

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

In the Matter of:

**Elliott and Bettina Campbell,**

Petitioner.

18-VH-0050-AO-017

7-210115720A

7-210115720B

June 6, 2018

**ORDER OF DISMISSAL**

In 24 C.F.R. §§17.69 (b) and 26.4 (c) it provides, in general, that failure by the Petitioners to submit evidence within 60 calendar days from the date of the Department's Notice of Intent will result in a dismissal of Petitioners' request for review by the HUD Office of Hearings and Appeals.

On November 15, 2017, Petitioners alleged in their *Request for Hearing* that "We do not owe the debt and wish to challenge this action.... The debt is not legally enforceable, and we intend to present evidence." No evidence was filed in support of Petitioners' claim that the subject debt owed to HUD would be paid off, or that Petitioners were released from their obligation for the alleged debt. To date, Petitioners have failed to comply with any of the Court's *Orders* to produce such evidence to prove HUD issued them a written release from the subject debt. *See Order for Documentary Evidence* dated January 31, 2018; *Order to Show Cause* dated March 20, 2018. The *Order to Show Cause* last issued by the Court specifically stated "**Failure to comply with this Order shall result in sanctions being imposed by the Court pursuant to 24 C.F.R. § 26.4 (c) and (d), including judgment being entered on behalf of the opposing party or dismissal of this action.** (Emphasis added). Petitioners again failed to comply as so ordered.

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

The stay of proceeding issued on November 15, 2017 is hereby **VACATED**.

SO ORDERED.



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Vanessa L. Hall  
Administrative Judge