

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: 2010-2344
Issue No: 1015
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
December 17, 2009
Oakland County DHS

ADMINISTRATIVE LAW JUDGE: Robert J. Chavez

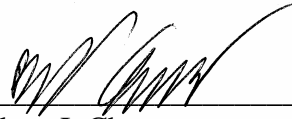
ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on December 17, 2009.

Prior to the close of the hearing record, the Administrative Law Judge was advised by the Department representative that claimant's FIP budget appeared to be calculated incorrectly. The Department had calculated claimant's FIP grant by taking claimant's 2 biweekly checks, and multiplying them by 2.15. This effectively meant that the Department had multiplied claimant's monthly income by 2.15 to calculate her grant. The Department acknowledged that they should have first averaged the two biweekly checks, and then multiplied the average by 2.15, to achieve the monthly income amount.

The Department agreed that it would recalculate claimant's FIP grant. Should the claimant be aggrieved by the new calculation, claimant reserves the right to request a hearing on the new calculation.

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



Robert J. Chavez
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 12/17/09

Date Mailed: 01/06/10

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 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing 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.

RJC/dj

cc:

