

**FEDERAL DEPOSIT INSURANCE CORPORATION
WASHINGTON, D.C.**

In the Matter of:

LIZA HUBBARD,
an institution-affiliated party of

SunTrust Bank n.k.a. Truist Bank
Charlotte, North Carolina

(Insured State Nonmember Bank)

Docket Nos.:
FDIC-25-0006e
FDIC-25-0012b
FDIC-25-0011k

ORDER NO. 2: ORDER OF DEFAULT AND RECOMMENDED DECISION FOR PROHIBITION FROM FURTHER ACTIVITIES, RESTITUTION, AND THE ASSESSMENT OF A CIVIL MONEY PENALTY

This order arises under a Motion for Entry of an Order of Default (Default Motion) pursuant to 12 C.F.R. § 308.19(c)(1)-(2) filed on September 9, 2025 by Federal Deposit Insurance Corporation (FDIC) Enforcement Counsel (EC) for the failure of the respondent, Liza Hubbard, to file a timely answer to the underlying Notice of Charges (NOC). The NOC seeks an order of prohibition from further participation in banking activities, restitution of \$8,000, and a civil money penalty of \$35,000 against Liza Hubbard, a former SunTrust Online Phone Representative (STOLI) at SunTrust Bank and an institution-affiliated party (IAP), related to her participation in a scheme with two other SunTrust employees that enrolled eight, mostly elderly, SunTrust customers in online banking with bill pay and then made unauthorized Zelle transfers from their accounts to personal ones held by the employees.¹ The NOC charges that, for her part, Hubbard transferred \$8,000 from these accounts to her personal bank account. Liza Hubbard filed neither a timely answer to the NOC nor a request for a hearing as required by the FDIC Rules of Practice and Procedure (Procedural Rules). Hubbard also did not respond to the Default Motion.

For the reasons set forth below, the Default Motion is **GRANTED** and the Administrative Law Judge (ALJ) recommends that the Board of Directors of the FDIC (Board) enter an order of prohibition from future banking activities, an order of restitution in the amount of \$8,000, and the assessment of a \$35,000 civil money penalty against the respondent, Liza Hubbard.

I. Liza Hubbard has not shown good cause for failure to file an answer.

The Procedural Rules require a respondent to file an answer within twenty (20) days of service of the notice of charges.² By failing to file an answer within that timeframe, a respondent waives the right to appear and contest the allegations in the notice.³ Before granting a motion for an order

¹ The two other SunTrust employees consented to orders of prohibition from further activities and are not parties to this proceeding. NOC at 5 n.3.

² 12 C.F.R. § 308.19(a) (2026).

³ *Id.* at § 308.19(c)(1).

of default and issuing a recommended decision to the Board, the ALJ must find that “no good cause has been shown [by the respondent] for the failure to file a timely answer.”⁴

In this case, the record shows that EC confirmed Liza Hubbard’s mailing address through public databases,^{5, 6} and properly served the NOC on her by email with confirmed receipt by Hubbard.⁷ The NOC and the ALJ’s preliminary order informed Hubbard of both the requirement to timely file an answer and the consequences of failing to do so.⁸ Notwithstanding the warnings in the NOC and the preliminary order, Liza Hubbard did not file an answer or make an appearance in these proceedings. The ALJ thus finds that Liza Hubbard failed to file a timely answer to the NOC pursuant to 12 C.F.R. § 308.19(a) and did not show good cause for not doing so. Accordingly, Liza Hubbard waived her right to appear and contest the allegations in the NOC.

II. Liza Hubbard did not request a hearing on the civil money penalty, thereby converting the penalty assessment into a final and unappealable order.

The Federal Deposit Insurance Act and the accompanying Procedural Rules require a respondent to request a hearing on the assessment of a civil money penalty within twenty (20) days of service of the notice of charges.⁹ If a respondent does not request a hearing within that time, the assessment of a civil money penalty becomes “a final and unappealable order.”¹⁰ In this case, both the NOC and the ALJ’s preliminary order informed Liza Hubbard of the requirement to timely request a hearing on the civil money penalty and the consequences of failing to do so.¹¹ Hubbard, however, did not file a request for a hearing. Accordingly, the ALJ finds that the FDIC’s assessment of a \$35,000 civil money penalty against Liza Hubbard is final and unappealable.

⁴ *Id.*

⁵ Motion for Default, Exs. 5, 6.

⁶ The record shows that EC encountered difficulty serving the NOC to Liza Hubbard by USPS certified mail, UPS, and process server. On May 20, 2025, EC attempted to serve the NOC on Liza Hubbard by certified mail. *Id.*, Exs. 1a, 2. The tracking history shows that USPS could not deliver the NOC (“No Authorized Recipient Available”) and returned the package to Washington, DC. *Id.*, Ex. 2a. EC also attempted to serve the NOC to Liza Hubbard using UPS. A confirmation email shows that UPS delivered the NOC to Hubbard on May 21, 2025. *Id.*, Ex. 3. On June 25, 2025, EC made another attempt to serve the NOC by USPS certified mail, but the package was returned undeliverable. *Id.*, Exs. 12, 13. On June 13, 2025, a process server informed EC that the address for Liza Hubbard was not valid. *Id.*, Ex. 10 (“I went to the leasing office, and they confirmed that the subject was unknown and not in their database.”). On June 20, 2025, EC contacted the leasing office to ascertain whether Liza Hubbard lived at that address. *Id.*, Ex. 11, ¶ 5. The individual at the leasing office claimed that she could not provide the requested information or provide a forwarding address. *Id.* Finally, on June 10, 2025, EC called the phone number on record for Liza Hubbard. *Id.*, Ex. 11, ¶ 7. The woman who answered declined to confirm her identity, but when asked for the mailing address of Liza Hubbard, she replied “‘currently with none’ and [hung up] the phone.” *Id.*

⁷ *Id.*, Ex. 14 at 2 (“I received this email but in regards to what this is my first knowledge about this.”). EC responded to this email the next day, directing Liza Hubbard to review the NOC and provide a valid current mailing address. *Id.*, Ex. 14 at 5-7. As of the filing of the Default Motion, Hubbard had not replied to EC. *Id.* at 5.

⁸ NOC at 14; May 28, 2025 Order No. 1 at 1.

⁹ 12 U.S.C. § 1818(i)(2)(H); 12 C.F.R. § 308.19(a) (2026).

¹⁰ 12 U.S.C. § 1818(i)(2)(H); 12 C.F.R. § 308.19(c)(2) (2026).

¹¹ NOC at 13; May 28, 2025 Order No. 1 at 2.

III. The FDIC has jurisdiction over Liza Hubbard.

The FDIC's jurisdiction is uncontested. SunTrust Bank, n.k.a. Truist Bank, is a North Carolina corporation with its principal place of business in Charlotte, North Carolina.¹² SunTrust Bank is an insured state nonmember bank.¹³ Liza Hubbard, a former STOLI at SunTrust Bank, is an institution-affiliated party, or IAP, within the meaning of 12 U.S.C. § 1818.¹⁴ Accordingly, the FDIC has jurisdiction over this matter.

IV. Uncontested Findings of Fact

Liza Hubbard, by failing to file an answer, does not contest the allegations in the NOC. The NOC establishes that Liza Hubbard worked as a STOLI at the SunTrust Bank call center in Orlando, Florida assisting customers with online banking and other services.¹⁵ As a STOLI, Hubbard had access to customers' confidential information and bank accounts for the purpose of assisting them with their legitimate banking needs.¹⁶ Using their access, Liza Hubbard, along with two other SunTrust employees, established a scheme that involved enrolling eight (including five elderly and one deceased) SunTrust customers, representing five accounts,¹⁷ in online banking with bill pay to make unauthorized transfers from those accounts to their personal ones.¹⁸

On June 19, 2020, Liza Hubbard and the two other SunTrust employees established online banking profiles with bill pay for three accounts: a joint account held by A.P. and D.P., a joint account held by H.O. and J.P., and an account held by D.C.¹⁹ For her part, Hubbard made Zelle transfers addressed to "L. Hubbard," phone number (xxx) xxx-5563,²⁰ from these accounts to one at USAA Bank.²¹ SunTrust records show that Liza Hubbard was the last to access the customers' accounts.²²

On June 27, 2020, Liza Hubbard made a Zelle transfer for \$1,000 addressed to "L. Hubbard," phone number (xxx) xxx-5563, from the joint account of K.B. and L.B. to her account at USAA Bank.²³ Two days later, on June 29, 2020, Hubbard made another Zelle transfer for \$1,000 addressed to "L. Hubbard," phone number (xxx) xxx-5563, this time from the account of W.F. to

¹² NOC at 3.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* at 3.

¹⁶ *Id.* at 3-4.

¹⁷ These accounts are: A.P. (85 years old)/D.P. (56 years old) Joint Account, D.C. (59 years old) Account, H.O. (deceased)/J.P. (76 years old) Joint Account, K.B. (76 years old)/L.B. (80 years old) Joint Account, and W.F. (73 years old) Account. *Id.* at 5-12.

¹⁸ *Id.*

¹⁹ *Id.* at 5, 7, and 8.

²⁰ This phone number was (1) associated with Liza Hubbard's personal account at USAA Bank, (2) used to text Hubbard's manager at SunTrust Bank, and (3) confirmed by a CLEAR (a Thomson Reuters Risk & Fraud Solutions database) report, dated December 18, 2024. *Id.* at 4.

²¹ There were three Zelle transfers from the joint account of A.P. and D.P. totaling \$3,000, two Zelle transfers from the joint account of H.O. and J.P. totaling \$2,000, and a \$1,000 Zelle transfer from D.C.'s account. *Id.* at 5, 7-9.

²² *Id.* at 6, 7, and 9.

²³ *Id.* at 10.

her account at USAA Bank.²⁴ W.F.'s account was enrolled on May 26, 2020 in online banking with bill pay by the three SunTrust employees using W.F.'s personal and financial information.²⁵ Likewise, on June 16, 2020, the employees enrolled K.B.'s and L.B.'s joint account in online banking with bill pay using their personal and financial information.

On October 21, 2020, SunTrust reimbursed all of the account holders for the above transactions made by Liza Hubbard in the amount of \$8,000.²⁶ SunTrust suffered a total loss from all three participants in the scheme of \$43,000, of which Liza Hubbard received \$8,000.²⁷ The SunTrust Code of Ethics prohibits its employees from accessing customers' confidential information without authorization and transferring funds or making changes to customer accounts without their consent.²⁸

V. The unauthorized enrollment of eight SunTrust Bank customers in online banking with bill pay and the subsequent transfers of money without their consent to Liza Hubbard's personal account at USAA Bank merits an order of prohibition.

EC requests an order of prohibition against Liza Hubbard, an IAP, from future activities in the banking industry. To obtain a prohibition order, EC must prove the IAP's conduct satisfies the distinct elements of (1) misconduct, (2) effect, and (3) culpability.²⁹ EC may demonstrate misconduct by showing that the IAP has:

- 1) "directly or indirectly violated any law or regulation [or] any cease-and-desist order which has become final,"
- 2) "engaged or participated in any unsafe or unsound practice in connection with any insured depository institution or business institution," or
- 3) "committed or engaged in any act, omission, or practice which constitutes a breach of such party's fiduciary duty."³⁰

EC may prove the effect of the IAP's misconduct by demonstrating:

- 1) that the financial institution "suffered or probably will suffer financial loss or other damage,"
- 2) that depositors' interests "have been or could be prejudiced," or
- 3) that the IAP "received financial gain or other benefit."³¹

Finally, culpability is demonstrated when the IAP's misconduct either "involves personal dishonesty" or "demonstrates willful or continuing disregard . . . for the safety or soundness of [the] insured depository institution."³² In the instant case, the uncontested facts show that Liza

²⁴ *Id.* at 11.

²⁵ *Id.* 9-11.

²⁶ *Id.* at 6, 8-11.

²⁷ *Id.* at 5, 12.

²⁸ *Id.* at 4-5.

²⁹ 12 U.S.C. § 1818(e)(1).

³⁰ *Id.* at § 1818(e)(1)(A).

³¹ *Id.* at § 1818(e)(1)(B).

³² *Id.* at § 1818(e)(1)(C).

Hubbard's actions satisfy all three elements because (1) she engaged in an unsafe or unsound practice in connection with SunTrust Bank, which (2) resulted in a financial loss to SunTrust of \$8,000, and (3) her actions involved personal dishonesty.

A. Liza Hubbard's actions satisfy the element of misconduct because she engaged in an unsafe or unsound practice in connection with SunTrust Bank.

EC argues that Liza Hubbard's participation in a scheme that enrolled bank customers without their knowledge or consent in online banking with bill pay and then, for her part, transferred \$8,000 to her own account satisfies the element of misconduct because it constitutes an unsafe or unsound practice.³³ The ALJ agrees. An "unsafe or unsound practice" is "any action, or lack of action, which is contrary to generally accepted standards of prudent operation, the possible consequences of which, if continued, would be abnormal risk or loss or damage to an institution, its shareholders, or the agencies administering the insurance funds."³⁴ The Board has consistently found that the fraudulent transfer of funds from the accounts of bank customers, especially those involving elderly or deceased account holders, to ones held by an IAP or the associate of an IAP constitutes an unsafe or unsound practice.³⁵

In this case, Liza Hubbard systematically transferred \$8,000 from the accounts of eight bank customers, including five elderly and one deceased, without their knowledge or consent to her personal account at USAA Bank.³⁶ The overarching scheme involved Hubbard and two other employees using their access to confidential financial and personal information of the targeted customers to unknowingly enroll them in online banking with bill pay.³⁷ For her part, on June 19, 27, and 29, 2020, Hubbard used the bill pay option to make a series of \$1,000 Zelle transfers from the accounts at issue to hers.³⁸ The uncontested record also shows that the transfers were in the name of "L. Hubbard," using her phone number, to USAA Bank, and that she was the last person

³³ NOC at 12.

³⁴ *In the Matter of Patrick Adams*, No. AA-EC-11-50, 2014 WL 8735096, at *3 (Sept. 30, 2014) (OCC final decision) quoting Financial Institutions Supervisory Act of 1966: Hearings on S. 3158 Before the House Comm. on Banking and Currency, 89th Cong., 2d Sess. 49 (1966) (statement of John H. Horne, Chairman of the FHLBB), 112 Cong. Rec. 26,474 (1966) ("Horne memorandum"); see also, e.g., *In the Matter of Donald V. Watkins, Sr.*, Nos. 17-154e & -155k, 2019 WL 6700075, at *7 (Oct. 15, 2019) (FDIC final decision) (applying the definition provided in the Horne memorandum).

³⁵ See, e.g., *In the Matter of Despina Skabardonis*, Nos. 13-444e & -443k, 2016 WL 8201948 (May 10, 2016) (FDIC final decision on default) (unsafe or unsound practice where respondent made unauthorized withdrawals from customer accounts); *In the Matter of Kelly Marie Krebs*, No. 17-0229e, 2019 WL 5823893, at *1 (Sep. 17, 2019) (FDIC final decision on default) (unsafe or unsound practice where respondent made unauthorized withdrawals from bank customer's account for her personal use); *In the Matter of Martin Fernandez, Jr.*, No. 23-0118e, 2025 WL 855353, at *2 (January 17, 2025) (FDIC final decision on default) (The unauthorized transfer of \$123,563 by an IAP from customer accounts to known associates "without the knowledge or authorization of the customers" constitutes an unsafe or unsound practice.); *In the Matter of Elias Rangel*, Nos. 22-0098e & 24-0032k, 2025 WL 3205016 (Sep. 26, 2025) (FDIC final decision on default) (unsafe or unsound practice where respondent fraudulently transferred money to himself from accounts of elderly or deceased bank customers). The Federal Reserve Board has also held that "unauthorized withdrawals . . . from the account of one customer, using the proceeds for [an IAP's] own purposes" constitutes an unsafe or unsound practice. *In the Matter of Michelle M. Moore*, Nos. 06-035-E-1 & -B-1, 2007 WL 2506477, at *2 (July 9, 2007) (FRB final decision).

³⁶ NOC at 5-11.

³⁷ *Id.* at 5, 7, and 8.

³⁸ *Id.* at 6-11.

to access the accounts.³⁹ Thus, the ALJ finds that Liza Hubbard's actions constitute an unsafe or unsound practice and satisfy the element of misconduct.

B. Liza Hubbard's misconduct led SunTrust to suffer an \$8,000 financial loss.

Liza Hubbard's misconduct satisfies the element of effect. EC may prove the effect of the IAP's misconduct by demonstrating that the financial institution "suffered or probably will suffer financial loss or other damage."⁴⁰ In this case, because of Liza Hubbard's actions, SunTrust suffered a financial loss of \$8,000 by reimbursing eight account holders for the funds embezzled by Hubbard.⁴¹ Thus, the ALJ finds that Liza Hubbard's actions satisfy the element of demonstrating the effect of her misconduct.

C. Liza Hubbard's misconduct involved personal dishonesty.

Liza Hubbard's misconduct satisfies the element of culpability. One way to demonstrate culpability is when the IAP's misconduct "involves personal dishonesty."⁴² The SunTrust Bank Code of Ethics prohibited employees from accessing confidential customer information, enrolling customers in services, and transferring funds between accounts without their consent.⁴³ In this case, Hubbard accessed confidential information, used it to enroll customers in online banking with bill pay, and proceeded to make Zelle transfers to her USAA account – all without the knowledge or consent of the account holders.⁴⁴ Thus, the ALJ finds that Liza Hubbard's violation of the Bank's Code of Ethics demonstrates her personal dishonesty and therefore satisfies the element of culpability.

D. Conclusion

The ALJ finds that IAP Liza Hubbard's misconduct satisfies all three elements of 12 U.S.C. § 1818(e)(1) because she engaged in an unsafe or unsound practice that led to an \$8,000 loss to SunTrust, and her conduct involved personal dishonesty. Accordingly, the ALJ recommends that the Board impose a prohibition from future bank-related activities on the respondent, Liza Hubbard.

VI. The misconduct merits an order of restitution.

An order of restitution is appropriate when the respondent was unjustly enriched through misconduct that constitutes a reckless disregard for the law.⁴⁵ To merit an order of restitution, EC must demonstrate that an IAP, like Liza Hubbard, "was unjustly enriched in connection with such violation or practice."⁴⁶ In the instant case, the uncontested facts show that Liza Hubbard's misconduct, specifically enrolling customers in online banking with bill pay without their

³⁹ *Id.*

⁴⁰ 12 U.S.C. § 1818(e)(1)(B).

⁴¹ NOC at 12.

⁴² 12 U.S.C. § 1818(e)(1)(C).

⁴³ NOC at 5.

⁴⁴ *Id.* at 5-11.

⁴⁵ 12 U.S.C. § 1818(b)(6).

⁴⁶ *Id.* at § 1818(b)(6)(A).

knowledge or consent to make unauthorized Zelle transfers to her own account, led to her unjust enrichment in the amount of \$8,000. Accordingly, the ALJ finds that Hubbard’s actions merit an order of restitution.

VII. The misconduct merits the imposition of a civil money penalty.

As discussed in section II of this Recommended Decision, Liza Hubbard did not timely request a hearing as required by the applicable statute and regulations, thus converting the assessment of a civil money penalty in the NOC into a final and unappealable order.⁴⁷ While it is sufficient under the statute and regulations to assess Hubbard a civil money penalty once she has failed to timely request a hearing, the record demonstrates that the assessment of a civil money penalty is appropriate under the circumstances regardless. In order for an ALJ to recommend a civil money penalty, EC must prove, in relevant part, that the IAP engaged in actionable misconduct, which may be satisfied by a violation of law or regulation.⁴⁸ EC must further prove, in relevant part, that the IAP’s misconduct was “part of a pattern of misconduct” or that the misconduct “result[ed] in pecuniary gain or other benefit to such party.”⁴⁹ EC, however, must weigh the appropriateness of the civil penalty amount by considering mitigating circumstances like good faith on the part of the IAP, the seriousness of the misconduct, and any “other matters as justice may require.”⁵⁰

Hubbard’s misconduct merits a civil money penalty because it was in violation of law, and both demonstrates a pattern of misconduct and resulted in a pecuniary gain to her. As discussed in section V of this Recommended Decision, Liza Hubbard violated 12 U.S.C. § 1818(e) through her participation in a scheme to embezzle money from the accounts of mostly elderly bank customers. Over a period of one month Hubbard and two accomplices actively engaged in an established pattern of misconduct by enrolling SunTrust customers in online banking with bill pay without their knowledge or consent.⁵¹ As part of that pattern of misconduct, she and her accomplices then transferred \$43,000 from those accounts to their personal bank accounts.^{52, 53} For her part, Hubbard received a pecuniary gain of \$8,000 in the form of Zelle transfers to her USAA Bank account. Accordingly, the ALJ finds that the assessment of a civil money penalty is appropriate.

⁴⁷ *Id.* at § 1818(i)(2)(H); 12 C.F.R. § 308.19(c)(2) (2026).

⁴⁸ 12 U.S.C. § 1818(i)(2)(B)(i).

⁴⁹ *Id.* at § 1818(i)(2)(B)(ii).

⁵⁰ *Id.* at § 1818(i)(2)(G).

⁵¹ NOC at 5-12.

⁵² *Id.* at 5.

⁵³ 12 U.S.C. § 1818(i)(2)(B)(ii).

VIII. Conclusion and Recommended Remedies

For the foregoing reasons, the ALJ recommends that the Board enter an order of prohibition from future banking activities, enter an order of restitution in the amount of \$8,000, and assess a \$35,000 civil money penalty against the respondent, Liza Hubbard.

SO ORDERED.

Issued: May 4, 2026



C. Scott Maravilla
Administrative Law Judge
Office of Financial Institution Adjudication

CERTIFICATE OF SERVICE

On May 4, 2026, I served a copy of the foregoing **Order** upon the following individuals via email:

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