

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF HEARINGS AND APPEALS

In the Matter of:

Karla McCall,

Petitioner.

Docket No. 23-VH-0140-AO-036
(Claim No. 7-210210380A)

October 28, 2024


ORDER OF DISMISSAL

24 C.F.R. § 26.4(c) provides, “If a party refuses or fails to comply with an order of the hearing officer, including an order compelling discovery, the hearing officer may enter any appropriate order necessary to the disposition of the hearing including a determination against the noncomplying party[.]” Further, 24 C.F.R. § 26.4(d) provides, “If a party fails to prosecute or defend an action brought under subpart A of this part, the hearing officer may dismiss the action or may issue an initial decision against the non-prosecuting or defending party.”

On August 8, 2023, Petitioner filed a *Request for Hearing* for the Tribunal to review HUD’s determination that Petitioner owed the subject debt. Petitioner failed to comply with the Tribunal’s *Notice of Docketing* issued on August 10, 2023, subsequent *Show Cause Order* on March 21, 2024 and, thereafter, the *Order for Leave to File* issued on May 23, 2024 in which the Tribunal specifically stated, “Failure to comply with this Order may result in sanctions being imposed by the Court pursuant to 24 C.F.R. § 26.4(c)-(d), including judgment entered on behalf of the opposing party, dismissal of this action, or a decision based on the documents in the record of this proceeding.”

The lapse of time since August 2023 has provided Petitioner with opportunities to comply with the Tribunal’s *Orders* but Petitioner has failed to respond. So, consistent with the provisions of 24 C.F.R. § 26.4(c) and (d), Petitioner’s appeal is **DISMISSED WITH PREJUDICE** *sua sponte* for non-compliance with the Tribunal’s *Orders*. The stay of proceeding issued on August 10, 2023, is hereby **VACATED**.

SO ORDERED.


Vanessa L. Hall
Administrative Judge