

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

**IN THE MATTER OF:**



Reg. No.: 201129207  
Issue No.: 5032  
Case No.: [REDACTED]  
Hearing Date: 07/27/2011  
**Washtenaw** County DHS

**ADMINISTRATIVE LAW JUDGE: Susan C. Burke**

**HEARING DECISION**

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 07/27/2011. Claimant participated and testified. Other participants were [REDACTED] FIM and [REDACTED] FIM.

**ISSUE**

Did the Department of Human Services (Department) properly deny Claimant's request for State Emergency Relief (SER) assistance with shelter emergency?

**FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, including the testimony at the hearing, finds as material fact:

1. On 03/11/2011, Claimant applied for SER assistance with shelter emergency.
2. On 03/15/2011, the Department sent notice of the application denial to Claimant.
3. On 04/11/2011, the Department received Claimant's hearing request, protesting the SER denial.

**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, 1993 AACS R 400.7001-400.7049. Department policies are found in the State Emergency Relief Manual (ERM).

Based upon the above Findings of Fact, the Administrative Law Judge concludes that the Department properly improperly denied Claimant's SER application for assistance with shelter emergency.

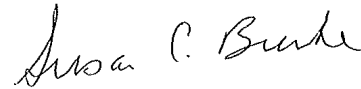
### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, finds that the Department did did not act properly.

Accordingly, the Department's decision is AFFIRMED REVERSED for the reasons stated on the record.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Reinstate application of 03/11/2011.
2. Reprocess application of 03/11/11.
3. Issue notice of SER decision based on reprocessed application.



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

Date Signed: July 27, 2011

Date Mailed: July 28, 2011

**NOTICE:** Michigan Administrative Hearing 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 mailing date of this Decision and Order. MAHS 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.

SCB/dj

cc:

