

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

In the Matter of:

**Eddie Embery Jr. and  
Barbara Embery ,**

Petitioners.

18-AM-0121-AG-064

721009703

March 28, 2018

**RULING AND ORDER OF DISMISSAL**

On March 21, 2018, the Secretary filed the *Secretary's Motion to Dismiss* ("the *Secretary's Motion*"). The Secretary seeks dismissal of this action on the grounds that garnishment of Petitioners' wages at this time would create undue financial hardship. HUD, however, reserves the right to seek collection of the subject debt via alternative means, e.g., Administrative Offset, and may resume Administrative Wage Garnishment activities in the future should Petitioners' financial circumstance improve. Therefore, it is

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

**FURTHER ORDERED** that the Corrected Stay of Referral previously entered in this case on March 13, 2018 is hereby **VACATED**.

**SO ORDERED,**



H. ALEXANDER MANUEL  
Administrative Judge