

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

In the Matter of:

CARLOS CHISHOLM,

Petitioner.

Docket No. 24-AF-0071-AO-011
(Claim No. 7-210220870A)

April 19, 2024

ORDER OF DISMISSAL

On December 14, 2024, the Tribunal received Petitioner's *Hearing Request* wherein Petitioner acknowledged receiving the mortgage assistance that resulted in this alleged debt being owed. However, Petitioner requested that HUD not attempt to enforce the debt against him, because he was ordered to vacate the property pursuant to a divorce decree and his ex-spouse subsequently sold the property.

On December 15, 2024, the Tribunal ordered Petitioner to file documentary evidence in support of his position that the debt should not be enforced against him. Said documentary evidence was due by January 17, 2024. Petitioner did not comply or otherwise respond.

Having not received a timely filing from Petitioner, the Tribunal ordered Petitioner to show cause as to why his appeal should not be dismissed. Again, Petitioner did not comply or respond.

When a party fails to comply with an order of the Tribunal, the Tribunal may impose a sanction that reasonably relates to the severity and nature of the failure. 24 C.F.R. § 26.4. If a party fails to prosecute or defend an action, dismissal of the matter or a decision against that party may also be imposed. *Id.* at § 26.4(d).

To date, Petitioner has not complied with the Tribunal's orders or otherwise produced evidence in support of his position that the debt should not be enforced. Accordingly, this matter is **DISMISSED**, and the stay of proceedings issued on December 15, 2023, is hereby **VACATED**.

So **ORDERED**,

ALEXANDER
FERNANDEZ-
PONS

Digitally signed by: ALEXANDER
FERNANDEZ-PONS
DN: CN = ALEXANDER FERNANDEZ-
PONS C = US O = U.S. Government
OU = Department of Housing and Urban
Development, Office of the Secretary
Date: 2024.04.18 18:53:54 -04'00'

Alexander Fernández-Pons
Administrative Law Judge