



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

In the Matter of:

**Terry Lewis,**

Petitioner

HUDOA No. 10-H-NY-AWG05  
Claim No. 780134877-0B

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For Petitioner

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For the Secretary

**RULING ON SECRETARY'S MOTION TO DISMISS**

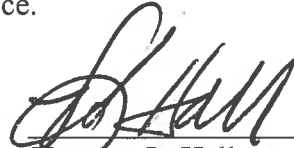
Petitioner has filed a timely request to present evidence that an alleged past-due, legally enforceable debt of Petitioner to the U.S. Department of Housing and Urban Development ("HUD") should not be collected by the Secretary by means of administrative wage garnishment. Pursuant to 24 C.F.R. §§ 17.150-17.170 and 20.4 (b), and 31 C.F.R. § 285.11(f), the administrative judges of the HUD Office of Appeals are authorized to determine whether certain debts exist and are legally enforceable and whether they can be collected by means of administrative wage garnishment.

On April 13, 2010, a Motion to Dismiss was filed on behalf of the Secretary stating that "Petitioner filed Chapter 7 bankruptcy in the United States Bankruptcy Court for the Middle District of Florida under case number 09-27335 on November 30, 2009. Petitioner's bankruptcy case was discharged on April 1, 2010."

Upon due consideration, the Secretary's motion is **GRANTED**. Therefore, it is hereby

**ORDERED** that the Secretary shall not seek to collect the claimed debt from Petitioner by means of administrative wage garnishment because this debt was discharged by the U.S. Bankruptcy Court.

This matter is **DISMISSED** with prejudice.

  
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Vanessa L. Hall  
Administrative Judge

April 14, 2010