

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

In the r. Matter of:

Pastora Areco

Petitioner,

20-AM-0241-AG-145

515044976

September 4, 2020

RULING AND ORDER OF DISMISSAL

On September 1, 2020, the Secretary filed his *Motion to Dismiss* in this case, seeking dismissal of Petitioner's appeal on the grounds that the alleged calculation of debt in this case did not take into account that Petitioner's real property and mortgage were subject to short sale by Petitioner's lender. Accordingly, the Secretary states that he will not pursue the alleged debt in this case against Petitioner but will, instead, proceed against the lender for losses incurred by the Department. *Id.*, ¶ 2. Upon consideration of the *Secretary's Motion to Dismiss*, and without objection, the Secretary's motion is GRANTED. Therefore, it is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *with prejudice*. The Stay of Referral to the U.S. Department of the Treasury entered on August 17, 2020, is **VACATED**

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge

APPEAL NOTICE: You have 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 you can demonstrate that you have new evidence to present that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishments cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.119f, 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.*