

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

In the Matter of:

ROSALINDA BOTERO,

Petitioner.

Docket No. 24-AF-0106-AG-073
(Claim No. 721021061)

February 15, 2024

ORDER OF DISMISSAL

On January 11, 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 because Petitioner has provided a copy of her weekly pay statement demonstrating that she does not meet the minimum threshold set forth at 31 C.F.R. §285.11 and is therefore not eligible for administrative wage garnishment. Accordingly, the Secretary is no longer pursuing a garnishment of Petitioner's wages. However, the Secretary states that HUD may seek collection of this debt by administrative wage garnishment at such time in the future that Petitioner's financial situation improves.

For good cause, the Secretary's *Motion to Dismiss* will be **GRANTED**, and this matter is **DISMISSED** without prejudice.

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: 2024.02.15 13:40:11 -05'00'

Alexander Fernández-Pons
Administrative Law Judge