

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: 2009-13461

Issue No: 3002; 3003

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

March 19, 2009

Oakland County DHS

ADMINISTRATIVE LAW JUDGE: Suzanne L. Keegstra

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 January 12, 2009. After due notice, a hearing was held March 19, 2009.

Prior to the closure of the hearing record, the department representative testified that she had received a promissory note from the claimant, showing that the money the claimant had received from his nephew was a loan, not a gift. The department representative testified that she would recompute the budgets back to December 2008. The department representative indicated she would remove the money claimant had received from his nephew that had been budgeted, as departmental policy indicates that loan proceeds are not budgeted as income. PEM 500. The claimant will be issued any retroactive benefits due him from this rebudgeting.

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/ _____
Suzanne L. Keegstra
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: March 23, 2009

Date Mailed: March 23, 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.

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.

SLK 

cc:

