

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

In the Matter of:

**Benjamin E. Gordon,**

Petitioner,

20-AM-0083-AG-048

52-08883319H

February 6, 2020

**RULING AND ORDER OF DISMISSAL**

On February 5, 2020, the Secretary filed his *Motion to Dismiss* this case on the grounds that

[t]he files that house [Petitioner's] loan documents are in the process of being shipped to an outside contractor, and it is currently unknown how long this process will take or when those documents will become available. Therefore, Ginnie Mae seeks to dismiss the proposed Administrative Wage Garnishment action against [Petitioner], without prejudice, until such time as his records become available.

*Secretary's Motion to Dismiss*, ¶ 2. For good cause shown, and without objection, The Secretary's motion is GRANTED. It is,

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

**FURTHER ORDERED** that the Stay of Referral of this matter to the U.S. Department of the Treasury for collection that was entered on January 28, 2020, is hereby **VACATED**.

**SO ORDERED,**



H. Alexander Manuel  
Administrative Judge

**APPEAL NOTICE:** Petitioner has the right to move for reconsideration of this case before the HUD Office of Hearings and Appeals within 20 days of the date of this ruling or decision; or, thereafter, to reopen this case. Ordinarily, such motions will not be granted unless it can be shown that there is new evidence to present that could not have been previously presented. Petitioner may also appeal this decision to the appropriate United States District Court. For wage garnishment cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.11(f), and 5 U.S.C. 701, *et seq.* For administrative offset cases, See 24 C.F.R. § 17.73(a), and 5 U.S.C. § 701, *et seq.*