

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF HEARINGS AND APPEALS

In the Matter of:

Thomas OBrien

Petitioner.

19-AM-0123-AO-044

7-210149400A

August 30, 2019

RULING AND ORDER OF DISMISSAL

On August 7, 2019, the Secretary filed the *Secretary's Motion to Dismiss* in this case, seeking dismissal of Petitioner's appeal on the grounds that

On June 12, 2019, Petitioner entered into a voluntary repayment agreement with HUD's Financial Operations Center wherein he agreed to pay \$200.00 per month until his debt in the amount of \$6,364.52 plus continuing interest is paid in full . . . HUD, however, reserves the right to resume debt collection activities in the future, should Petitioner fail to pay the subject debt in accordance with the terms of the repayment agreement.

Secretary's Motion to Dismiss ¶¶ 2, 3 (citations omitted). For good cause shown, and without objection, the Secretary's motion is GRANTED. Therefore, it is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *without prejudice*. The Stay of Referral to the U.S. Department of the Treasury previously entered on June 3, 2019, is hereby **VACATED**

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge

APPEAL NOTICE: You have the right to move for reconsideration of this case before the HUD Office of Hearings and Appeals within 20 days of the date of this ruling or decision; or, thereafter, to reopen this case. Ordinarily, such motions will not be granted unless you can demonstrate that you have new evidence to present that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishments cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.119f), and 5 U.S.C. 701, *et seq.* For administrative offset cases, See 24 C.F.R. § 17.73(a), and 5 U.S.C. § 701, *et seq.*