

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

In the Matter of:

JEANETTE BURTON,

Petitioner,

22-AM-0223-AG-136

721015425

November 29, 2022

RULING AND ORDER OF DISMISSAL

On November 22, 2022, the Secretary filed her *Motion to Dismiss* in this case, seeking dismissal of Petitioner's appeal on the grounds that

“While the Secretary believes and has demonstrated that the debt is past due and legally enforceable in the amount claimed herein, HUD will not pursue collection by means of Administrative Wage Garnishment at this time as the Secretary has determined that garnishment of Petitioner’s pay would cause financial hardship. However, HUD does not waive its right to again seek administrative wage garnishment from Petitioner[] should her financial circumstances change.”

Secretary’s Motion to Dismiss, ¶ 11. Upon consideration of the *Secretary’s Motion to Dismiss*, and without objection, the Secretary's motion is GRANTED. Therefore, it is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *without prejudice*.

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge

APPEAL NOTICE: You have the right to move for reconsideration of this case before the HUD Office of Hearings and Appeals within 20 days of the date of this ruling or decision. Thereafter, you may seek to reopen this case. Ordinarily, such motions will not be granted unless you can demonstrate that you have new evidence to present that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishments cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.119f), and 5 U.S.C. 701, *et seq.* For administrative offset cases, See 24 C.F.R. § 17.73(a), and 5 U.S.C. § 701, *et seq.*