

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

In the Matter of:

**SeKesha D. Chestnut,**

Petitioner.

16-AM-0093-AO-011

7210083290A

June 20, 2017

**RULING AND ORDER OF DISMISSAL**

On December 13, 2016, the Court ordered Petitioner to show cause why this case should not be dismissed. At that time, Petitioner had failed to come forward with documentary evidence proving that she is not indebted to the Department as claimed by the Secretary. *Order to Show Cause Why Appeal Should Not Be Dismissed*, dated December 13, 2017. Petitioner later filed correspondence with the Court stating “[a]t this time, I have no documentary evidence to show that this debt is not valid. This debt is over 10 years old and I don’t have any documents on this house/property as it was sold over a year ago.” *Petitioner’s Letter*, dated December 28, 2016. Petitioner admits that she was “misinformed” and that she “misinterpreted” her liability for the loan modification at issue in this case. Petitioner further states that she is “not disputing the debt as this modification helped me stay in my home.” *Id.*

24 C.F.R. §17.69(b) states, with respect to administrative offset claims, that “[f]ailure to submit evidence shall result in dismissal of the request for review by the [Office of Appeals].” While Petitioner did come forward with a candid response to the *Order to Show Cause*, Petitioner acknowledges that she does not have evidence to show that she is not indebted to the Department in this case. Accordingly, she has failed to show cause why her appeal should not be dismissed. In “asking for this matter to be dismissed,” Petitioner also requests a “settlement for a smaller amount.” *Petitioner’s Letter*. The Court is without jurisdiction to consider settlements or compromise offers for debts to HUD. However, Petitioner is free to contact Michael DeMarco, Director of the HUD Financial Operations Center, 52 Corporate Circle, Albany, NY 12203-5121 to discuss possible settlement. Accordingly, the Court rules *sua sponte* that Petitioner’s appeal in this case should be dismissed. It is

**ORDERED** that this case is **DISMISSED**, *without prejudice*, and the Stay of Referral of this matter to the U.S. Department of the Treasury, previously issued on May 31, 2016, is hereby VACATED.

**SO ORDERED,**



H. Alexander Manuel  
Administrative Judge