



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

In the Matter of:

**Danielle Dixon,**  
Petitioner

HUDOA No. 11-H-NY-AWG15  
Claim No. 780692890

Danielle Dixon  
1633 West Wyoming Avenue  
Philadelphia, PA 19140

Pro se

Julia Murray, Esq.  
U.S. Department of Housing and  
Urban Development  
Office of Assistant General Counsel  
For New York/New Jersey Field Offices  
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**RULING AND ORDER OF DISMISSAL**

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 24 C.F.R. §§ 17.170, 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. As a result of Petitioner's request, referral of the debt to the U.S. Department of the Treasury was temporarily stayed by this Office on October 21, 2010. (Notice of Docketing, Order, and Stay of Referral, dated October 21, 2010.)

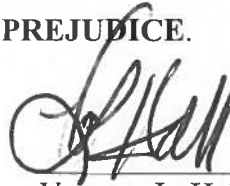
On November 3, 2010, a Motion to Dismiss ("Sec'y Mot. to Dismiss") was filed by the Secretary in which the Secretary stated that HUD seeks to dismiss, without prejudice, its action to pursue collection of the subject debt via Administrative Wage Garnishment as Petitioner will be involuntarily separated from her current employer, Wells Fargo, N.A." The Secretary further states that "this matter be dismissed without prejudice to renew the application at such time as Petitioner should become eligible for wage garnishment." (Sec'y Mot. to Dismiss, p.1.)

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

**ORDERED** that the Secretary shall not seek to collect this debt by means of administrative wage garnishment of any federal payments due to Petitioner because Petitioner will be involuntarily separated from her current employer.

The Stay of Referral of this matter to the U.S. Department of the Treasury issued by this Office on October 21, 2010 will remain in place indefinitely. However, the Secretary may renew the application at such time as Petitioner should become eligible for wage garnishment.

This matter is **DISMISSED WITHOUT PREJUDICE**.

A handwritten signature in black ink, appearing to read 'V. Hall', is written over a horizontal line.

Vanessa L. Hall  
Administrative Judge

November 15, 2010