

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

In the Matter of:

Richard Keith Seay,

Petitioner.

18-AM-0001-AG-001

721005163A

December 1, 2017

RULING AND ORDER OF DISMISSAL

On December 1, 2017, the Secretary filed the *Secretary's Motion to Dismiss* ("the *Secretary's Motion*"). The Secretary seeks dismissal of this action on the grounds that

"Petitioner provided HUD's Financial Operations Center with documentation suggesting that his wages were garnished by his employer in 2013 and 2014, however HUD received no garnishment payments from Petitioner or his employer during that period. Therefore, HUD has requested that the U.S. Department of the Treasury ("Treasury") investigate this matter further. In the meanwhile, HUD has advised Treasury to issue a Wage Garnishment Stop Order to Petitioner's employer. Upon completion of Treasury's investigation, HUD will advise Petitioner of the outcome in writing. If Petitioner's debt to HUD has not been paid in full, Petitioner will be provided with a new Notice of Intent should the government decide to forward with wage garnishments in the future. (Declaration of Brian Dillon at ¶ 3 – Exhibit A)."

UPON CONSIDERATION of *the Secretary's Motion*, including the Declaration of Brian Dillon attached thereto, *the Secretary's Motion* is GRANTED. Accordingly, it is

ORDERED that this appeal is **DISMISSED**, *without prejudice*. It is

FURTHER ORDERED that the Stay of Referral previously entered in this case on October 3, 2017 is hereby **VACATED**.

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge