

**UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of:)	
Syracuse Cooperative Federal Credit Union,)	HUDALJ 10-E-103-MR-64
Respondent.)	

**ORDER GRANTING RESPONDENT’S REQUEST TO WITHDRAW APPEAL
AND AFFIRMING ADMINISTRATIVE ACTION**

On March 24, 2010, the Mortgagee Review Board of the United States Department of Housing and Urban Development (“the Government”) filed a Notice of Administrative Action (“Notice”) initiating this matter, withdrawing Respondent’s HUD/FHA approval for one year. Respondent, through Treasurer/CEO Ron Ehrenreich, filed a response on April 9, 2010, appealing the Government’s withdrawal action. A Notice of Hearing and Prehearing Order (“Order”) was issued by the undersigned, requiring the parties to submit Prehearing Exchanges on or before April 27, 2010, and scheduling the hearing for May 6, 2010.

On April 27, 2010, Respondent filed a Notice of Rescindment of Hearing Request executed by Ron Ehrenreich, which states that Respondent “hereby withdraws our appeal.”

The applicable regulations at 24 C.F.R. parts 25 and 26 do not refer to withdrawal of appeals, but do provide as follows:

If a party fails to prosecute or defend an action brought under subpart B of this part, *the ALJ may dismiss the action* or may issue a decision against the non-prosecuting or defending party. Such decision of the ALJ shall constitute final agency action and shall not be appealable to the Secretary under § 26.52 of this part.

24 C.F.R. § 26.34(d) (emphasis added).

Consistent with Section 26.34(d) and with the general authorities of the presiding Administrative Law Judge in 24 C.F.R. § 26.32, Respondent's request to withdraw its appeal is hereby **GRANTED**. Accordingly, it is hereby **ORDERED** that the Mortgage Review Board's withdrawal of Respondent's HUD/FHA approval for one year is hereby **AFFIRMED** without further proceedings.



Susan L. Biro
Chief Administrative Law Judge¹

Dated: April 27, 2010
Washington, D.C.

¹ The Administrative Law Judges of the United States Environmental Protection Agency are authorized to hear cases pending before the United States Department of Housing and Urban Development pursuant to an Interagency Agreement effective for a period beginning March 4, 2010.