

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

In the Matter of:

DAPHNEY DESAMOURS,

Petitioner.

Docket No. 25-EH-0530-AG-386
(Claim No. 721029348)

December 9, 2025

DISMISSAL ORDER

This matter is before the Court upon Petitioner's request for a hearing concerning the Secretary's intent to garnish Petitioner's wages to collect a debt allegedly owed to the U.S. Department of Housing and Urban Development ("HUD"). The debt in question arises from a partial claim loan.

On September 30, 2025, HUD filed the *Secretary's Motion to Dismiss* seeking dismissal of this case with prejudice.¹ HUD states that Petitioner filed a Chapter 13, voluntary, asset bankruptcy in 2015 and obtained the partial claim loan while the bankruptcy proceedings were ongoing. Because there is no evidence that the Bankruptcy Court approved the partial claim loan, the debt is unenforceable, and HUD has ceased collection efforts. HUD adds that, to its knowledge, the FHA lender on the primary loan failed to comply with certain procedural requirements that apply in the event of bankruptcy.

For good cause shown, this matter is hereby **DISMISSED**.

SO ORDERED,



Elizabeth N. Hoffmann
Administrative Judge

¹ While the motion was pending, a lapse in appropriations occurred that resulted in the longest federal government shutdown in history and the closure of this Court from October 1, 2025, to November 13, 2025. Due to this closure, a *Notice and Stay of Proceedings* was issued on October 1, 2025, staying all matters pending before the Court, including the instant matter. The Court has now reopened, and the stay of this matter is therefore **LIFTED**.