



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

In the Matter of:

**Simone and Brian Kern,**  
Petitioners

HUDOA No. 10-H-CH-LL135  
Claim No. 721006143

Gregory M. Olson, President  
Warranty Title, Inc.  
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Colorado Springs, CO 80918

For Petitioners

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Chicago, IL 60604

For the Secretary

**RULING ON MOTION FOR RECONSIDERATION AND ORDER**

This Office issued a Decision and Order in this case on October 14, 2010 in which the Secretary was ordered to "seek collection of this outstanding obligation by means of administrative offset of any federal payments due Petitioners, to the extent authorized by law."

Petitioners timely filed a Motion for Reconsideration on November 12, 2010 in which Petitioners contends that "A more thorough look at this document (Deed of Trust) will show that on the cover page and on page 1, the Deed of Trust related to Wells Fargo loan number 936-604856914. The Secretary claims that this clearly identifies anything but the total Wells Fargo loan package in regards to this matter is totally inaccurate."

Upon due consideration, Petitioners' Motion for Reconsideration is **GRANTED**. Accordingly, it is hereby

**ORDERED** that, on or before February 25, 2011 the **SECRETARY SHALL FILE** a response to the averments set forth in Petitioners' Motion for Reconsideration. It is hereby

**FURTHER ORDERED** that the October 14, 2010 Decision and Order shall remain in **FULL FORCE AND EFFECT** until a Decision and Order Upon Reconsideration is issued in this case.

**All submissions to this Office relating to this proceeding shall contain the HUDOA Docket Number and may be e-mailed to: [oa.oa@hud.gov](mailto:oa.oa@hud.gov).** In the absence of an e-mail address, all submissions may be mailed or faxed to the mailing address at HUD Office of Hearings and Appeals, 451 7<sup>th</sup> Street, SW, Room B-133, Washington, DC 20410, or faxed to the facsimile (fax) number of this Office at 202/619-7304.

  
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Vanessa L. Hall  
Administrative Judge

February 4, 2011