

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**BEFORE THE SECRETARY OF AGRICULTURE**

AWG Docket No. 10-0240

In re: ANGELA SILCOX,

Petitioner

**DECISION AND ORDER**

This matter is before the Administrative Law Judge upon the request of Angela Silcox for a hearing to address the existence or amount of a debt alleged to be due, and if established, the terms of any repayment prior to imposition of an administrative wage garnishment. On June 17, 2010, a Prehearing Order was entered to facilitate a meaningful conference with the parties as to how the case would be resolved, to direct the exchange of information and documentation concerning the existence of the debt, and setting the matter for a telephonic hearing on July 20, 2010.

The Respondent complied with that Order and a Narrative was filed, together with supporting documentation on July 6, 2010. The Petitioner did not file anything on her behalf, but participated in the hearing. During the hearing, the Petitioner indicated that she understood that she owed the debt. Ms. Kimball explained that following entry of the Decision, she possibly could make arrangements with Treasury to either agree upon an installment plan or some other form of resolution of the indebtedness. Accordingly, this

matter was decided upon the record before me, and the following Findings of Fact, Conclusions of Law and Order will be entered.

**Findings of Fact**

1. On June 30, 1989, the Petitioner and Pete E. Silcox, then her husband, received a home mortgage loan in the amount of \$32,780.00 from Farmers Home Administration (FmHA) (now Rural Development (RD)) for property located in Arkansas Pass, Texas. RX-1.
2. The property was sold at a foreclosure sale on March 7, 2000. FmHA bid the property in for \$33,112.61, leaving a balance due of \$2,927.43. RX-3.
3. The remaining unpaid debt is in the amount of \$2,927.43 (exclusive of potential Treasury fees). RX-4.

**Conclusions of Law**

1. Angela Silcox is indebted to USDA Rural Development in the amount of \$2,927.43 (exclusive of potential Treasury fees) for the mortgage loan extended to her.
2. All procedural requirements for administrative wage offset set forth in 31 C.F.R. §285.11 have been met.
3. The Respondent is entitled to administratively garnish the wages of the Petitioner.

**Order**

For the foregoing reasons, the wages of Angela Silcox shall be subjected to administrative wage garnishment at the rate of 15% of disposable pay, or such lesser amount as might be specified in 31 C.F.R. § 285.11(i).

Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk's Office.

Done at Washington, D.C.  
July 20, 2010

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**PETER M. DAVENPORT**  
Chief Administrative Law Judge

Copies to: Angela Silcox  
Mary Kimball  
Dale Theurer

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