

DOCUMENT RESUME

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[Department of Housing and Urban Development Disposal of Acquired Properties]. B-188708. May 4, 1977. 1 pp.

Decision re: Republic Mortgage Corp.; by Paul G. Dembling, General Counsel.

Issue Area: Domestic Housing and Community Development (2100).
Contact: Office of the General Counsel: Procurement Law II.
Budget Function: Community and Regional Development (450).
Organization Concerned: Department of Housing and Urban Development.

Authority: 12 U.S.C. 1702. 12 U.S.C. 1713(1). B-186033 (1976).
B-186111 (1976).

Improprieties were alleged in the procedures by which the Detroit Area Office of the Department of Housing and Urban Development (HUD) awarded contracts for sales closing services in the disposal of property. In light of the broad statutory authority of HUD to make expenditures in connection with property disposal, GAO would not consider a protest. (HRS)

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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-186708

DATE: May 4, 1977

MATTER OF: Republic Mortgage Corporation

DIGEST:

GAO will not consider protest concerning actions of Department of Housing and Urban Development (HUD) in disposing of acquired properties in light of broad statutory authority of HUD to make expenditures in connection with property disposal.

On March 30, 1977, Republic Mortgage Corporation (Republic) protested alleged improprieties in the procedures by which the Department of Housing and Urban Development (HUD), Detroit Area Office, awarded contracts for sales closing services (commonly referred to as the sales closing package) in connection with the disposal of acquired home property.

We are informed that the protested procurement was conducted pursuant to 12 U.S.C. § 1713(f) (1970), under which the Secretary of HUD may dispose of property notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States. Furthermore, 12 U.S.C. § 1702 (1970) authorizes the Secretary in pertinent part (1) to make such expenditures as are necessary to carry out the disposal of property and other functions without regard to any other provisions of law governing the expenditures of public funds and (2) to sue and be sued in any court of competent jurisdiction. We have held that, in light of the extraordinary authority granted the Secretary by those provisions, our Office cannot interpose any legal objection to the Secretary's expenditure of funds under those provisions and therefore is not in a position to render a binding decision concerning such expenditures. Hanson Realty Co., B-186033, July 8, 1976, 76-2 CPD 23; D. W. Hunt, B-186111, April 2, 1976, 76-1 CPD 222.

Consequently, we must decline to consider the matter.

Paul G. Dembling
Paul G. Dembling
General Counsel