



Office of Appeals  
U.S. Department of Housing and Urban Development  
Washington, D.C. 20410-0001

In the Matter of:

**Lance Hobbs,**

Petitioner

HUDOA No. 10-H-CH-LL108  
Claim No. 7-210063690A

Lance Hobbs.  
4609 Grand Rock Drive  
North Las Vegas, NV 89031

*Pro se*

Sara Mooney, Esq.  
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Urban Development  
Office of Regional Counsel  
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For the Secretary

**ORDER OF DISMISSAL**

In 24 C.F.R. § 17.152(b) it provides that failure by the Petitioner to submit evidence within 65 calendar days from the date of the Department's Notice of Intent, will result in a dismissal of Petitioner's request for review by the HUD Office of Appeals.

Petitioner alleged that:

This debt was incurred in 2001 as a result of my delinquent mortgage which at the time was held by Chase Mortgage. I filed for Chapter 13 Bankruptcy protection in February 2003 and continued to make satisfactory payments to the mortgage company as well as the bankruptcy trustees' office (Rick Yarnall) through September 2006.

(Petitioner's Request for Hearing, filed March 23, 2010.)

Petitioner submitted a copy of the Discharge of Debtor after completion of Chapter 13 Plan, issued on March 23, 2007 by the United States Bankruptcy Court, District of Nevada.

However, evidence that shows the status of Petitioner's completion of the Chapter 13 Plan as pending is insufficient in substantiating that the subject debt was officially discharged. As a result, Petitioner was ordered on three occasions to submit documentary evidence that would otherwise render the alleged debt unenforceable against Petitioner. (Notice of Docketing, Order, and Stay of Referral dated March 24, 2010; Order, dated May 11, 2010; Order to Show Cause, dated June 15, 2010.) Petitioner failed to comply with any of the Orders issued by this Office to produce the documentation necessary to sufficiently support his position.

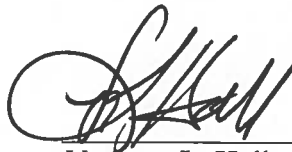
As a final point, Rule 26.3 of Title 24 of the Code of Federal Regulations provides:

If a party refuses or fails to comply with an Order of the hearing officer, the hearing officer may enter any appropriate order necessary to the disposition of the hearing including *a determination against a noncomplying party*. (Emphasis added.)

Accordingly, because Petitioner has also failed to comply with any of the Orders issued by this Office, I find that Petitioner's non-compliance to the Orders issued by this Office provides a basis for rendering a decision against Petitioner pursuant to Rule 26.3 of Title 24 of the Code of Federal Regulations.

Upon due consideration of Petitioner's failure to comply with 24 C.F.R. § 17.152(b) and Rule 26.3 of Title 24 of the Code of Federal Regulations, Petitioner's appeal is **DISMISSED** *sua sponte*.

**ORDERED** that this matter be DISMISSED WITH PREJUDICE.



Vanessa L. Hall  
Administrative Judge

August 20, 2010