

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

In the Matter of:

**JAMES KINGHAM,**

Petitioner.

HUDOHA 14-AM-0025-AG-010  
Claim No. 72-100275-80A

January 27, 2014

Judge H. Alexander Manuel

**RULING AND ORDER OF DISMISSAL**

On December 13, 2013, the Secretary filed a motion to dismiss this case. The Secretary states that:

[t]he Secretary and Petitioner have agreed that Petitioner's wages will be garnished by HUD to repay his debt; and in order to avoid undue financial hardship to Petitioner, the garnishment amount will be reduced as further agreed by the parties . . . Additionally, the Secretary retains the right to seek additional garnishment of Petitioner's wages, or any other method of collection, should Petitioner's circumstances change in the future, if Petitioner's debt to the Department remain outstanding.

*Secretary's Motion to Dismiss.* On December 13, 2013, this Court ordered the Secretary to file additional documentation to support the existence of the agreed repayment schedule reached between the parties. On December 24, 2013, the Secretary filed the Secretary's Statement supported by the Declaration of Gary Sautter, Acting Director of the Asset Recovery Division, HUD Financial Operations Center, demonstrating that Petitioner has agreed to a bi-weekly payment of \$150.00 in repayment of the alleged debt to HUD. Accordingly, the Secretary's Motion to Dismiss is GRANTED. It is

**ORDERED** that the Secretary is authorized to seek collection of this outstanding obligation by means of administrative wage garnishment in the amount of \$150.00, bi-weekly, in accordance with the agreement between the parties. It is

**FURTHER ORDERED** that the Stay of Referral imposed in this case on November 21, 2013 is hereby VACATED.



H. Alexander Manuel  
Administrative Judge