

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

In the Matter of:

DANA BYNUM,

Petitioner.

Docket No. 24-AF-0116-AG-080
(Claim No. 721016851)

December 23, 2024

ORDER OF DISMISSAL

On January 26, 2024, 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. Thereafter, the Tribunal ordered Petitioner to file documentary evidence in support of Petitioner's position. 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 the 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 Petitioner's position. Accordingly, this matter is **DISMISSED**, and the stay of proceedings issued on January 31, 2024, is hereby **VACATED**.¹

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: 2024.12.23 12:36:11 -05'00'

Alexander Fernández-Pons
Administrative Law Judge

¹ The Tribunal issued a *Decision and Order*, dated November 21, 2023, which authorized the Secretary to seek administrative wage garnishment in the amount of 10% of Petitioner's disposable income per month. The Secretary may take action consistent with that *Decision and Order*.