

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

In the Matter of:

Hewa Schwan,

Petitioner.

17-VH-0062-AO-019

7-21008996-0

June 12, 2017

ORDER OF DISMISSAL

In 24 C.F.R. §§17.69 (b) and 26.4 (c) it provides, in general, that failure by the Petitioner to submit evidence within 60 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 Hearings and Appeals.

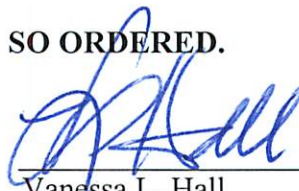
On February 9, 2017, Petitioner alleged in his *Request for Hearing* that, when he "signed the modification agreement, my understanding was that I will pay back this loan when I sell the house, but I still live in the house and planning to sell it in the future." To date, Petitioner has failed to comply with any of the Court's *Orders* to produce evidence in support of his position that the loan modification released him from the subject debt.

Petitioner also requested that "HUD forgives my loan on the basis that I was injured in Iraq and was without employment for more than five years, which is why HUD helped me keep my house in [the] first place." However, the decision to forgive Petitioner's debt does not rest with this Court because the Court is not authorized to extend, recommend, or accept any payment plan or settlement offer on behalf of the HUD. Petitioner may wish to discuss this matter with either Counsel for the Secretary or Lester J. West, Director, HUD Albany Financial Operations Center, 52 Corporate Circle, Albany, NY 12203-5121. His telephone number is 1-800-669-5152, extension 4206.

Consistent with the provisions of 24 C.F.R. §§ 17.69 (b) and 26.4 (c), Petitioner's appeal is **DISMISSED WITH PREJUDICE** *sua sponte* because of Petitioner's non-compliance with the Court's *Orders* to produce evidence for the Court's review.

The stay of proceeding issued on February 9, 2017 is hereby VACATED.

SO ORDERED.



Vanessa L. Hall
Administrative Judge