

On the basis of the record before me, nothing further having been received from the Petitioner, the following Findings of Fact, Conclusions of Law and Order will be entered.

Findings of Fact

1. On February 20, 2005, Aubrey and Barbara Greer, husband and wife, applied for and received a home mortgage loan guarantee from the United States Department of Agriculture's Rural Development Agency for property located at 705 E. Tate, Brownfield, Texas 79316. The loan, for \$43,000, was from JP Morgan Chase Bank. RX 1.

2. In September 2005 the Greer's defaulted on the loan. Chase purchased the home at a foreclosure sale for \$45,067.47 in April 2006, but was unable to sell the home within six months. Chase submitted a loss claim based on a liquidation appraisal of \$30,000. USDA Rural Development paid Chase \$19,121.19 under the Loan Guarantee. The home was subsequently sold for \$20,000. RX 2, 3.

3. USDA has collected \$11,458 of the debt, leaving a current balance of \$7,663.19.

4. Petitioner has submitted no evidence in response to my Order that would indicate that her current income from all sources is exceeded by necessary monthly expenses.

Conclusions of Law

1. Petitioner Barbara Greer is indebted to USDA Rural Development in the amount of \$7,663.19. Both Petitioner and Aubrey Greer, who was her husband at the time the guarantee was applied for, are jointly and severally liable for this amount, as each borrower signed the loan guarantee.

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 the Petitioner, Barbara Greer, shall be subject to administrative wage garnishment at the rate of 15% of disposable pay, or such lesser amount as 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.
this 11th day of February, 2009

MARC R. HILLSON
Chief Administrative Law Judge