



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

In the Matter of:

DAVID AND VALERIE POLLOCK,
Petitioners.

HUDOA No. 11-M-CH-LL22
Claim No. 78-0719685

RULING AND ORDER OF DISMISSAL

On December 21, 2011, the Secretary filed the Secretary's Motion to Dismiss Without Prejudice ("Motion to Dismiss"). The Secretary states that "Petitioners have offered a repayment plan of \$300/month, which is acceptable to the Secretary." Motion to Dismiss, ¶2. However, "the Secretary reserves any rights to pursue offset or other lawful remedies in the future should Petitioners default on the Repayment Plan, or to seek an adjustment of such Repayment Plan in the event Petitioners' financial circumstances improve, and reserves any and all rights and defenses regarding Petitioners' claims regarding the amount or enforceability of the debt." *Id.* Upon consideration, and without objection, the Secretary's Motion to Dismiss is GRANTED. It is

ORDERED that this matter is DISMISSED without prejudice.

H. Alexander Manuel
Administrative Judge

January 3, 2012