

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

In the Matter of:)	
)	
United Funding Mortgage Corp.,)	HUDALJ 10-F-073-MR-39
)	
Respondent.)	
)	

ORDER GRANTING GOVERNMENT’S MOTION TO DISMISS WITH PREJUDICE

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 initiating this matter, withdrawing Respondent’s HUD/FHA approval for one year. Respondent filed a response on March 30, 2010. The undersigned issued a Notice of Hearing and Prehearing Order, requiring the parties to submit Prehearing Exchanges on or before April 16, 2010, and scheduling the hearing for April 29, 2010. On April 8, 2010, the parties submitted a Joint Motion to Stay Proceedings for a period of 60 days, which the undersigned granted.

On May 13, 2010, the Government’s Motion to Dismiss with Prejudice (“Motion”) was filed, in which the Government represents that the parties have executed a Settlement Agreement, “which resolves all of the pending issues before this Court.” Attached to the Motion is a copy of the Settlement Agreement between the Mortgagee Review Board and Respondent United Funding Mortgage Corp. (FHA ID No. 23896-0000-4 (Title II)), as represented by its President and CEO, Gregory E. Foote, dated May 5, 2010. The Settlement Agreement attests that Respondent “has now cured the deficiencies” cited in the Notice of Administrative Action, has paid a civil money penalty to the Government in the amount of \$7,500, and that the Government agrees to reinstate Respondent’s FHA approval as soon as practical after the Agreement’s effective date, *inter alia*.

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 **ORDERED** that this matter involving Respondent United Funding Mortgage Corp., FHA ID No. 23896-0000-4 (Title II), is hereby **DISMISSED** due to the parties’ execution of a Settlement Agreement dated May 5, 2010.



Susan L. Biro
Chief Administrative Law Judge¹

Dated: May 13, 2010
Washington, D.C.

Note: Section 202 of the National Housing Act of 1934 provides for the publication of settlement agreements: “In any case in which the notification of the Board does not result in a hearing (including any settlement by the Board and a mortgagee), any information regarding the nature of the violation and the resolution of the action shall be available to the public.” 12 U.S.C. § 1708(e)(4)(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.