



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

In the Matter of:

**PAUL D. DUNSTAN,**

Petitioner.

HUDOA No. 10-M-NY-LL153  
Claim No. 7-711472190A

**RULING AND ORDER OF DISMISSAL**

On August 11, 2010, the Secretary filed the Secretary's Motion to Dismiss in this case, acknowledging Petitioner's Chapter 13 Bankruptcy filing with the U.S. Bankruptcy Court for the District of Washington under case number 03-23876, and stating that "the Secretary acknowledges that the Petitioner does not have the financial capacity to repay the debt at this time. Therefore, HUD will not pursue collection of this debt. Rather, HUD will write off the debt and report the cancelled debt to the Internal Revenue Service." Secretary's Motion to Dismiss, ¶2, Declaration of Brian Dillon, attached as Exhibit A. Without objection, the Secretary's Motion to Dismiss is GRANTED. Accordingly, it is

**ORDERED** that this case is DISMISSED without prejudice.

A handwritten signature in cursive script, appearing to read "H. Alexander Manuel".

H. Alexander Manuel  
Administrative Judge

August 12, 2010