

FEDERAL RESERVE BANK OF NEW YORK

NEW YORK, N.Y. 10045-0001

AREA CODE 212-720-5000

January 19, 2010

Mr. Robert Doggett
4920 North IH-35
Austin, TX 78751

Dear Mr. Doggett:

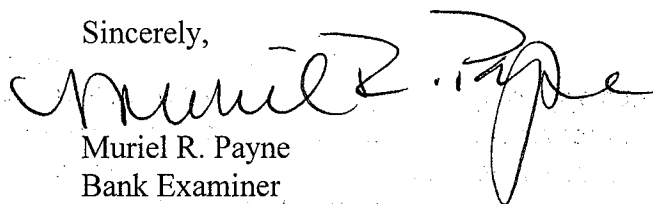
This letter responds to your complaint against The Bank of New York Mellon (the BNYM). Your initial complaint only contained a website address. Your “preferred complaint resolution” was to require institutions to amend their notices immediately to avoid misleading anyone. The Reserve Bank submitted your initial complaint to the BNYM, who responded that they were not clear as to the nature of your complaint. The Reserve Bank contacted you and you referred us to a letter that was addressed “Occupant” of a home in Pflugerville, TX, dated August 13, 2009, from the law firm Barrett, Daffin, Frappier, Turner & Engel, LLP. You stated that your complaint consisted of the deceptive nature of the letter sent to the tenant of a property whose landlord received a foreclosure notice. It is your contention that the letter is deceptive in that it indicates that the tenant is the party who must vacate the premises. We contacted the bank on your behalf, and would like to advise you of our findings.

In connection with our inquiry, the BNYM responded that they are not clear if you are disputing the context of the letter or disputing the facts of the letter. In any case, the bank suggested that you contact the law firm to address your concerns.

As a point of information, it may be beneficial to clarify that the issue raised in your complaint is not addressed by Federal Reserve regulations. The procedures entities must follow when foreclosing on real estate property are matters of individual bank policy that are governed by principles of contract and state law. Therefore, the resolution of disputes about the acceptability of such procedures is not within the supervisory jurisdiction of the Reserve Bank.

We trust that the information provided has been helpful. As this office monitors the nature and quantity of consumer complaints against state-member banks, we thank you for bringing this matter to our attention.

Sincerely,



Muriel R. Payne
Bank Examiner

Legal and Compliance Risk Department