

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

In the Matter of:

BESSIE NACEY,

Petitioner.

Docket No. 24-AF-0083-AG-057  
(Claim No. 721021663)

May 16, 2024

**ORDER OF DISMISSAL**

On December 20, 2023, the Tribunal received Petitioner's *Hearing Request* wherein Petitioner disputed the existence of the debt claimed by the Secretary of the U.S. Department of Housing and Urban Development ("HUD"). Thereafter, the Tribunal ordered the Secretary and Petitioner to file documentary evidence in support of their respective positions. The Secretary complied with the Tribunal's order and filed a Secretary's Statement and supporting evidence on January 19, 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 her 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 her position that she does not owe the alleged debt. Accordingly, this matter is **DISMISSED**, and the stay of proceedings issued on December 21, 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: 2024.05.16 14:51:04 -04'00'

Alexander Fernández-Pons  
Administrative Law Judge