

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

In the Matter of:

Tiraunda Crosby,

Petitioner

HUDOHA 13-VH-0054-AG-019

Claim No. 78-0214273-0B

December 11, 2012

RULING AND ORDER ON SECRETARY'S MOTION TO DISMISS

On November 26, 2012, Petitioner Tiraunda Crosby filed a timely *Hearing Request* to contest a proposed administrative wage garnishment relating to a debt allegedly owed to the U.S. Department of Housing and Urban Development ("HUD"). The *Hearing Request* included a recent pay statement as well as documentary evidence confirming Petitioner's claimed essential household expenses.

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 November 29, 2011. (Notice of Docketing, Order, and Stay of Referral, dated November 29, 2011.)

On December 7, 2012, the HUD Secretary, through counsel, filed a *Motion to Dismiss* in which the Secretary requested that the Court "dismiss this matter without prejudice due to Petitioner's current financial hardship." (Motion to Dismiss, p. 1, filed December 7, 2012.)

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

ORDERED that this matter is **DISMISSED WITHOUT PREJUDICE**.

The Stay of Referral of this matter to the U.S. Department of the Treasury issued by this Court on December 29, 2011 shall remain in place **INDEFINITELY**.

The Secretary shall retain the right to seek collection of the subject indebtedness in the future should Petitioner's financial circumstances improve.

/o/ original signature

Vanessa L. Hall

Administrative Judge