



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

In the Matter of:

Julie E. Solis,

Petitioner

HUDOA No. 10-H-CH-LL70
Claim No. 7-709624360B

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For Petitioner

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For the Secretary

RULING ON SECRETARY'S MOTION TO DISMISS

Petitioner was notified by a Notice of Intent to Collect by Treasury Offset, pursuant to 31 U.S.C. § 3720A, that the Secretary of the U.S. Department of Housing and Urban Development ("HUD") intended to seek offset by the U.S. Department of Treasury of any Federal payment 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(c), § 17.153, and § 20.4(b), 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 Department of Treasury was temporarily stayed by this Office on March 5, 2010.

On August 20, 2010, a Motion to Dismiss was filed on behalf of the Secretary stating that "on July 16, 2010, the Petitioner paid the sum of \$6,000.00 to the Secretary,"

and further stating that “the amount tendered to the Secretary settles all claims against Petitioner with respect to the debt that is being appealed.” “The Secretary will take no further actions to collect this debt.” (Motion to Dismiss.)

Without objection, the Secretary’s Motion to Dismiss is **GRANTED**. Therefore 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 the parties have settled all claims against Petitioner.

There no longer being a past due or enforceable debt extant in this matter, the stay of referral of this matter to the U.S. Department of the Treasury is hereby made permanent.

This matter is **DISMISSED WITH PREJUDICE**.



Vanessa L. Hall
Administrative Judge

August 20, 2010