

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

In the Matter of:

TINA HICKS,

Petitioner.

23-VH-0117-AG-063  
(Claim No. 721019215)

May 13, 2024

**ORDER OF DISMISSAL**

On June 16, 2023, the Court received Petitioner's *Hearing Request* wherein Petitioner disputed the existence of the debt claimed by the Secretary of the U.S. Department of Housing and Urban Development ("HUD"), and further claimed that garnishment would cause financial hardship. Thereafter, the Court ordered the Secretary and Petitioner to file documentary evidence in support of their respective positions. The Secretary complied with the Court's order and filed a Secretary's Statement and supporting evidence on August 23, 2023. Petitioner did not comply or otherwise respond.

Having not received a timely filing from Petitioner, the Court issued the *Order for Documentary Evidence*, dated January 25, 2024, requiring Petitioner to file evidence in support of her position. Again, Petitioner did not comply or respond. The Court issued a final order to Petitioner requiring her to submit her documentary evidence or to otherwise show cause as to why a decision in favor of the Secretary should not be rendered. Petitioner did not respond to that order.

When a party fails to comply with an order of the Court, the Court may impose a sanction that reasonably relates to the severity and nature of the failure. 24 C.F.R. § 26.4. If a party fails to prosecute or defend an action, dismissal of the matter or a decision against that party may also be imposed. *Id.* at § 26.4(d).

To date, Petitioner has not complied with the Court's orders or otherwise produced evidence in support of her position that she does not owe the alleged debt or that the proposed garnishment would cause her financial hardship. Accordingly, this matter is **DISMISSED**, and the stay of proceedings issued on June 23, 2023, is hereby **VACATED**.

SO ORDERED.  
  
Vanessa L. Hall  
Administrative Judge