



Office of Appeals
U.S. Department of Housing and Urban Development
Washington, D.C. 20410-0001

In the Matter of:

Ohio Discounted Properties LTD,
Petitioner

HUDOA No. 10-H-CH-LL14
Claim No. 7-212000370A

Ohio Discounted Properties LTD
2560 Maysville Pike, Suite A
Zanesville, OH 43701

Pro se

James Webster, Esq.
U.S. Department of Housing and
Urban Development
Office of Regional Counsel
For Midwest Field Offices
77 West Jackson Boulevard
Chicago, IL 60604

For the Secretary

RULING ON SECRETARY'S MOTION TO DISMISS

Petitioner was notified by Due Process Notice, pursuant to 31 U.S.C. §§ 3716 and 3720A, that the Secretary of the U.S. Department of Housing and Urban Development ("HUD") intended to seek administrative offset by the United States Department of the Treasury of any federal payments due to Petitioner to recover a claimed past-due, legally enforceable debt of Petitioner to HUD.

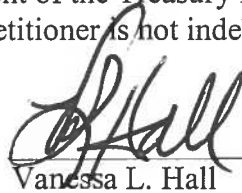
Petitioner filed a timely request to present evidence that the debt was not past-due or not legally enforceable. Pursuant to 24 C.F.R. § 17.152 and 17.153, the administrative judges of the HUD Office of Appeals are authorized to determine whether these debts are past due and legally enforceable. As a result of Petitioner's request, referral of the debt to the U.S. Department of the Treasury was temporarily stayed by this Office.

On February 8, 2010, a Motion to Dismiss was filed on behalf of the Secretary advising this Office that the Secretary has determined "upon review of HUD records, it has been determined that Petitioner is not indebted to the Secretary."

Upon due consideration, the Secretary's Motion to Dismiss is **GRANTED**. It is hereby

ORDERED that the Secretary shall not seek to collect the claimed debt of Petitioner by means of administrative offset of any federal payment due Petitioner. The

stay of referral of this matter to the Department of the Treasury is made permanent. This matter is dismissed with prejudice because Petitioner is not indebted to the Secretary.

A handwritten signature in black ink, appearing to read "V. Hall", written over a horizontal line.

Vanessa L. Hall
Administrative Judge

February 17, 2010