



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

In the Matter of:

MARGARET COVINGTON,
Petitioner

HUDOA No. 11-M-NY-AWG144
Claim No. 721006935

RULING AND ORDER OF DISMISSAL

On October 4, 2011, the Secretary filed a motion to dismiss this action against Petitioner. The Secretary states that:

Pursuant to 31 C.F.R. §285.11(j), the Secretary is prohibited from garnishing the wages of a debtor who he knows has been involuntarily separated from employment until the debtor has been continuously reemployed for at least 12 months. 31 C.F.R. §285.11(j)(2010) . . . HUD has received confirmation that Petitioner was involuntarily separated from her former place of employment and has not been continuously reemployed for at least 12 months . . . Therefore, while the Secretary believes Petitioner's debt is Past due and legally enforceable, the Secretary moves to dismiss the instant administrative wage garnishment action and reserves the right to seek collection of the subject debt when Petitioner becomes eligible.

Secretary's Motion to Dismiss, ¶¶2-4 (citation omitted).

Upon consideration, and without objection, the Secretary's Motion to Dismiss is GRANTED. It is

ORDERED that this case is DISMISSED, without prejudice.

A handwritten signature in black ink, appearing to read "H. Alexander Manuel", is written over a horizontal line.

H. Alexander Manuel
Administrative Judge

October 4, 2011