

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: 2010-1454
Issue No: 3002
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
November 24, 2009
Livingston 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 September 9, 2009. After due notice, a hearing was held November 24, 2009.

Prior to the closure of the hearing record, the department indicated that they had made an error, but that it was now corrected. The department indicated that the claimant had been overissued \$154 for the months of August and September, 2009. As the overissuance was an agency error and was not over \$500, the overissuance will not be recouped. Further, the claimant was underissued \$124 for the months of October and November, 2009. The Wayne County supervisor testified that she had authorized the supplement payment of \$248 and that the claimant would be getting that amount very soon.

The reason the claimant's FAP benefits changed was explained to the claimant. As of October 1, 2009, department policy changed to allow individuals who paid for non-heat electric, along with a cooling system (in this case, a window air-conditioner unit), to qualify for the \$555

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heating/cooling utility standard. This meant the claimant was eligible for a larger deduction and would begin to receive a higher amount of FAP benefits.

The claimant testified that she understood the FAP budgets now and had no remaining 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/
Suzanne L. Keegstra
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: December 16, 2009

Date Mailed: December 21, 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: 