

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

In re: )  
 ) **AWG Docket No. 10-0187**  
Daniel Escobar and )  
Jo Ann Escobar, )  
 )  
Petitioners ) **Decision and Order**

1. The hearing was held as scheduled on July 1, 2010. Daniel Escobar and Jo Ann Escobar, the Petitioners (“Petitioners Escobar”), participated, representing themselves. 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 and Connie Kremer.

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](mailto:mary.kimball@stl.usda.gov) 314.457.5592 phone  
314.457.4426 FAX

3. I encourage **Petitioners Escobar and the collection agency to negotiate promptly** repayment of the debt. Meanwhile, **through June 30, 2011, NO garnishment is authorized.**

Summary of the Facts Presented

4. Petitioners Escobar owe to USDA Rural Development a balance of **\$6,210.67** (as of July 1, 2010) in repayment of reamortized loans (“the debt”). See USDA Rural Development Exhibits, esp. RX-5.

5. Potential Treasury fees in the amount of 28% (the collection agency keeps 25% of what it collects) on **\$6,210.67** would increase the current balance by \$1,738.99, to \$7,949.66. *See* USDA Rural Development Exhibits, esp. RX-7.

6. Petitioners Escobar are responsible and willing and able to negotiate repayment of the debt with Treasury's collection agency.

#### Findings, Analysis and Conclusions

7. The Secretary of Agriculture has jurisdiction over the parties, Petitioners Escobar and USDA Rural Development; and over the subject matter, which is administrative wage garnishment.

8. Petitioners Escobar owe the debt described in paragraphs 4 and 5.

9. **Through June 30, 2011, NO garnishment is authorized.** 31 C.F.R. § 285.11.

#### Order

10. Until the debt is repaid, Petitioners Escobar shall give notice to USDA Rural Development or those collecting on its behalf, of any changes in their mailing address; delivery address for commercial carriers such as FedEx or UPS; FAX number(s); phone number(s); or e-mail address(es).

11. USDA Rural Development, and those collecting on its behalf, are **NOT** authorized to proceed with garnishment **through June 30, 2011**.

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

Done at Washington, D.C.  
this 1<sup>st</sup> day of July 2010

s/ Jill S. Clifton

Jill S. Clifton  
Administrative Law Judge

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