

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	AWG Docket No. 10-0415
Laura C. Salas)	
)	
Petitioner)	Decision and Order

1. The hearing by telephone was held on November 19, 2010. Ms. Laura C. Salas, formerly known as Laura C. Prieto, the Petitioner (“Petitioner Salas”), participated, representing herself (appearing *pro se*). Rural Development, an agency of the United States Department of Agriculture (USDA), is the Respondent (“USDA Rural Development”) and was represented by Mary E. Kimball.

2. The address for USDA Rural Development for this case is

Mary E. Kimball, Branch Accountant
USDA / RD New Program Initiatives Branch
Bldg 105 E, FC-22, Post D-2
4300 Goodfellow Blvd
St Louis MO 63120-1703

mary.kimball@stl.usda.gov 314.457.5592 phone
314.457.4426 FAX

Summary of the Facts Presented

3. Admitted into evidence are the testimony of Mary Kimball and the USDA Rural Development Exhibits, plus Narrative, Witness & Exhibit List (filed in October 2010).

4. Admitted into evidence are the testimony of Petitioner Salas, and Petitioner Salas’s Consumer Debtor Financial Statement (filed in October 2010), and her Hearing Request documents and statements.

5. USDA Rural Development (formerly USDA Farmers Home Administration) is owed a balance of **\$11,853.67**, remaining from an assumption and a loan borrowed in 1997 to buy a home in New Mexico. The **\$11,853.67** balance is now unsecured (“the debt”).
6. Potential Treasury fees in the amount of 28% (the collection agency keeps 25% of what it collects; Treasury keeps another 3%) on **\$11,853.67** would increase the current balance by \$3,319.03, to \$15,172.70. *See* USDA Rural Development Exhibits, esp. RX-8.
7. USDA Rural Development advises that it **will discontinue any further collection of the debt from Petitioner Salas.**

Findings, Analysis and Conclusions

8. The Secretary of Agriculture has jurisdiction over the parties, Petitioner Salas and USDA Rural Development; and over the subject matter, which is administrative wage garnishment.
9. **NO further garnishment** of Petitioner Salas’ pay is authorized; **NO further offset** of Petitioner Salas’s **income tax refunds** or other **Federal monies** payable to the order of Ms. Salas is authorized; **NO form of further debt collection** from Petitioner Salas is authorized.
10. **NO refund** to Petitioner Salas of monies already collected is appropriate, and no refund is authorized.

Order

11. USDA Rural Development has determined that it will not collect from Petitioner Salas any more of the debt. Accordingly, no further collection of the debt from Petitioner Salas is authorized.

Copies of this Decision shall be served by the Hearing Clerk upon each of the parties.

Done at Washington, D.C.
this 23rd day of November 2010

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

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