

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

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In the Matter of:

**TRICIA E. MARTIN,**

Petitioner.

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: 18-AM-0207-AO-060

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: 721008207-0A

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: July 10, 2019  
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**RULING AND ORDER OF DISMISSAL**

On June 12, 2019, the Secretary filed a *Motion to Dismiss* Petitioner's appeal in this case. The arguments presented by Petitioner in this administrative offset matter, are identical to the issues presented in a previously-filed, Administrative Wage Garnishment matter, filed by Petitioner in 16-AM-0112-AG-032. In that case, Petitioner did submit documentation, but the Court rejected Petitioner's arguments and found in favor of the Secretary.

The Secretary now relies on the doctrine of *res judicata* to assert that Petitioner should be barred from relitigating claims that were previously adjudicated on the merits. See In re Juanita Johnson, HUDOHA No. 13-AM-0163-AG-071 (April 17, 2014). Petitioner has not come forward with any new evidence or arguments that would indicate that this case involves a debt not previously adjudicated in 16-AM-0112-AG-032, or that this debt is otherwise not legally enforceable. The nature of the remedy that the Government chooses to pursue does not alter the legal status of Petitioner's underlying liability for the debt. Accordingly, and pursuant to the legal doctrines of *res judicata*, collateral estoppel, and equitable estoppel, this Court affirms its previous finding that Petitioner is indebted to the Department in the amounts claimed by the Secretary. Accordingly, it is

**ORDERED** that Petitioner's appeal is hereby **DISMISSED** *with prejudice*. It is

**FURTHER ORDERED** that the Stay of Referral previously entered in this case on June 29, 2018, is hereby **VACATED**.

SO ORDERED,



H. ALEXANDER MANUEL  
Administrative Judge