of the bank's branches and deposits are located in this AA, and it is where a majority of the bank's lending originated. Less weight was placed on the bank's performance in the Newark-Union-NJ-PA MD due to the bank's limited activity in this AA.

Conclusions with Respect to Performance Criteria

BNB's performance under the Lending Test is considered "Satisfactory". More weight was placed on the bank's performance in the New York-White Plains-Wayne NY-NJ MD since activities in the Newark-Union-NJ-PA MD were limited to Essex County. BNB's loan-to-deposit ratio is more than reasonable and a substantial majority of loans originated were made inside the bank's AA. The geographic distribution of BNB's business loans reflects reasonable dispersion among geographies and penetration among businesses of different sizes.

Loan-to-Deposit Ratio

BNB's quarterly average loan-to-deposit ratio is more than reasonable given the bank's size, financial condition and the credit needs of the AA. The bank's quarterly average net loan-to-deposit ratio over the twenty one quarters since the last CRA examination was 90.59%. During this period, BNB's performance ranged from a low of 78% at December 31, 2006 to a high of 108% at June 30, 2008.

BNB's quarterly average net loan-to-deposit ratio compares favorably with other national financial institutions of similar size, location and product offerings. BNB ranks third among a total of seven similarly situated banks. The average net loan-to deposit ratios for the other six banks over the same twenty one quarters averaged 72.56%. The ratios ranged from an average quarterly low of 21.16% to a quarterly high of 110.73%.

Lending in Assessment Area

BNB originated a majority of its loans inside its AA. The following table details the bank's lending within the AA by number and dollar amount of loans. Based on our sample, 60% of the loans in number and 72% in dollar volume were within the bank's AA.

| Table 1 – Lending in BNB's Assessment Area(dollar amounts in thousands) | | | | | | | | | | |
|---|----|---------|----|------------------|-------|-----------|-----|-----------|-----|----------|
| Number of Loans | | | | Dollars of Loans | | | | | | |
| Loan | In | side AA | Ou | tside AA | | Inside AA | ١ | Outside A | A | |
| Туре | # | % | # | % | Total | \$ | % | \$ | % | Total |
| Business | 12 | 60% | 8 | 40% | 20 | \$9,770 | 72% | \$3,715 | 28% | \$13,485 |
| Total | 12 | 60% | 8 | 40% | 20 | \$9,770 | 72% | \$3,715 | 28% | \$13,485 |

Source: Business Loan Sample 2006-2009.

Fair Lending or Other Illegal Credit Practices Review

We found no evidence of discriminatory or other illegal credit practices inconsistent with helping to meet community needs.

Multistate Metropolitan Area Rating

New York-Northern New Jersey-Long Island, NY, NJ, PA MMSA

CRA Rating for the New York-Northern New Jersey-Long Island, NY, NJ, PA MMSA¹: Satisfactory.

The Lending test is rated: Satisfactory.

The Community development test is rated: Satisfactory.

The primary factors supporting this rating include:

- BNB's borrower and geographic distribution reflects reasonable dispersion and penetration across business sizes and geographies; and
- BNB responsiveness to the community development needs in its AA is adequate.

DESCRIPTION OF INSTITUTION'S OPERATIONS IN NEW YORK-NORTHERN NEW JERSEY-LONG ISLAND, NY, NJ, PA MMSA

BNB has one assessment area that covers ten counties within New York and New Jersey. These counties are located within two MDs that are part of the New York-Northern New Jersey-Long Island, NY, NJ, PA MMSA (35620). Nine of the counties are located within the New York-White Plains-Wayne NY-NJ MD (35644) and one county is located within the Newark-Union-NJ-PA MD (35084). Since the bank's assessment area contains counties that fall under two different MDs, the bank has two assessment areas for analytical purposes. The reason the analysis is conducted at the MD level is because different median family income values are used to determine low-to-moderate income for borrowers and geographies in each MD. The two assessment areas are described below:

New York-White Plains-Wayne NY-NJ MD - AA

The bank's primary AA is a portion of the New York-White Plains-Wayne New York-New Jersey MD (35644). BNB designated all of the census tracts in the Bronx, Queens, Kings (Brooklyn), New York (Manhattan), Westchester and Rockland Counties in New York and Bergen, Hudson and Passaic Counties in New Jersey as its AA. BNB's AA meets the requirements of the regulation and does not arbitrarily exclude any low- or moderate-income areas.

¹This rating reflects performance within the multistate metropolitan area. The statewide evaluations do not reflect performance in the parts of those states contained within the multistate metropolitan area.

| Demographic Information for the New York-White Plains-Wayne New York-New | | | | | | | | | |
|--|--------------------|-------------------|------------|----------|---------|--|--|--|--|
| | Jersey MD 35644 AA | | | | | | | | |
| | # | % Low | % Moderate | % Middle | % Upper | | | | |
| Geographies (Census | | | | | | | | | |
| Tracts) | 2,792 | 12.07 | 25.32 | 28.76 | 31.59 | | | | |
| Population by Geography | 10,756,904 | 12.94 | 27.03 | 26.57 | 33.30 | | | | |
| Owner-Occupied Housing by Geography | 4,231,823 | 2.14 | 12.54 | 27.51 | 57.82 | | | | |
| Businesses by Geography | 890,569 | 7.06 | 18.49 | 21.65 | 51.80 | | | | |
| Farms by Geography | 5,898 | 2.26 | 7.63 | 18.28 | 71.70 | | | | |
| Family Distribution by Income Level | 2,565,466 | 12.50 | 26.41 | 26.81 | 34.29 | | | | |
| Household Distribution by Income Level | 4,021,797 | 22.75 | 33.41 | 24.18 | 19.66 | | | | |
| Census Median Family Inco | 49,461 | Median Housin | 239,739 | | | | | | |
| HUD-Adjusted MFI: 2008 | 63,000 | Unemployment Rate | | 3.91 | | | | | |
| Families Below the Poverty | _evel | 17.05 | | | | | | | |

Below is a summary of demographic information for this AA:

Source: 2000 U.S. Census Data; 2008 HUD updated MFI; unemployment rate as of June 2008

The 2000 U.S. Census reported the total population of the AA at 10,756,904 living within 2,792 census tracts. Of the 2.792 census tracts, 337 (12%) are low-income geographies, 707 (25%) are moderate-income geographies, 803 (29%) are middle-income geographies and 882 (32%) are upper-income geographies. There are 63 tracts (2%) that are not classified into any income geographies.

The 2000 median income was \$49,461 and the 2008 HUD updated median family income is \$63,000. According to the census, approximately 59% of low income families live in low income tracts followed by 38% living in moderate income tracts. A little over 22% of the low income families are living in middle income tracts while less than 9% of the families are in upper income tracts.

There are a total of 890,569 businesses in the AA. More than half of the businesses (67%) reported revenues of less than \$1 million, and only 7% of the businesses generated revenues greater than \$1 million. The remaining 26% of businesses did not report any revenue. A majority of the businesses (51%) are located in upper-income geographies followed by 22% in middle-income, 18% in moderate-income and 7% in low-income areas.

The bank operates three full service branches in this AA. These branches offer a full line of traditional banking products and services. The main office in Fort Lee, New Jersey is open weekdays from 8:00AM until 5:00PM and from 8:00AM to 12:00PM on Saturday. The branch in Palisades Park, New Jersey is open weekdays from 8:00AM to 5:00PM and from 9:00AM to 1:00pm on Saturday. The branch in New York City is open weekdays from 9:00AM to 5:00PM. There are full service automated teller machines (ATMs) located in all branch offices.

According to the June 30, 2008 FDIC Summary of Deposit Market Share report, BNB's deposit market share within the New York-Northern New Jersey-Long Island, New York, New Jersey, Pennsylvania MMSA is 0.03%, ranking BNB 125 out of 243 institutions in the AA. BNB's primary competitors are: JP Morgan Chase (728 offices, 29.80% market share), Citibank (288 offices, 8.00% market share), Bank of New York (7 offices, 4.21% market share), HSBC, (218 offices, 5.07% market share), Washington Mutual (327 offices, 2.41%) and Apple Bank for Savings (51 Offices, 0.77%).

There is a diversified mix of businesses within the New York-Northern New Jersey-Long Island, New York, New Jersey, Pennsylvania MMSA. Many national and international corporations are headquartered there. Historically, the area has been dominated by the financial services industry. Other industries include advertising, publishing and garment production. The retail sector is a major employer along with health care and social care. In addition, light manufacturing and the wholesale trades provide a significant level of job opportunities.

According to the June 2008 Bureau of Labor Statistics data, the unemployment rate for the New York-Northern New Jersey-Long Island, New York, New Jersey, Pennsylvania MMSA is 5.1%. The unemployment rate for the state of New York was 5.3%, the unemployment rate for the state of New Jersey was 5.2% and the unemployment rate for the state of Pennsylvania was 5.3%. The national unemployment rate was 5.6% as of June 30, 2008.

We did not contact a community organization during this examination. In late 2008, we contacted a not-for-profit community organization whose primary purpose is providing services to low- and moderate-income (LMI) individuals living in the five boroughs of New York City. The organization is located in Manhattan and is dedicated to helping LMI individuals through its educational and counseling programs. Programs are funded by charitable donations from local communities. These funds are used to promote financial literacy, home maintenance training, foreclosure counseling/prevention and other similar programs including small home loan assistance programs.

Newark-Union-NJ-PA MD - AA

The bank's second AA is a portion of the Newark-Union, New Jersey-Pennsylvania MD (35084). The Newark-Union, New Jersey-Pennsylvania MD (35084) is comprised of Essex County in New Jersey.

BNB designated all 212 census tracts in Essex County as its AA. Even though there are no branches or ATMs in Essex County, this county is contiguous to the bank's AA and is where the bank focuses its Community Development. This AA meets the requirements of the regulation and does not arbitrarily exclude any low- or moderate-income areas.

| Demographic Information for the Newark-Union, New Jersey-Pennsylvania MD 35084 | | | | | | | | |
|--|---------|----------------------|------------|----------|---------|--|--|--|
| | # | % Low | % Moderate | % Middle | % Upper | | | |
| Geographies (Census | | | | | | | | |
| Tracts) | 212 | 33.03 | 32.08 | 13.21 | 21.70 | | | |
| Population by Geography | | | | | | | | |
| | 793,633 | 25.48 | 32.74 | 15.33 | 26.45 | | | |
| Owner-Occupied Housing | | | | | | | | |
| by Geography | 301,011 | 9.60 | 22.54 | 19.91 | 47.95 | | | |
| Businesses by Geography | | | | | | | | |
| | 57,930 | 22.67 | 25.18 | 13.95 | 38.20 | | | |
| Farms by Geography | | | | | | | | |
| | 525 | 5.14 | 16.19 | 21.33 | 57.33 | | | |
| Family Distribution by | | | | | | | | |
| Income Level | 194,654 | 23.78 | 31.70 | 15.35 | 29.17 | | | |
| Household Distribution by | | | | | | | | |
| Income Level | 283,692 | 43.04 | 36.25 | 11.79 | 8.92 | | | |
| Census Median Family Incor | 68,424 | Median Housing Value | | 178,002 | | | | |
| HUD-Adjusted MFI: 2008 | 84,300 | Unemployment Rate | | 4.34 | | | | |
| Families Below the Poverty L | evel | 15.44 | | | | | | |

Below is a summary of demographic information for this AA:

Source: 2000 U.S. Census Data; 2008 HUD updated MFI; unemployment rate as of June 2008

The 2000 U.S. Census reported the total population of the AA at 793,633 and 212 census tracts. Of the 212 census tracts, 70 or 33.02% are low-income geographies, 68 or 32.08% are moderate-income geographies, 28 or 13.221% are middle-income geographies and 46 or 21.70% are upper-income geographies.

The 2000 median income for this AA was \$68,424 and the 2008 HUD updated median family income is \$84,300. Low income families are distributed across the AA census tracts as follows: 62% live in low income tracts, 40% in moderate income tracts, 19% in middle income tracts and 8% in upper income tracts. Approximately 15% of the households are living below the poverty level.

According to the 2008 business demographics, there are a total of 57,930 businesses in the AA. Approximately 71% of the businesses reported revenues less than \$1 million, 7% of the businesses generate revenues over \$1 million and the remaining 22% of businesses did not report any revenue. A majority of the businesses (38%) are located in upper-income geographies, followed by 25% in moderate-income areas, 23% in low-income areas and 14% in middle-income areas.

There are no branches or Automated Teller Machines (ATMs) located in this AA.

SCOPE OF EVALUATION IN NEW YORK-NORTHERN NEW JERSEY-LONG ISLAND, NY, NJ, PA MMSA

BNB operates in two MDs that are part of the multistate New York-Northern New Jersey-Long Island, NY, NJ, PA MMSA (35620). The two MDs consist of the New York-White Plains-Wayne NY-NJ MD (35644) AA and Newark-Union-NJ-PA MD (35084) AA. A full-scope review was performed for each AA. We randomly selected 20 business loans for the New York-White Plains-Wayne NY-NJ MD to assess borrower and geographic distribution. For the Newark-Union-NJ-PA MD, we sampled 100% (13 loans in total) of the business loans originated in Essex County. Our evaluation period for this test was January 1, 2006 through April 6, 2009.

CONCLUSIONS WITH RESPECT TO PERFORMANCE TESTS IN NEW YORK-NORTHERN NEW JERSEY-LONG ISLAND, NY, NJ, PA MMSA

LENDING TEST

BNB's performance under the Lending Test is considered "Satisfactory". More weight was placed on the bank's performance in the New York-White Plains-Wayne NY-NJ MD due to the bank's limited activity in the Newark-Union-NJ-PA MD AA. The geographic distribution of BNB's business loans reflects reasonable dispersion among geographies and the bank's borrower distribution reflects reasonable penetration among businesses of different sizes. All criteria of the Lending Test are documented below.

Lending to Businesses of Different Sizes

The distribution of loans reflects a reasonable penetration among business of different sizes. The borrower distribution for loans in the Newark-Union-NJ-PA MD was poor; however the borrower distribution in the New York-White Plains-Wayne NY-NJ MD was excellent. The poor distribution in the Newark-Union-NJ-PA MD is mitigated by the bank's Community Development focus in this AA.

Performance in the New York-White Plains-Wayne NY-NJ MD (35644)

The distribution of loans to businesses reflects excellent penetration among businesses of different sizes. A large volume of loans, approximately 615, were originated in this AA during our evaluation period. Ninety percent of the bank's loans to businesses originated and purchased during the loan sampling period were made to small businesses. Small businesses are businesses with gross annual revenues of one million dollars or less. This is considered excellent compared to demographic data that show 67% of the area's businesses are considered to be small businesses. We also looked at the distribution of loans by dollar amount and found that 85% of the business loans in our sample were loans under \$300 thousand; and the average loan amount was \$201 thousand, which provides additional support for an excellent distribution of loans to small businesses.

| Table 2 – Borrower Distribution of Loans to Businesses in the New York-White Plains-Wayne NY-NJ MD 35644 | | | | | | | |
|--|--------------|--------------|-------------------------|-------|--|--|--|
| Business Revenues (or Sales) | ≤\$1,000,000 | >\$1,000,000 | Unavailable/ Unknown | Total | | | |
| % of AA Businesses | 67.44 | 6.57 | 25.98 | 100% | | | |
| % of Bank Loans in AA by # | 90.00 | 10.00 | 0.00 | 100% | | | |
| % of Bank Loans in AA by \$ | 97.29 | 2.71 | 0.00 | 100% | | | |

Source: Business Loan Sample 2006-2009 and 2008 Business Geodemographic data

Performance in Newark-Union-NJ-PA MD (35084)

The distribution of loans to businesses reflects poor penetration among borrowers of different sizes. A small volume of loans, 13 in total, were originated in this AA during our evaluation period. Approximately 77% of the loans originated were made to small businesses. While the percentage of loans originated is low, it is offset by the bank's community development activities in this area.

| Table 2 - Borrower Distribution of Loans to Businesses in the Newark-Union-NJ-PA MD35084 | | | | | | | |
|--|--------------|--------------|-------------------------|-------|--|--|--|
| Business Revenues (or Sales) | ≤\$1,000,000 | >\$1,000,000 | Unavailable/ Unknown | Total | | | |
| % of AA Businesses | 70.67 | 6.87 | 22.46 | 100% | | | |
| % of Bank Loans in AA by # | 77.00 | 23.00 | 0.00 | 100% | | | |
| % of Bank Loans in AA by \$ | 88.53 | 11.47 | 0.00 | 100% | | | |

Source: Business Loan Sample 2006-2009 and 2008 Business Geodemographic data

Geographic Distribution of Loans

The geographic distribution of business loans reflects a reasonable dispersion throughout census tracts of different income levels. More weight was placed on the geographic distribution of loans in the New York-White Plains-Wayne NY-NJ MD due to the bank's limited activity in the Newark-Union-NJ-PA MD. The geographic distribution for loans in the Newark-Union-NJ-PA MD was poor; however the borrower distribution in the New York-White Plains-Wayne NY-NJ MD was reasonable. BNB meets the standard for satisfactory performance. There were no conspicuous gaps identified within BNB's AA.

Performance in the New York-White Plains-Wayne NY-NJ MD (35644)

The bank's geographic distribution of loans reflects reasonable dispersion throughout census tracts of different income levels. The bank made 10% of their business loans to businesses located in low-income census tracts and 25% of their business loans to businesses located in moderate-income tracts. This is considered reasonable because the percentage of BNB business loans made is low-to-moderate income census tracts is near the percentage of businesses that are located in these geographies.

| Table 3 – Geographic Distribution of Loans to Businesses in the New York-White Plains-Wayne NY-NJ MD 35644 | | | | | | | | |
|---|-----------------------|----------------------------|-----------------------|----------------------------|-----------------------|----------------------------|-----------------------|-------------------------------|
| Census Tract Income Level | Lov | v | Moderate | | Midd | lle | Upper | |
| Loan Type | % of AA Businesses | % of Number of Loans | % of AA Businesses | % of Number of Loans | % of AA Businesses | % of Number of Loans | % of AA Businesses | % of Number of Loans |
| Business | 12.07 | 10.00 | 25.32 | 25.00 | 28.76 | 30.00 | 31.59 | 35.00 |

Source: Business Loan Sample 2006-2009 and 2008 Business Geodemographic data

Performance in Newark-Union-NJ-PA MD (35084)

The bank's geographic distribution of business loans reflects poor dispersion throughout the census tracts of different income levels. Only a small volume of loans were originated in this AA during the evaluation period. Our sample indicated that 54% of the loans were made to upper-income areas. Again, while the percentage of loans originated is low, it is mitigated by the bank's community development activities in this AA.

| Table 3 – Geographic Distribution of Loans to the Newark-Union-NJ-PA MD 35084 | | | | | | | | |
|---|-----------------------|----------------------------|-----------------------|----------------------------|-----------------------|----------------------------|-----------------------|-------------------------------|
| Census Tract Income Level | Lov | N | Moderate | | Middle | | Upper | |
| Loan Type | % of AA Businesses | % of Number of Loans | % of AA Businesses | % of Number of Loans | % of AA Businesses | % of Number of Loans | % of AA Businesses | % of Number of Loans |
| Business | 22.67 | 8.00 | 25.18 | 38.00 | 13.95 | 0.00 | 38.20 | 54.00 |

Source: Business Loan Sample 2006-2009 and 2008 Business Geodemographic data

Responses to Complaints

BNB has not received any CRA complaints during this evaluation period.

COMMUNITY DEVELOPMENT TEST

The bank's performance under the community development test in New York-Northern New Jersey-Long Island, NY, NJ, PA MMSA is rated Satisfactory.

BNB's community development performance, offered through its loans, qualified investments and community services, demonstrate adequate responsiveness to the community development needs in this AA.

Number and Amount of Community Development Loans

Performance in the New York-White Plains-Wayne NY-NJ MD (35644)

BNB originated 12 community development loans totaling \$10,782,000. These loans were made to local businesses in the MD to promote economic development, revitalization/stabilization efforts in LMI geographies and affordable housing in LMI communities.

Performance in Newark-Union-NJ-PA MD (35084)

BNB originated 9 community development loans totaling \$3,733,888. These loans were made to local businesses in the MD to promote economic development, revitalization/stabilization efforts in LMI geographies and affordable housing in LMI communities.

Number and Amount of Qualified Investments

The bank made 29 qualified investments to 7 community development organizations within both MDs in its AA. The dollar amount of qualified contributions totaled \$9,600 with more than half of its contributions going to an organization providing affordable housing to LMI individuals in the New York area. The remaining investments are disbursed to not-for-profit organizations in New York and New Jersey dedicated to serving LMI individuals and geographies.

Extent to Which the Bank Provides Community Development Services

The level of community development services provided by BNB is limited to educating and assisting small business in SBA lending in the bank's designated AA. During the evaluation period, BNB provided 2 services that qualified under the criteria. Both of these services were targeted to small businesses. One service in particular was dedicated to helping small businesses through difficult economic times via SBA lending. While the bank may have provided similar services since our last examination, we did not consider prior services since adequate records were not maintained to demonstrate provision of such services to local communities.

Responsiveness to Community Development Needs

Given the bank's capacity and availability of community development opportunities in the AA, BNB Bank, N.A., demonstrates reasonable responsiveness to community development needs in its AA through CD loans and qualified investments activities.

Appendix A: Scope of Examination

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

| Time Period Reviewed | Lending Test: January 1, 2006 to April 6, 2009 Community Development Test: November 24, 2003 to April 6, 2009 | | | | |
|--|--|-------------------|--|--|--|
| Financial Institution | • | Products Reviewed | | | |
| BNB Bank, N.A. (BNB) Fort Lee, N.J, | | Business Loans | | | |
| List of Assessment Areas and Type of | of Examination | | | | |
| Assessment Area | Type of Exam | Other Information | | | |
| New York-Northern New Jersey- Long Island, NY, NJ, PA Multistate MSA - 35620 New York-White Plains-Wayne NY-NJ MD - # 35644 Newark-Union-NJ-PA MD - #35084 | Full Scope | | | | |

Appendix B: Summary of Multistate Metropolitan Area and Ratings

| Overall Bank: | Lending Test Rating | Community Development Test Rating | Overall Bank/State/ Multistate Rating |
|---|------------------------|---|--|
| BNB Bank, N.A. | Satisfactory | Satisfactory | Satisfactory |
| New York-Northern New Jersey-Long Island, NY, NJ, PA MSA | Satisfactory | Satisfactory | Satisfactory |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |