

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

In the Matter of:

Otis White,

Petitioner.

17-AM-0167-AG-048

780791288

September 27, 2017

RULING AND ORDER OF DISMISSAL

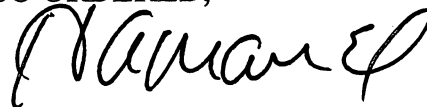
On September 26, 2017, the Secretary filed the *Secretary's Motion to Dismiss*, stating that garnishment of Petitioner's wages "will cause the family financial hardship." *Id.* at ¶3. However, the Court notes that HUD has reserved its right to resume collection action on the alleged debt in this case "should Petitioner's financial circumstances improve or if Petitioner's spouse fail[] to pay the subject debt in accordance with the terms of the repayment agreement." *Id.*

UPON CONSIDERATION of the Secretary's motion, and without objection, the *Secretary's Motion to Dismiss* is GRANTED. Accordingly, it is

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

FURTHER ORDERED that the *Stay of Referral* of this action to the U.S. Department of the Treasury for collection, entered in this case on August 22, 2017, is hereby **VACATED**.

SO ORDERED,



H. Alexander Manuel
Administrative Judge