

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED]

Claimant

Reg. No: 2009-7577

Issue No: 3000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

March 17, 2009

Kalamazoo County DHS

ADMINISTRATIVE LAW JUDGE: Ivona Rairigh

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9; and MCL 400.37; upon claimant's request for a hearing filed on December 4, 2008. After due notice, a hearing was held on March 17, 2009.

Claimant stated in her hearing request that her Food Assistance Program (FAP) eligibility is "incorrect" due to her housing costs now being [REDACTED] per month. Department's Hearing Summary indicates that there has been no negative action on claimant's FAP case and that the FAP benefit amount was increased at semi-annual review completed for the month of December, 2008. Hearing Summary further indicates that the claimant reported her rental amount change on the hearing request, and that a new rental form was mailed to her on December 15, 2008.

Claimant's caseworker testified that since the time that the Hearing Summary was submitted she had received the rental form for the claimant on January 8, 2009, and had adjusted claimant's FAP benefits to reflect rent increase for February, 2009.

Claimant at first testified that she did not need the hearing and called to attempt to cancel it, but could not get through to Administrative Hearings to do so. Claimant further testified that she assumed

she had to show up for the hearing even though she decided her hearing issue had been resolved.

Claimant however then proceeded to complain about the timeliness of rent increase on her FAP case, stating that a rent form was submitted to her caseworker prior to December, 2008, as her rent increased in October, 2008. Claimant's caseworker responded by describing the rental form in her possession as being the one she had mailed to the claimant on December 15, 2008, that the form was signed by the claimant's landlord on December 17, 2008, and that it was date-stamped as received in the local office on January 8, 2009. After reviewing the rental form, claimant agrees that department's action was correct, and has no further issues.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.906 and 400.903, claimant's hearing request is **HEREBY DISMISSED**, because claimant is no longer aggrieved by a department action.

/s/ _____
Ivona Rairigh
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: March 19, 2009

Date Mailed: March 20, 2009

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 60 days of the filing of the original request.

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The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

IR [REDACTED]

cc:

[REDACTED]