## UNITED STATES OF AMERICA DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of:

Acceptance Capital Mortgage Corporation,

HUDALJ 10-M-063-CMP-13

Respondent.

## **ORDER GRANTING GOVERNMENT'S MOTION TO DISMISS**

This action was initiated on February 26, 2010, by the United States Department of Housing and Urban Development ("the Government") filing the Government's Complaint for Civil Money Penalties ("Complaint") against Respondent under Section 536 of the National Housing Act, 12 U.S.C. § 1735f-14, and 24 C.F.R. Part 30. Respondent requested a hearing on March 9, 2010, and filed a response to the Complaint on March 24, 2010. The undersigned issued a Notice of Hearing and Prehearing Order on March 31, 2010, setting the hearing in this matter to commence on June 22, 2010, in or around Spokane, Washington.

On May 7, 2010, the parties filed a Joint Motion to Stay Proceedings, which the undersigned granted. The parties were ordered to file and serve their Prehearing Exchanges by June 4, 2010.

On June 2, 2010, the Government's Motion to Dismiss was filed, seeking dismissal, without prejudice, of this matter on the basis that the parties have executed a Settlement Agreement. The Government attached to the Motion a copy of the Settlement Agreement, which provides, *inter alia*, that Respondent shall pay a civil money penalty to the Government in the amount of \$14,000 plus 6% interest, due and payable in monthly installments beginning July 15, 2010.

Rule 30.100 provides that the Government is "authorized to enter into settlement agreements resolving civil money penalty actions that may be brought under part 30." 24 C.F.R. § 30.100.

It is **ORDERED** that this matter involving Respondent Acceptance Capital Mortgage Corporation is hereby **<u>DISMISSED</u>** due to the parties' execution of a Settlement Agreement dated June 2, 2010.

Susan L. Biro

Chief Administrative Law Judge<sup>1</sup>

Date: June 3, 2010 Washington, D.C.

<sup>&</sup>lt;sup>1</sup> The Administrative Law Judges of the United States Environmental Protection Agency are authorized to hear cases pending before the United States Department of Housing and Urban Development pursuant to an Interagency Agreement in effect beginning March 4, 2010.