

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: 2009-29177

Issue No: 3000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

August 12, 2009

St. Clair 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 June 10, 2009. After due notice, a hearing was held on August 12, 2009.

Hearing Summary indicates that claimant's Food Assistance Program (FAP) benefits were closed by the department at the end of June, 2009, due to her alleged failure to attend a scheduled interview. Department's representative however states that claimant's FAP benefits were reinstated effective July 1, 2009, and that she therefore suffered no loss in benefits. Claimant agrees that this is true, and states that she did not understand why the hearing was taking place.

Department's administrative rules state that an opportunity for a hearing shall be granted to an applicant who requests a hearing because their claim for assistance is denied, or to any recipient who is aggrieved by any department action resulting in suspension, reduction, discontinuance, or termination of assistance. Michigan Administrative Code Rule 400.903(1).

Claimant's FAP case has been continued without any loss of benefits to her. 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: August 13, 2009

Date Mailed: August 18, 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.

cc:

