

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

In the Matter of:

PATTY SOTO,

Petitioner.

24-VH-0019-AG-013
(Claim No. 721020761)

July 25, 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 November 7, 2023, Petitioner filed a *Request for Hearing* for the Court to review HUD’s determination that Petitioner owed the subject debt. The *Secretary’s Statement* was filed on December 19, 2023, in response to the Court’s *Notice of Docketing* issued on November 8, 2023. Petitioner failed to comply with the *Notice* and subsequent *Show Cause Order* in which the Court specifically stated, “If a party fails to prosecute or defend an action, dismissal of the matter or a decision against that party may also be imposed.”

The lapse of time since November 2023 has provided Petitioner with opportunities to comply with the Court’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 Court’s *Orders*. The stay of proceeding issued on November 8, 2023, is hereby **VACATED**.

SO ORDERED.



Vanessa L. Hall
Administrative Judge