

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

In the Matter of:

Kettely Zidor

Petitioner,

21-AM-0239-AG-139

721017729

May 20, 2022

RULING AND ORDER OF DISMISSAL

Petitioner filed a *Statement*. The *Statement* was found to be candid and conciliatory. However, the Court has no jurisdiction to compel the Secretary to enter into any proposed repayment agreement. The terms and conditions of any such agreement rest solely with the Secretary. Finding that Petitioner has not come forward with documentary evidence to prove that Petitioner is not indebted to the Department in the amounts claimed by the Secretary, or with documentary evidence to prove that imposition of a repayment plan at this time would create undue financial hardship for Petitioner, it is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *sua sponte*, and *without prejudice*. The Stay of Referral to the U.S. Department of the Treasury entered on August 26, 2021, 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.*