

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWG Docket No. 11-0016
)
Kristie Kenyon, f/k/a)
Kristie Danforth)
)
Petitioner)

Dismissal of Petition for Oral Hearing

This matter is before me upon the request of the Petitioner, Kristie Kenyon f/k/a/ Kristie Danforth, for a hearing in response to efforts of the United States Department of Agriculture – Rural Development (RD) to institute a federal administrative wage garnishment against her. On October 28, 2010, I issued a Pre-hearing Order requiring the parties to exchange information concerning the amount of the debt.

On December 7, 2010 at the scheduled time, only RD was present on a telephone conference call.

After consideration of its options, Ms. Mary Kimball representing RD advised that RD would concede to cancellation of the remaining debt and Ms. Kimball further advised that RD would be issuing a IRS form 1099-c to Ms. Danforth and to her ex-husband relating to the debt cancellation.

Conclusions of Law

1. Petitioner, Kristie Danforth, is indebted to USDA’s Rural Development program.

2. In addition, Kristie Danforth, is indebted for potential fees to the US Treasury.
3. All procedural requirements for administrative wage garnishment set forth in 31 C.F.R. ¶ 285.11 have been met.
4. RD will cancel the entire remaining debt owed by Kristie Danforth.
5. RD will not refund any payments by the debtor toward the debt made prior to this date.
6. RD will issue a IRS form 1099-c relating to the cancellation of the remaining debt.

Order

1. The Administrative Wage Garnishment may NOT proceed against this debtor.
2. Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk's office.

JAMES P. HURT
Hearing Official
December 7, 2010