



Report of Investigation

U.S. Department of Housing
and Urban Development
Office of Inspector General
Office of Investigation

File Number: 2015SI000238I	District/Office: Special Investigations Division (SID), Washington, DC
Title:	

(b) (7)(C)(b) (7)(C)(b) (7)(C)

U.S. Department of Housing and Urban Development (HUD)

(b) (7)(C)(b) (7)(C)

Washington, DC

Narrative:

BASIS FOR INVESTIGATION:

On **(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)** utilized his official HUD office address **(b) (7)(C)** **(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)** as the U.S. based Headquarters address for his personally owned and operated business, **(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)** Exhibit 1).

POTENTIAL VIOLATIONS:

Potential Criminal Violations –

- Title 18 U.S. Code § 1001 – False Statement.
- Title 5 CFR § 2635.702 – Use of Public Office for Private Gain.

Potential Administrative Violations –

(b) (7)(E)(b) (7)(E)(b) (7)(E)(b) (7)(E)(b) (7)(E)

- Section 10 – Loss, misuse of or damage to Government property, records, or information.
- Section 13 – Deliberate misrepresentation, falsification, exaggeration.
- Section 31 – Using public office for private gain.

(b) (7)(C)

Special Investigations Division

(b) (7)(C)

Special Investigations Division

Date:

April 17, 2015

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Previous Editions Obsolete

OIGM 3000 Appendix 14a

HUD-1408(12-95)

(b) (7)(C)(b) (7)(C)

RESULTS OF INVESTIGATION:

This investigation determined (b) (7)(C) used his public office for private gain, falsely reported his income on the Office of Government Ethics (OGE) Form 278 (Financial Disclosure), falsified his Optional Form (OF) 306 (Declaration for Federal Employment), and provided false information on the resume he utilized to obtain employment with HUD.

(b) (7)(C) wrongly listed his official government office address on his personally owned business website, as his company's U.S. based headquarters. Additionally, (b) (7)(C) purported himself to be a (b) (7)(C)(b) (7)(C) both before and after he was hired, when in fact his certification was (b) (7)(C)(b) (7)(C)(b) (7)(C). After (b) (7)(C)(b) (7)(C) by HUD, he falsified his OGE Form 278 when he reported he only made \$5,100.00 from January 1, 2013 through April 16, 2014, from his personally owned and operated business (b) (7)(C)(b) (7)(C) when in fact he later admitted he made at least \$5,000.00 per month from January 1, 2013 through December 31, 2013.

Furthermore, (b) (7)(C) was required to complete the OF 306, and falsely answered "No" to question 12: "During the last 5 years, have you been fired from any job for any reason, did you quit after being told that you would be fired, did you leave any job by mutual agreement because of specific problems, or where you debarred from Federal employment by the Office of Personnel Management or any other Federal Agency?" To the contrary, it was noted (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) background investigation that (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)

Moreover, (b) (7)(C) answered (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C) To the contrary, (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)

Finally, during the course of this investigation, it was determined that (b) (7)(C) corresponded with a private sector recruiter, to whom he applied for employment, initially using his personal Gmail account. (b) (7)(C) forwarded the recruiter's response to his HUD.GOV email address, which he then used to reply to the recruiter's initial email. The response from (b) (7)(C) HUD.GOV email address contained (b) (7)(C)(b) (7)(C)(b) (7)(C) listed in his signature block

DETAILS OF INVESTIGATION:

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, (b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) Washington, DC, provided the OGE Form 278 pertaining to (b) (7)(C)(b) (7)(C). A review of the form revealed (b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) received from (b) (7)(C)(b) (7)(C)(b) (7)(C) where he reportedly served as (b) (7)(C) (b) (7)(C)(b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) conducted by SID, (b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)

Additional searches of the (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, (b) (7)(C)(b) (7)(C)
(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)

Washington, DC, provided the Security Approval Package pertaining (b) (7)(C) A review of the Security Approval Package (b) (7)(C) purported himself to be a CPA and Certified Internal Auditor (CIA) on his resume, and denied being (b) (7)(C)(b) (7)(C) his OF 306.

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, (b) (7)(C)(b) (7)(C)
(b) (7)(C) Washington, DC, was interviewed by SID (Exhibit 5). (b) (7)(C) she was the
(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) OGE Form 278, which (b) (7)(C) completed following his
appointment (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) during her initial review (b) (7)(C) OGE Form
278, she noted that he reported making (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) on Schedule
D; however, failed to report the exact amount in Schedule A as required. (b) (7)(C) stated she
requested (b) (7)(C) report his earnings in Schedule A, but he initially declined and reported that (b) (7)(C)
(b) (7)(C) was a "dormant company that no longer generated revenue." (b) (7)(C)
stated she informed (b) (7)(C) that the company's current status was irrelevant, and that he was still
required to report previous earnings if they fell within the reporting period (January 2013-April 2014).

(b) (7)(C)(b) (7)(C) returned the OGE Form 278 as requested, but only added (b) (7)(C)
(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)
she found this odd because he had not previously reported (b) (7)(C)(b) (7)(C) and
still failed (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) that when she
again questioned (b) (7)(C)(b) (7)(C) he stated he was "locked out of the system," and was
unable to add his (b) (7)(C)(b) (7)(C)(b) (7)(C)

(b) (7)(C)(b) (7)(C) she determined that (b) (7)(C) was not "locked out" as he reported. (b) (7)(C)
(b) (7)(C) she then called (b) (7)(C) who "got huffy" when he was told he had to report income on Schedule
A that was previously reported on Schedule D (any income over \$5,000.00). (b) (7)(C)
(b) (7)(C) said, "Fine. \$5,000.00." When (b) (7)(C) explained that Schedule D requires
income over \$5,000.00 to be reported, (b) (7)(C) "Fine. \$5,100.00." (b) (7)(C)(b) (7)(C)
(b) (7)(C)(b) (7)(C) was "not being honest" in reporting (b) (7)(C)(b) (7)(C)
(b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, (b) (7)(C)(b) (7)(C)
(b) (7)(C) Washington, DC, provided the Official Personnel File (OPF) (b) (7)(C)(b) (7)(C)

(b) (7)(C)

(b) (7)(C)(b) (7)(C) OPF revealed that the Position Description Cover Sheet and Job Description (b) (7)(C)(b) (7)(C)(b) (7)(C) did not indicate an applicant was required to hold a CPA or CIA certification, even though (b) (7)(C) purported himself as a CPA and CIA on his resume.

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, (b) (7)(C) Washington, DC, provided a copy (b) (7)(C)(b) (7)(C)(b) (7)(C) public records search results pertaining (b) (7)(C)(b) (7)(C) and Montana Code Annotated 2014, Section 37-50-301 – Illegal Use of Title (Exhibit 7). A review of the documents provided revealed (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) “after two years of non-renewal.” It was further determined to be a misdemeanor in the state of Montana for a person to “assume or use the title or designation “certified public accountant” or the abbreviation “CPA” or any other title, designation, words, letters, abbreviation, sign, card, or device indicating that the person is a certified public accountant unless the person holds a current certificate as a certified public accountant under this chapter or qualifies for the practice privilege under 37-50-325.”

Furthermore, a review of USAJOB, job announcement number ER-14-1009270-02A, (b) (7)(C) (b) (7)(C) did not specify a requirement for an applicant to be a CPA. However, the individuals applying were instructed, in the announcement, to “List any other qualifications or training (e.g., honors, awards, special accomplishments, publications, memberships in professional societies, etc.); which you feel makes you a good candidate for this position.”

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) A review of the (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) however, (b) (7)(C)(b) (7)(C) by the Executive Resources Board (ERB), because they did not address the Mandatory Technical Qualifications (MTQs). (b) (7)(C)(b) (7)(C) that were referred for further consideration, (b) (7)(C) purported themselves (b) (7)(C)(b) (7)(C) that were referred, (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) and thus (b) (7)(C) (b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) MT, reported to SID that in accordance with Montana Code Annotated 2014, Section 37-50-301 – Illegal Use of Title, it is unlawful for any individual to falsely present themselves as a CPA, use the abbreviation of “CPA” after their signature, or perform the duties of a CPA if they do not hold a current certification (Exhibit 9).

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) further stated that continued use of the (b) (7)(C) or the conduct of activities typically entrusted to or completed by (b) (7)(C) after the expiration of a certification, constituted a misdemeanor under Montana Code Annotated 2014, Section 37-50-342 – Violation, punishable by a fine of not more than \$500, by imprisonment in the county jail for not more than six (6) months, or both. Additionally, (b) (7)(C) that (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) by the State of Montana, he would have had to falsely present himself as a CPA in Montana.

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, OIG, Washington, DC, provided a thumb drive containing all files located within the HUD email account (b) (7)(C) Exhibit 10). A review of the files revealed an email from (b) (7)(C)(b) (7)(C) to (b) (7)(C)(b) (7)(C) dated September 16, 2014, 4:17 PM. Within the body of the email, (b) (7)(C) thanked (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) and requested a time to speak with (b) (7)(C) forwarded (b) (7)(C) to, and replied from his HUD email account on September 16, 2014, 9:54 PM, and indicated that he was (b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) official government signature block was also present in the email, and included the (b) (7)(C) after his name.

Based on the email, it appears as though (b) (7)(C)(b) (7)(C)(b) (7)(C) to gain favorable consideration for a job (b) (7)(C)(b) (7)(C)(b) (7)(C) Additionally, (b) (7)(C) signature block, and (b) (7)(C) appeared in (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) even though (b) (7)(C) is not (b) (7)(C) nor did his communications (b) (7)(C) have any nexus to his official duties as (b) (7)(C)

Additionally, an email string (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C) dated December 12, 2014, 1:47 PM, was discovered. Within the body of the email was an email (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C) explained that (b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) Attached was a PDF document titled "(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) A review of the file revealed (b) (7)(C) reported on Section 12 of his OF 306, that within the last five (5) years (March 2009-March 2014), he was not fired from any job for any reason, did not quit after being told he would be fired, did not leave any job by mutual agreement because of specific problems, and was not debarred from Federal Employment. However, on (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) reported that (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) and was deemed (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C) "did not sell to meet quota nor was he accountable to his whereabouts. Travel often not approved or not reported. We had suspicion that he was working for another company while employed by us." (b) (7)(C) did not recommend (b) (7)(C) for a Government security clearance or employment.

When interviewed by the (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) and asked about his reasons (b) (7)(C)(b) (7)(C)(b) (7)(C) cited the tsunami that hit Japan in March 2011 as his reason for leaving, even though he (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C) (b) (7)(C) denied knowledge of problems with his work or travel as it pertains to (b) (7)(C) and further denied knowledge of any derogatory information pertaining to his employment (b) (7)(C)

(b) (7)(C)

(b) (7)(C) (b) (7)(C) was interviewed by SID (Exhibit 12). (b) (7)(C) he became (b) (7)(C) (b) (7)(C) (b) (7)(C) and admitted that he knew (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) position. (b) (7)(C) in reviewing the job posting, he felt (b) (7)(C) (b) (7)(C) to fill (b) (7)(C) even though the posting did not specify that (b) (7)(C) was required. (b) (7)(C) he recalled the posting requiring a minimum of 24 hours in accounting, which is also required to sit for (b) (7)(C) exam. (b) (7)(C) he submitted his resume, along with (b) (7)(C) (b) (7)(C) even though he knew (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) he has not submitted proof of completion of the required continuing education credits, nor did he pay his annual dues. (b) (7)(C) further admitted that he reasonably should have known that (b) (7)(C) was not current when he applied to (b) (7)(C) position.

(b) (7)(C) had no response when it was explained to him that it was a misdemeanor in the state of Montana, punishable by incarceration and a fine, to purport oneself as (b) (7)(C) if in fact they were not current. When it was explained that another qualified individual, who was not (b) (7)(C) at higher during the selection phase (b) (7)(C) acknowledged the possibility that he was hired because he falsely identified himself as (b) (7)(C).

(b) (7)(C) stated approximately two months ago, while undergoing an OIG audit, he was asked by the (b) (7)(C) to provide proof of his (b) (7)(C) (b) (7)(C) stated he provided copies of his (b) (7)(C) (b) (7)(C) (b) (7)(C) but soon after called (b) (7)(C) (b) (7)(C) (b) (7)(C) to inquire about the status (b) (7)(C) (b) (7)(C) (b) (7)(C) it was then that he learned that his (b) (7)(C) (b) (7)(C) stated he was told he could pay \$250.00, submit proof of completion of continuing education, and sit for the Code of Ethics Exam to become current. (b) (7)(C) stated he paid the dues and submitted proof of completion of the continuing education, and therefore was current. When it was explained that recent coordination with the (b) (7)(C) (b) (7)(C) revealed he was not current, (b) (7)(C) he may have misunderstood, and that he may not be current until after he successfully passed the Code of Ethics Exam.

(b) (7)(C) in addition to (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) which he (b) (7)(C) (b) (7)(C) Japan with tanks to store water contaminated with radioactive material following the earthquake and subsequent tsunami of 2011. (b) (7)(C) stated the sole purpose of (b) (7)(C) (b) (7)(C) was to export large storage tanks to Japan, which were then sold to the Japanese Government by his Japanese based company (b) (7)(C) (b) (7)(C) (b) (7)(C) never took in profit, and therefore was not required to file tax returns. (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) only experienced business activity from July 2012-December 2013, and that it has been dormant since with no income.

When (b) (7)(C) was presented with a printed copy of (b) (7)(C) (b) (7)(C) website and asked him to explain why his (b) (7)(C) address was listed as the U.S. based headquarters (b) (7)(C) (b) (7)(C) (b) (7)(C) (b) (7)(C) "I mistakenly was told I could have personal mail sent (b) (7)(C) (b) (7)(C) insisted he only used the address to "get mail." When the RAs explained that an open source search of the address listed on his company website would likely reveal the location of several government agencies, which could give the impression that (b) (7)(C) (b) (7)(C) regularly did business with the federal government, (b) (7)(C) he understood why it was an issue of concern.

(b) (7)(C) denied knowledge of (b) (7)(C) (b) (7)(C) (b) (7)(C) and stated (b) (7)(C) certification "was not pivotal, but it was considered. We saw it as value added. If another applicant had (b) (7)(C) it might have made a difference." (b) (7)(C) they were not permitted to specifically require applicants to possess (b) (7)(C)

(b) (7)(C)

(b) (7)(C)(b) (7)(C) was first brought on, she asked for his previous salary so that a determination could be made as to what salary he would be started at. (b) (7)(C) she seems to remember (b) (7)(C) reported he made over \$170,000.00 in his last position, which was why they elected to bring him on at \$179,000.00.

(b) (7)(C) she's had problems with (b) (7)(C) since he started. (b) (7)(C) stated (b) (7)(C) has, on at least two occasions, said things either verbally or in email that were ethnically or racially offensive to (b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C) has also been disrespectful and harsh towards (b) (7)(C) (b) (7)(C)(b) (7)(C) and feels as though none (b) (7)(C) have trust or confidence in him. (b) (7)(C) she has already drafted (b) (7)(C)(b) (7)(C)(b) (7)(C) which has been reviewed and approved by the (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) and is awaiting approval and signature (b) (7)(C)(b) (7)(C) HUD. (b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)

(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) he hired (b) (7)(C) or (b) (7)(C)(b) (7)(C) because he "interviewed well," and that the other applicants "seemed reserved about what they could do." (b) (7)(C)(b) (7)(C) "spoke as though he could do anything asked of him." (b) (7)(C) everyone else seemed to be at the end of their career.

(b) (7)(C) he "quickly started seeing that (b) (7)(C) did not have the necessary skills, and likely exaggerated his experience." (b) (7)(C) around September-October, 2014, he began to notice that (b) (7)(C) was not completely honest, and told (b) (7)(C)(b) (7)(C)(b) (7)(C) HUD, (b) (7)(C) Washington, DC, that he could not trust (b) (7)(C) he felt like (b) (7)(C) told him what he wanted to hear, and not the truth.

(b) (7)(C) it was during the OIG audit that (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) certification was expired. (b) (7)(C) it was not important to him whether or not an applicant had a CPA, and further stated many people go through the process of getting a CPA, but do not maintain it because of the cost. (b) (7)(C) he himself obtained a CPA certification approximately 30 years prior; however, saw no value in paying the annual dues to maintain it. (b) (7)(C) when looking to hire an individual to be the (b) (7)(C) the institutional knowledge and experience was more important to him. Nonetheless, (b) (7)(C) thought it characteristic of (b) (7)(C) to purport himself as a CPA when in fact he was not.

(b) (7)(C) stated it was his (b) (7)(C)(b) (7)(C) and that it has been "in the hopper since before Christmas [December 25, 2014], but held off due (b) (7)(C)(b) (7)(C) his decision to proceed (b) (7)(C)(b) (7)(C) was based (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) (b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C)(b) (7)(C) and the unprofessional manner in which (b) (7)(C) treats his employees.

PROSECUTORIAL COORDINATION:

(b) (7)(C)(b) (7)(C)

(b) (7)(C)

(b) (7)(C) declined to prosecute (b) (7)(C) due to
lack of resources and the fact that HUD has (b) (7)(C)(b) (7)(C)(b) (7)(C)