



due of \$65,125.23. RX-13

10. Petitioner has stated that he has a financial hardship, but has not filed a statement of Income and Expenses within the time allowed following the oral hearing.

11. Petitioner has been employed for more than one year.

12. He has child support garnishments from a prior marriage as well as a temporary garnishment for child support arrearages. He supports a family of four and his current spouse is not employed. He also has outstanding legal fees relating to the prior marriage.

13. Petitioner was given one week to file his income and expense forms, but has not done so and therefore I cannot perform a financial hardship calculation.

### **Conclusions of Law**

1. Petitioner Matthew (Hart) Armstrong is indebted to USDA's Rural Development program in the amount of \$50,879.09.
2. In addition, Petitioner is also liable for \$14,246.14 as remaining potential collection fees to the US treasury.
3. All procedural requirements for the administrative wage garnishment set forth in 31 CFR § 285.11 have been met.
4. Petitioner is under a duty to inform USDA Rural Development of his current address, employment circumstances, and living expenses.
5. Petitioner would likely suffer financial hardship if he were to incur additional garnishments at this time; however I am unable to perform a definitive evaluation without his financial statement.

### **ORDER**

For the foregoing reasons, the wages of Petitioner shall not be subjected to administrative wage garnishment at this time. After 3 months, RD may re-assess the Petitioner's financial position.

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

January 30, 2012.

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James P. Hurt  
Hearing Officer

Matthew (Hart) Armstrong  
Michelle Tanner  
Dale Thurer