

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

In the Matter of:

OMEGA BROWN,

Petitioner.

Docket No. 24-AF-0102-AG-070
(Claim No. 721021330)

February 14, 2024

ORDER OF DISMISSAL

On January 4, 2024, the Tribunal received Petitioner's request for a hearing concerning a proposed repayment schedule incident to a wage garnishment order sought by the Secretary relating to a debt owed to the U.S. Department of Housing and Urban Development ("HUD").

The Secretary now moves for dismissal of the matter. In support, the Secretary states that a review of Petitioner's financial information has revealed that garnishment, at this time, would cause Petitioner financial hardship. As a result, the Secretary is no longer pursuing repayment via administrative wage garnishment but may seek collection via Administrative Offset. The Secretary adds that Administrative Wage Garnishment activities may be resumed in the future should Petitioner's financial circumstances improve.

In response, Petitioner's counsel states that she does not object to the dismissal. However, Petitioner notes that the issue of whether the debt is owed at all, and the removal of the property lien are still at issue.

For good cause, the Secretary's *Motion to Dismiss* will be **GRANTED**, and this matter is **DISMISSED** without prejudice. The issue of whether the debt is past due or enforceable maybe be litigated in a subsequent proceeding should the Secretary resume collection activities at a later date.

SO ORDERED,

**ALEXANDER
FERNANDEZ
-PONS**

Digitally signed by: ALEXANDER
FERNANDEZ-PONS
DN: CN = ALEXANDER
FERNANDEZ-PONS C = US O = U.S.
Government OU = Department of
Housing and Urban Development,
Office of the Secretary
Date: 2024.02.14 14:48:01 -05'00'

Alexander Fernández-Pons
Administrative Law Judge