

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-5778
Issue No.: 5000
Case No.: [REDACTED]
Hearing Date: January 20, 2011
DHS County: Wayne (82-43)

ADMINISTRATIVE LAW JUDGE: Jan Leventer

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to Michigan Compiled Laws (MCL) 400.9 and 400.37 and Claimant [REDACTED] request for a hearing. After due notice, a telephone hearing was held on January 20, 2011. Claimant appeared and testified. Claimant's witness, [REDACTED] also appeared at the hearing. [REDACTED], appeared and testified for the Department of Human Services (DHS).

ISSUE

Whether Claimant is eligible for State Emergency Relief (SER) benefits?

FINDINGS OF FACT

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

1. On October 4, 2010, Claimant applied for SER for shelter expenses.
2. On October 7, 2010, DHS denied Claimant's application for SER benefits.
3. On October 25, 2010, Claimant filed a hearing request with DHS.
4. At the hearing, DHS agreed to reopen and reprocess Claimant's application and provide appropriate SER shelter assistance benefits.
5. Based on DHS' agreement, Claimant indicated he no longer wished to continue with the administrative hearing.

CONCLUSIONS OF LAW

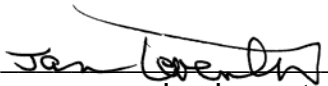
SER was established by 2004 Michigan Public Acts 344. The SER program is administered pursuant to MCL 400.10 *et seq.* and Michigan Administrative Code Rules 400.7001-400.7049. DHS policies are found in the State Emergency Relief Manual (ERM). This manual is available online at www.michigan.gov/dhs-manuals.

Under Bridges Administrative Manual Item 600, clients have the right to contest any DHS decision affecting eligibility or benefit levels whenever they believe the decision is illegal. DHS provides an Administrative Hearing to review the decision and determine if it is appropriate. DHS policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when DHS receives a hearing request and continue through the day of the hearing.

In this case, the parties have reached a settlement agreement at the hearing. The agreement is that DHS will reopen Claimant's application, accept provider information from the landlord and process the application. As the parties have reached a fair and reasonable settlement in this matter, it is not necessary for the Administrative Law Judge to rule on the issues in this case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law and on the stipulation of the parties, decides, and IT IS SO ORDERED, that DHS shall reopen Claimant's SER application, accept the provider information from Claimant's landlord, and process Claimant's application in accordance with DHS policies and procedures.



Jan Leventer
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: February 1, 2011

Date Mailed: February 2, 2011

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

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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.

JL/pf

cc:

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