

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

In the Matter of:)	
)	
Clayson-Mitchell Mortgage Services, L.C.,)	HUDALJ 10-E-155-MR/102
)	
Respondent.)	
)	

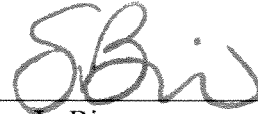
ORDER GRANTING MOTION TO DISMISS

This action was initiated by the Mortgagee Review Board of the United States Department of Housing and Urban Development (“the Government”) filing a Notice of Administrative Action (“Notice”) dated June 18, 2010, against Respondent Clayson-Mitchell Mortgage Services, L.C., under Section 202 of the National Housing Act of 1934, 12 U.S.C. § 1708(c). Respondent responded to the Notice on June 24, 2010. On June 25, 2010, the undersigned issued a Notice of Hearing and Prehearing Order setting the hearing in this matter to commence on July 21, 2010. On July 8, 2010, the parties requested that the undersigned extend the proceeding by thirty days in order to allow the parties to reach a settlement agreement. The undersigned granted that request.

On July 15, 2010, the Government filed a Motion to Dismiss, in which the Government represents that the parties have executed a Settlement Agreement “fully resolving the withdrawal of [Respondent’s] FHA approval.” The Government attached a copy of the Settlement Agreement between the Government and Respondent Clayson-Mitchell Mortgage Services, L.C., (FHA ID/Mortgagee ID: 77801-0000-3 (Title 2)), as represented by its Principal Lending Manager, Mitchel H. Spackman, and dated July 13, 2010. The Settlement Agreement attests that Respondent agrees to pay a civil money penalty in the amount of \$7,500 and provide the Government with audit documents identical to those used in the effort to resolve the issues set forth in the Notice. The Government agrees to process the reinstatement of Respondent’s FHA approval upon the Agreement’s execution.

Section 202 of the National Housing Act of 1934 provides that “[t]he Board may at any time enter into a settlement agreement with a mortgagee to resolve any outstanding grounds for an action.” 12 U.S.C. § 1708(c)(3)(E).

It is hereby **ORDERED** that this matter involving Respondent Clayson-Mitchell Mortgage Services, L.C., FHA ID/Mortgagee ID: 77801-0000-3 (Title 2), is **DISMISSED** due to the parties' execution of a Settlement Agreement dated July 13, 2010.



Susan L. Biro
Chief Administrative Law Judge¹

Dated: July 20, 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 in effect beginning March 4, 2010.