

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

In the Matter of:)

Potomac Mortgage Capital, Inc.,)

Respondent.)

HUDALJ 10-E-166-MR/112

ORDER GRANTING MOTION TO DISMISS

The Mortgagee Review Board of the United States Department of Housing and Urban Development (“the Government”) filed a Notice of Administrative Action dated June 18, 2010, initiating this matter and withdrawing Respondent’s HUD/FHA approval for one year. Respondent filed a response on July 19, 2010, appealing the Government’s action. The undersigned issued a Notice of Hearing and Prehearing Order scheduling the hearing for August 12, 2010, which was later stayed for 25 days.

On September 1, 2010, the Government filed a Motion to Dismiss, in which it represents that the parties “have reached a settlement fully resolving the withdrawal of [Respondent’s] FHA approval.” The Government attached a copy of the Settlement Agreement between the Government and Respondent Potomac Mortgage Capital, Inc. (FHA ID/Mortgagee ID: 20666-0000-8 (Title 2)), as represented by its President, Robert Musseman, and dated August 26, 2010. The Settlement Agreement attests that Respondent agrees to pay a civil money penalty in the amount of \$1,000. 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 Potomac Mortgage Capital, Inc., FHA ID/Mortgagee ID: 20666-0000-8 (Title 2), is **DISMISSED** due to the parties’ execution of a Settlement Agreement dated August 26, 2010.



Susan L. Biro
Chief Administrative Law Judge¹

Dated: September 1, 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.