



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

In the Matter of:

**Henry Carreon,**

Petitioner

HUDOA No. 10-H-CH-LL24  
Claim No. 7-709743080B

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*Pro Se*

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For the Secretary

**RULING AND ORDER OF DISMISSAL**

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 the debt is 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. (Notice of Docketing, Order, and Stay of Referral, dated February 23, 2010.)

On March 12, 2010, a Motion to Dismiss ("Motion"), along with proof of discharge by bankruptcy, were filed on behalf of the Secretary advising this Office that "the Secretary's counsel was notified that Petitioner had filed a petition for the Debt Relief under Chapter 7 on the United States Code." Further, the Secretary states that "a discharge was granted on February 6, 1996." (Motion, ¶ 3.)

Therefore, 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 because this debt was discharged by the U.S. Bankruptcy Court.

This matter is dismissed with prejudice.



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Vanessa L. Hall  
Administrative Judge

March 16, 2010