

**Order No. 2024-004**

<b>IN THE MATTER OF:</b>	<b>§</b>	<b>BEFORE THE BANKING</b>
	<b>§</b>	
<b>COURTNEY MAYFIELD SITKOWSKI</b>	<b>§</b>	<b>COMMISSIONER OF TEXAS</b>
	<b>§</b>	
<b>KATY, TEXAS</b>	<b>§</b>	<b>AUSTIN, TRAVIS COUNTY, TEXAS</b>

**CONSENT ORDER PROHIBITING FURTHER PARTICIPATION, REQUIRING  
RESTITUTION, AND IMPOSING AN ADMINISTRATIVE PENALTY**

On this day, the matter of Courtney Mayfield Sitkowski of Katy, Texas (Respondent) was submitted to me, Charles G. Cooper, Banking Commissioner of the State of Texas (Commissioner), for consideration and action.

1. Respondent is a former employee of Independent Bank (Bank). She held the position of Vice President in the Bank's branch located at 3900 Essex Lane Suite 100, Houston, TX 77027. Her employment with the Bank ended in November 2022.
2. The Bank is chartered in Texas under charter number 3074-23.
3. The Bank and Respondent are, and at all times pertinent to the allegations in this proceeding were, subject to the provisions of the Texas Banking Act (Banking Act), Texas Finance Code (Finance Code) Title 3, Subtitle A.
4. Pursuant to Finance Code, Chapter 35, the Commissioner has jurisdiction over Respondent and the subject matter of this proceeding and is authorized to bring this enforcement action pursuant to Finance Code §§ 35.002, 35.003, 35.009 and 35.010.
5. The Commissioner has the authority to issue this *Consent Order Prohibiting Further Participation, Requiring Restitution, and Imposing an Administrative Penalty* (Consent

Order) pursuant to Finance Code § 31.201(d) and Texas Government Code (Government Code) § 2001.056.

6. Respondent has been properly notified of her right to an administrative hearing under Finance Code §§ 35.002, 35.004, and 35.010 and Government Code §§ 2001.051 and 2001.171. Respondent waives this right and agrees to the disposition of this matter pursuant to the provisions of Finance Code § 31.201(d) and Government Code § 2001.056.
7. Respondent enters into this Consent Order solely for the purpose of this proceeding and without admitting or denying any facts contained herein or any violations of law or regulation. This Consent Order does not constitute an admission by Respondent that the Banking Act, or a rule adopted, or order issued under the Banking Act, has been violated.
8. For purposes of this proceeding, Respondent knowingly and voluntarily waives:
  - a. service upon Respondent of this Consent Order;
  - b. the right to present defenses to the allegations in this proceeding;
  - c. notice and hearing prior to imposition of this Consent Order;
  - d. the filing of proposed findings of fact and conclusions of law;
  - e. the issuance of a proposal for decision by an administrative law judge;
  - f. the filing of exceptions and briefs with respect to such proposal for decision;
  - g. any review of this Consent Order by the Texas Finance Commission (Finance Commission); and
  - h. judicial review of this Consent Order as provided by Government Code § 2001.171 *et seq.*, and any other challenge to the validity of this Consent Order.
9. Any violation of this Consent Order could subject Respondent to additional regulatory or enforcement actions authorized by the Finance Code and other provisions of Texas law.

Nothing in this Consent Order diminishes the regulatory or enforcement powers of the Texas Department of Banking (Department), the Commissioner, or the Finance Commission, or other applicable law. Nothing in this Consent Order waives or affects potential penalties against Respondent under Finance Code § 35.010 or restitution obligations of Respondent or related claims under Finance Code § 35.002.

10. The Commissioner has considered the matter and based upon credible evidence, reasonably believes that Respondent's actions satisfy the statutory requirements for the issuance of this Consent Order as set forth in Finance Code §§ 35.003 and 35.009.
11. The Commissioner has further considered the matter and finds as follows:
  - a. Beginning in approximately September 2018 Respondent stole funds from multiple accounts.
  - b. Respondent's actions included completing fraudulent certificate of deposit and demand deposit account withdrawal forms, making unauthorized cash and cashier check withdrawals or payments, altering cashier's checks, opening accounts without authorization, and using unauthorized transfers to conceal her actions. In total, Respondent embezzled over \$316,000 from customer accounts.
  - c. Respondent asserts that she does not have financial resources to re-pay the Bank or pay penalties to the Department.
12. Specifically, the Commissioner has determined that Respondent:
  - a. intentionally violated applicable state and federal law; conducted business in an unsafe and unsound manner; and made false entries in the records of the Bank; and

- b. because of Respondent's actions, the Bank suffered financial loss; the interests of the depositors and shareholders were prejudiced; and Respondent received financial gain by reason of her actions; and
  - c. Respondent's actions involved personal dishonesty and demonstrated willful and continuing disregard for the safety and soundness of the Bank.
13. Pursuant to Finance Code § 35.003, the Commissioner finds there are grounds to prohibit Respondent from office or employment in, or further participation in the affairs of a state bank or any other entity chartered, registered, permitted, or licensed by the Commissioner.
14. Respondent consents to the issuance of this Consent Order and agrees to comply with the terms that are set out in the ORDER below.

### **ORDER**

It is, therefore, ORDERED, ADJUDGED, and DECREED that:

1. Pursuant to Finance Code §§ 35.003 and 35.007, Respondent may not:
- a. serve as a director, officer, or employee of a state bank, state trust company, or holding company of a state bank, or as a director, officer, or employee with financial responsibility of any other entity chartered, registered, permitted, or licensed by the Commissioner under the laws of this state;
  - b. directly or indirectly participate in any manner in the management of such an entity;
  - c. directly or indirectly vote for a director of such an entity; or
  - d. solicit, procure, transfer, attempt to transfer, vote, or attempt to vote a proxy, consent, or authorization with respect to voting rights in such an entity.

**EFFECTIVE DATE**

This Consent Order is effective on the date signed by the Commissioner and is final and non-appealable as of that date. The provisions of this Consent Order will remain effective and in force except in the event that, and until such time as, appropriate portions of this Consent Order are modified, terminated, suspended or set aside in accordance with applicable law.

It is so ORDERED.

Signed this 24<sup>th</sup> day of January, 2024.

/s/ Charles G. Cooper  
Charles G. Cooper  
Banking Commissioner of the State of Texas

**AGREED AND APPROVED AS TO FORM AND SUBSTANCE:**

/s/ Courtney Mayfield Sitkowski  
Courtney Mayfield Sitkowski

Date: January 18, 2024

**APPROVED AS TO FORM:**

/s/ Jesse T. Moore  
Jesse T. Moore  
Assistant General Counsel  
Texas Department of Banking

Date: January 24, 2024