

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.: 2010-6378
Issue No.: 5034
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date:
January 7, 2010
Wayne County DHS (19)

ADMINISTRATIVE LAW JUDGE: Linda Steadley Schwarb

HEARING DECISION

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 January 7, 2010. Claimant appeared for the hearing with his [REDACTED].

ISSUE

Did the Department of Human Services (DHS or department) properly respond to claimant's requests for assistance?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material and substantial evidence on the whole record, finds as material fact:

- 1) Claimant is an ongoing recipient of the Food Assistance Program, Medical Assistance program, and the State Supplemental Security Income supplement.
- 2) On August 27, 2009, claimant filed multiple hearing requests regarding Food Assistance Program benefits, car repair, relocation assistance, and medical bills.

- 3) On October 7, 2009, claimant again filed a hearing request regarding his Food Assistance Program benefits, relocation assistance, and car repairs.
- 4) At the hearing, the department received an amended application for State Emergency Relief (SER) assistance with car repairs from claimant and the parties reached an accord. The department agreed to process the January 7, 2010, application for SER assistance with car repairs and provide claimant with a written response to his application.
- 5) Claimant agreed to the department's plan of action and waived a hearing on all remaining issues.

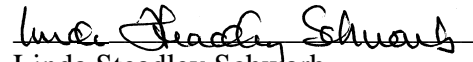
CONCLUSIONS OF LAW

The State Emergency Relief (SER) program is established by 2004 PA 344. The SER program is administered pursuant to MCL 400.10, *et seq.*, and by final administrative rules filed with the Secretary of State on October 28, 1993. MAC R 400.7001-400.7049. Department of Human Services (DHS or department) policies are found in the State Emergency Relief Manual (SER).

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). In this case, the parties reached an accord. The department accepted an amended application for SER assistance with car repairs from claimant during the hearing. Thereafter, the parties reached an accord. The department agreed to process claimant's January 7, 2010, application for SER assistance with car repairs and provide claimant with a written response to his application. Claimant agreed to the department's plan of action and waived a hearing on all other issues.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department of Human Services shall initiate consideration of claimant's January 7, 2010, application for State Emergency Relief assistance with car repairs and provide claimant with a written response to his application.


Linda Steadley Schwarz
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: March 2, 2010

Date Mailed: March 9, 2010

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.

LSS/pf

cc:

