

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

In the Matter of:

**Kyle and Stephanie Degarmo**

Petitioner,

20-AM-0032-AO-007

7-210157020A

January 15, 2020

**RULING AND ORDER OF DISMISSAL**

On November 13, 2019, Petitioners were ordered to file documentary evidence, on or before December 14, 2019, to prove that Petitioners are not indebted to the Department in the amounts claimed by the Secretary. *Notice of Docketing, Order, and Stay of Referral* ("Order"). Petitioners failed to comply with that *Order*. The *Order* advised Petitioners as to whom to contact to obtain documents related to the loan, and specifically required Petitioners to file documentary evidence to support their position in this case. The *Order* also permitted Petitioners to file an affidavit, declaration, or other evidence to support their claims. It has now been 30 days past the December 14, 2019 due date. Having failed to comply with the *Order*, the Court, therefore, finds that Petitioners are indebted to the Department in the amounts claimed by the Secretary. Accordingly, Petitioners' appeal is DISMISSED, *sua sponte*, and *without prejudice*. It is

**ORDERED** that the Secretary is authorized to seek collection of Petitioners' indebtedness to the Department in the amounts claimed by the Secretary, and at the maximum garnishment rate permitted under applicable regulations. It is

**FURTHER ORDERED** that the *Stay of Referral* of this matter to the U.S. Department of the Treasury entered in this case on November 13, 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 are not granted unless new evidence is provided 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. § 285.119(f), 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.*