

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

In the Matter of:

**Elaine Danzy,**

Petitioner.

15-AM-027-AG-010

7807688150A

October 1, 2015

**RULING AND ORDER UPON RECONSIDERATION**

On September 28, 2015, Elaine Danzy (“Petitioner”) filed a letter with this Court titled “Notice of Appeal,” which this Office deems to be a *Motion for Reconsideration of the Decision and Order* (“*Motion*”) in Elaine Danzy, HUDOA No. 15-AM-027-AG-010 (July 16, 2015). The *July 16<sup>th</sup> Decision and Order* found the debt in this case to be legally enforceable against Petitioner in the amount claimed by the Secretary. Petitioner’s *Motion* objects to the *July 16<sup>th</sup> Decision and Order*, and claims, “HUD is attempting to recover a debt which they have no legal entitlement as the original lender (Paramount Bank, Farmington Hills, MI) is out of business.”

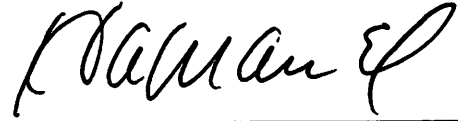
Reconsideration of a prior decision is within the discretion of the administrative judge and will not be granted “in the absence of compelling reasons, e.g., newly discovered evidence or clear error of fact or law.” Louisiana Housing Finance Agency, HUDBCA No. 02-D-CH-CC006 at 1, (March 1, 2004). Further, “[i]t is not the purpose of reconsideration to afford a party the opportunity to reassert contentions that have been fully considered and determined by [this Office].” *Id.* at 1.

In her *Motion*, Petitioner does not provide substantial new evidence to support a compelling basis for reconsideration. Rather, Petitioner reasserts her argument that the debt is unenforceable because neither Paramount Bank nor MSHDA can provide a record of the assignment/transfer of the Note in question from one lender to another. The *July 16<sup>th</sup> Decision and Order* already addressed that issue in its finding that the evidence provided by the Secretary, including the lost assignment affidavit and a copy of the original assignment, was sufficient to establish the assignment of the Note to HUD.

Petitioner’s *Motion for Reconsideration* also points this Court to a “Rejected Settlement Offer” in order to demonstrate that Petitioner “[has] made every effort to resolve this matter with HUD which they have refused.” This Court addressed this issue as well in finding that HUD has been forthcoming with Petitioner in resolving petitioner’s debt issue. Neither this claim, nor Petitioner’s attempt to draw this Court’s attention to the auction price of homes reclaimed by HUD in Detroit, present a compelling reason for reconsideration.

For the foregoing reasons, *Petitioner's Motion for Reconsideration* is **DENIED**. It is hereby

**ORDERED** that the administrative wage garnishment order authorized by the *Decision and Order*, In re: Elaine Danzy, HUDOA No. 15-AM-027-AG-010, dated July 16, 2015 shall not be modified and shall remain in full force and effect.

A handwritten signature in black ink, appearing to read 'H. Alexander Manuel', written over a horizontal line.

H. Alexander Manuel  
Administrative Judge