

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWG Docket No. 13-0005
)
Kara Martin,
f/k/a Kara Doolittle)
)
Petitioner)

**Order to Dismiss Wage Garnishment
And Cancel Debt**

This matter is before me upon the request of the Petitioner, Kara Martin, for a hearing in response to efforts of Respondent to institute a federal administrative wage garnishment against her. On November 13, 2012, I held an oral hearing at Petitioner’s request and received oral testimony under oath.

Petitioner’s defense was that she was under a disability at the time of the formation of the contract (the RD loan) in that she was a minor (less than 18 years) at the time she signed the documents.

During the hearing, I requested RD to consider the effects of the Oregon statute(s) relating to ability of minors to contract for necessities (such as an apartment or house). In its response of December 5, 2012, RD has acquiesced and has requested that “the debt be recalled” and that RD “will not seek collection from the petitioner (Ms. Martin).” RD has not discharged the debt as to co-debtor Casey Doolittle.

Conclusions of Law

1. The garnishment of Petitioner, Kara Doolittle (Martin) is terminated.
2. The obligation of Kara Doolittle (Martin) related to the RD loan (See RX-1) is extinguished.
2. All procedural requirements for administrative wage garnishment set forth in 31 C.F.R. ¶ 285.11 have been met.
3. Petitioner is under a duty to inform USDA's Rural Development of her current address, employment circumstances, and living expenses.

Order

1. The Administrative Wage Garnishment against this debtor is terminated.
2. The obligation of Kara Doolittle (Martin) related to the RD loan (See RX-1) is extinguished.
3. Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk's office.

JAMES P. HURT

Hearing Official

December 10, 2012

Kara Martin

Michelle Tanner

Dale Thurer