

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

In the Matter of:

MARLANA ROTOLO,

Petitioner.

Docket No. 25-AF-0462-AG-338
(Claim No. 721030106)

December 16, 2025

ORDER OF DISMISSAL

On July 22, 2025, this Court received Petitioner's request for a hearing concerning the Secretary's intent to seek repayment of a debt allegedly owed to the United States Department of Housing and Urban Development ("HUD") via administrative wage garnishment. On July 24, 2025, this Court issued a *Notice of Docketing, Order, and Stay of Referral*, which stayed referral by HUD of this matter to the United States Department of the Treasury.

On August 7, 2025, HUD filed the *Secretary's Motion to Dismiss* ("*Motion*"). In the *Motion*, HUD requests that this matter be dismissed without prejudice because Petitioner has been receiving unemployment insurance benefits. HUD adds that it reserves the right to seek debt collection via administrative offset. Moreover, HUD reserves the right to pursue debt collection via administrative wage garnishment should Petitioner's employment circumstances change.

Before the Court ruled on the *Motion*, a lapse in appropriations for the federal government occurred that resulted in a government shutdown, leading to the closure of this Court. Due to this closure, a *Notice and Stay of Proceedings* was issued on October 1, 2025, that stayed all matters pending before this Court, including the instant matter.

The Court has now reopened. Accordingly, the stay of this matter, imposed on October 1, 2025, is hereby **LIFTED**.

For good cause, the *Motion* is **GRANTED**; and this matter is **DISMISSED** without prejudice. Moreover, the stay of referral, imposed on July 24, 2025, is **VACATED**.

SO ORDERED,



Digitally signed by:
ALEXANDER FERNANDEZ-
PONS
Date: 2025.12.17 14:41:32 -
05'00'

Alexander Fernández-Pons
Administrative Law Judge