

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
BOARD OF CONTRACT APPEALS
WASHINGTON, D. C.

In the Matter of:	:	
	:	
JAMES K. FARNHAM, III,	:	HUDBCA No. 86-1617-D19
	:	
Respondent	:	
	:	

Mr. James K. Farnham, III
2316-E Golden Gate Drive
Greensboro, North Carolina 27401

Linda S. Gurevich, Esquire
Room 10266
Office of General Counsel
U.S. Department of Housing
and Urban Development
Washington, D. C. 20410

DECISION AND ORDER

By letter dated March 6, 1986, James K. Farnham, III, Respondent, was notified that the U.S. Department of Housing and Urban Development ("HUD") intended to debar him from participation in HUD programs for a period of three years, based upon Respondent's conviction for violation of 18 U.S.C. §1623. Respondent was temporarily suspended pending determination of debarment.

The letter notice informed Respondent that it would serve as the Department's complaint and that Respondent had 30 days from receipt of the complaint to file a specific answer to the allegations in it. By letter dated March 20, 1986, Respondent requested an opportunity for a hearing on the proposed debarment. By Order dated April 8, 1986, this case was docketed. Respondent was ordered to file an answer to the Department's complaint by April 20, 1986. Respondent received the Order of April 8, 1986 on April 14, 1986, as evidenced by a certified mail return receipt. Respondent failed to file an answer by April 20, 1986, or to make a timely request for an extension of time in which to do so. On May 8, 1986, the Department filed a Motion to Dismiss

for lack of prosecution. Respondent has not responded to the Motion to Dismiss.

The Motion to Dismiss is GRANTED. This matter is remanded to the appropriate Assistant Secretary for further action in accordance with the notice of proposed debarment dated March 6, 1986.

ORDERED this 4th day of June, 1986.



JEAN S. COOPER
Administrative Judge