



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

In the Matter of:

Gloria Barron Boatwright,

Petitioner

HUDOA No. 10-H-NY-LL140
Claim No. 7-210063970A

Gloria Barron Boatwright
7680 Northwest 21st Court
Sunrise, FL 33322

Pro se

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For the Secretary

RULING ON SECRETARY'S MOTION TO DISMISS

Petitioner was notified by a Due of 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. § 17.150 et. seq. 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 U.S. Department of the Treasury was temporarily stayed by this Office on May 20, 2010.

On July 16, 2010, a Motion to Dismiss was filed on behalf of the Secretary advising this Office that HUD has ceased all collection efforts as Petitioner filed Chapter 7 bankruptcy in the United States Bankruptcy Court for the Southern District of Florida under case number 10-17869 on March 28, 2010. Petitioner's bankruptcy case was discharged on July 9, 2010. (Declaration of Brian Dillon – Exhibit A.)

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 due to bankruptcy.

The stay of referral of this matter to the Department of the Treasury is made permanent. This matter is **DISMISSED WITH PREJUDICE**.



Vanessa L. Hall
Administrative Judge

July 22, 2010