



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

In the Matter of:

RONNISE K. EATMAN,

Petitioner.

HUDOA No. 11-M-NY-AWG129

Claim No. 780730138

RULING AND ORDER UPON RECONSIDERATION

This Office issued a final Decision and Order in this case on January 31, 2012, finding that Petitioner's debt to HUD was lawful and enforceable. The Decision and Order authorized the Secretary to proceed with administrative wage garnishment against Petitioner.

On February 22, 2012, Petitioner filed a facsimile cover letter stating "I just need some clarify (sic) please very confused (sic). I'm asking why do it have to say [g]arnishment [w]hen I 'm asking to set up payments why [g]arnishment (sic). I have a [n]ew job so calling to get info!" Petitioner's cover letter, dated February 6, 2012. Petitioner's letter of February 6, 2012 is hereby deemed to be a motion for reconsideration. Since the Court discerns no substantial evidentiary basis or legal argument to support Petitioner's Motion for Reconsideration, the Court does not find it necessary to grant the Secretary leave to file an objection or opposition memorandum thereto.

Petitioner's motion fails to raise any material argument or evidence, let alone evidence that could not have been raised prior to the issuance of the Decision and Order in this case. Prior to the issuance of the Decision and Order, Petitioner was afforded multiple opportunities to file documentary evidence to prove that all or part of the alleged debt in this case is unenforceable or not past due. (Orders, dated August 18, 2011 and November 23, 2011) Reconsideration of a prior decision is within the discretion of the administrative judge and will not be granted "in the absence of compelling reasons, e.g., newly discovered evidence or clear error of fact or law". *Louisiana Housing Finance Agency*, HUDBCA No. 02-D-CH-CC006 at 1, (March 1, 2004). Further, "[i]t is not the purpose of reconsideration to afford a party the opportunity to reassert contentions that have been fully considered and determined by [this Office]." *Id.* at 1. Accord, *Althea T. Vanzego*, HUDOA No. 07-M-NY-HH46, at 2-3, issued March 29, 2011 (Ruling and Order Upon Reconsideration).

Petitioner's Motion for Reconsideration sets forth no such new evidence or legal argument, and is therefore DENIED. The Court reiterates its earlier Decision and Order, to state that it is without authority to negotiate a repayment plan for Petitioner on behalf of the Department. Instead, Petitioner may wish to discuss any proposed repayment plan with Lester J. West, Director, HUD Financial Operations Center, Albany, N.Y., 12203-5121, tel. no. 1-800-669-5152, ext. 4206. *See* Decision and Order, at 4. It is

ORDERED that the Decision and Order issued in this case on January 31, 2012 is **AFFIRMED** and shall remain in full force and effect.



H. Alexander Manuel
Administrative Judge

March 7, 2012