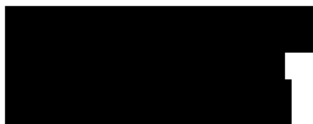


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2011-28747  
Issue No.: 5025  
Case No.: [REDACTED]  
Hearing Date: June 14, 2011  
Wayne County DHS

**ADMINISTRATIVE LAW JUDGE:** Susan Burke

**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 telephone hearing was held on June 14, 2011. Claimant appeared and testified. Paris Howard, ES, appeared on behalf of the Department of Human Services (Department).

**ISSUE**

Was the Department correct in denying Claimant's State Emergency Relief request for property taxes because total taxes owed exceeded \$2,000.00?

**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's request for State Emergency Relief for taxes in the amount of \$5,404.42 was denied by the Department because the total tax owed exceeded \$2,000.00.
2. Claimant requested a hearing contesting the denial on April 4, 2011.

**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 (Department or DHS) policies are found in the State Emergency Relief Manual (ERM).

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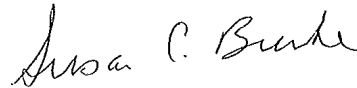
ERM 304, p. 4 instructs that a condition of eligibility is that, "the total amount of tax arrearage for all years does not exceed \$2,000.00."

In the present case, the total amount of tax arrearage for all years is \$5,404.42, exceeding the \$2,000.00 limit. Therefore, Claimant's request for tax relief was properly denied by the Department.

Claimant stated that she would be able to work out an agreement if she were to receive only \$2,000.00 from the Department. However, Department Policy requires that the tax arrearage for all years be considered. ERM 304.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department was correct in its decision to deny Claimant's SER application for taxes, and therefore it is ORDERED that the Department's decision is AFFIRMED.



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Susan Burke  
Administrative Law Judge  
For Maura Corrigan Director  
Department of Human Services

Date Signed: 6/17/11

Date Mailed: 6/17/11

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**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.

SB/sm

cc:

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