

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

AWG Docket No. 10-0196

In re: FREDDIE E. THOMPSON,
formerly known as FREDDIE E. POLKE
and FREDDIE E. FORD,

Petitioner

DECISION AND ORDER

This matter is before the Administrative Law Judge upon the request of Freddie E. Thompson 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 May 18, 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 June 25, 2010.

The Respondent complied with that Order and a Narrative was filed, together with supporting documentation on June 9, 2010. The Petitioner filed her documentation with the Hearing Clerk on June 8, 2010. In the materials filed, Ms. Thompson provided information concerning her financial situation which reflects only nominal income and very limited amount of ability to repay the obligation.

On the basis of the entire record before me, the following Findings of Fact, Conclusions of Law and Order will be entered.

Findings of Fact

1. On April 13, 1993, the Petitioner received a home mortgage loan in the amount of \$36,900.00 from Farmers Home Administration, United States Department of Agriculture (USDA) (now Rural Development (RD)) for property located at 118 Hilton Drive, Lyons, Georgia. RX-1.
2. The property was sold at a short sale on May 7, 2002 with proceeds realized from that sale in the amount of \$23,170.00, leaving a balance due of \$22,794.99. RX-3.
3. Treasury offsets totaling \$4,777.12 (after fees) have been received. RX-3.
4. The remaining unpaid debt is in the amount of \$18,017.87 (exclusive of potential Treasury fees). RX-4.
5. The Petitioner has limited income and has exhibited financial hardship.

Conclusions of Law

1. Freddie E. Thompson is indebted to USDA Rural Development in the amount of \$ 18,017.87 (exclusive of potential Treasury fees) for the mortgage loan extended to her.
2. In light of the finding of financial hardship, administrative wage garnishment is not appropriate at this time, but the debt will remain at Treasury for collection.

Order

For the foregoing reasons, the wages of Freddie E. Thompson **MAY NOT** be subjected to administrative wage garnishment.

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

Done at Washington, D.C.
June 25, 2010

PETER M. DAVENPORT
Chief Administrative Law Judge

Copies to: Freddie E. Thompson
Mary Kimball
Dale Theurer

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