



Office of Appeals
U.S. Department of Housing and Urban Development
Washington, D.C. 20410-0001

In the Matter of:

Jesse Acousta,

Petitioner

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HUDOA No. 10-H-CH-AWG63
Claim No. 721005778

Jesse Acousta
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San Antonio, TX 78245

Pro se

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For the Secretary

**RULING ON SECRETARY'S MOTION TO APPROVE SETTLEMENT
AND DISMISS APPEAL**

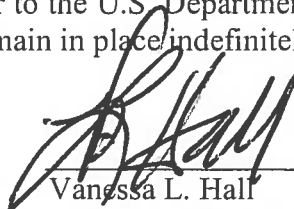
Petitioner filed a timely request to present evidence that an alleged past due, legally enforceable debt of Petitioner to the U.S. Department of Housing and Urban Development ("HUD") should not be collected by the Secretary by means of administrative wage garnishment. Pursuant to 31 C.F.R. § 285.11, as authorized by 24 C.F.R. § 17.170, the administrative judges of the HUD Office of Appeals are authorized to determine whether the debt that is the subject of this proceeding is past due and legally enforceable. As a result of Petitioner's hearing request, referral of the debt to the U.S. Department of the Treasury was temporarily stayed by this Office on March 19, 2010. See 31 C.F.R. §285.11(f)(4).

On April 1, 2010, the Secretary filed a Motion to Dismiss this case on the grounds that "The Secretary's Counsel was notified that Petitioner has entered into a repayment plan that is acceptable to the Secretary." The Secretary further states that "the terms of the Settlement are that Petitioner are [sic] to reduce the amount that his [sic] garnished from Petitioner's wages to \$100.00 per pay period." (Motion to Dismiss, ¶ 2.) Upon due

consideration, the Secretary's Motion to Approve Settlement and Dismiss Appeal is **GRANTED**. It is hereby

ORDERED that this matter is **DISMISSED** without prejudice.

The Stay of Referral of this matter to the U.S. Department of the Treasury issued by this Office on March 19, 2010 shall remain in place indefinitely.



Vanessa L. Hall
Administrative Judge

April 1, 2010