

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

In the Matter of:

PIN OAK VILLAS OF KENTUCKY LLC, and
JIM H. DANIELS, JR., Principal/Chief Executive
Manager,

Respondents.

22-AF-0196-CM-010

January 24, 2023

ORDER GRANTING MOTION TO DISMISS

On August 30, 2022, the request for hearing in this matter was received by the Court and on August 31, 2022, the Court issued its first *Notice of Hearing and Order* setting the hearing date for December 12, 2022. On September 20, 2022, a *Second Notice of Hearing and Order* was issued after Respondent sought, and was granted, an extension of time for the hearing and attendant deadlines due to his counsel having a scheduling conflict, thus rescheduling the hearing to begin January 30, 2023. A *Third Notice of Hearing and Order* was issued on January 11, 2023, after Respondent sought, and was granted, a second extension of time for the hearing and unelapsed prehearing deadlines due to Respondent having a medical issue, and also due to the Parties continuing to engage in settlement discussions. The hearing was rescheduled to begin on February 13, 2023.

On January 20, 2023, HUD filed a *Motion to Dismiss Based on Settlement*, asking that the case be dismissed based upon the Parties' settlement of the matter.

For good cause, the *Motion to Dismiss Based on Settlement* is **GRANTED**, and this matter is **DISMISSED**.

So **ORDERED**,

Alexander Fernández-Pons
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER GRANTING MOTION TO DISMISS** issued by Alexander Fernandez-Pons, Administrative Law Judge, in HUDOHA 22-AF-0196-CM-010 were sent to the following parties on this 24th day January 2023 in the manner indicated:



Cinthia Matos, Docket Clerk
HUD Office of Hearings and Appeals

VIA E-MAIL

ATTORNEY FOR RESPONDENTS

Scott C. Sandberg
Spencer Fane, LLP
1700 Lincoln Street, Suite 2000
Denver, Colorado 80203
ssandberg@spencerfane.com

OFFICIALS:

Fanta Cowans, Esq.
Government Counsel
U.S. Dept. of Housing and Urban
Development
Atlanta, GA 30303
Fanta.cowans@hud.gov

Tammie M. Parshall, Paralegal Specialist
HUD Office of General Counsel
Office of Program Enforcement
tammie.m.parshall@hud.gov