#### STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

#### IN THE MATTER OF:

Reg. No.:
2011-25013

Issue No.:
2000, 3000

Case No.:
Image: Comparison of the second se

## ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

## CONSENT ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on November 16, 2011, from Detroit, Michigan. Participants on behalf of Claimant included the claimant and Participants on behalf of the Department of Human Servic es (Department) included

The Michigan Administrative Code R 400.903(1) provides as follows:

An opportunity for a hearing shall be granted to an applicant who requests a hearing becaus e his claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by an agency action resulting in suspension, reduction, discontinuance, or termination of assistance.

In this case the Claimant requested a hear ing due to the Department's fai lure to register and process Claimant's applic ation. Prior to the hearing dat e the Department did register and initiate processing of Claimant's application.

On November 16, 2011 a hearing was commenced. Claim ant appeared and testified the issue was re solved and there is no longer any need for the hearing to proceed.

The Department agreed to the dismissal of Claimant's hearing request. Pursuant to Mich Admin Code, R 400.906(1), Claim ant's h earing request is hereby DISMISSED.

Based on the above discussion, it is ORDE RED that this matter is DISMISSED pursuant to Mich Admin Code, R 400.906(1).

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Michael J. Bennane Administrative Law Judge for Maura Corrigan, Director Department of Human Services

Date Signed: December 19, 2011

Date Mailed: December 19, 2011

**NOTICE:** Michigan Administrative Hear ing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailin g date of this Decision and Order. MAHS will no t order a rehearing or recons ideration on the Department's motion where the final decision c annot be implemented within 90 days of the filing of the origina I request. (60 days for FAP cases)

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decisi on and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration <u>MAY</u> be granted for any of the following reasons:
  - misapplication of manual policy or law in the hearing decision,
  - typographical errors, mathematical error, or othe r obvious errors in the h earing decision that effect the substantial rights of the claimant:
  - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at Michigan Administrative Hearings

consideration/Rehearing Request P. O. Box 30639 Lansing, Michigan 48909-07322

Re

# 2011-25013/MJB

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