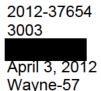
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: Issue No.: Case No.: Hearing Date: April 3, 2012 County:



ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

HEARING DECISION

In accordance with MCL 400.9, MCL 400.37, and 1999 AC, R 400.903, a hearing was held in this matter on April 3, 2012. Cl aimant personally ap peared and provided testimony. The Department of Human Serv ices (the Department) was represented by agency personnel.

ISSUE

In dispute was whether the Department properly reduced Claimant 's benefits for the Food Assistance Program (FAP) based on a corrected shelter expens e at midcertification.

FINDINGS OF FACT

Based on the competent, material, and s ubstantial evidenc e on the whole record, including the testimony of wit nesses, the Administrative Law Judge, finds as relevant fact:

- 1. Claimant received benefits for Food Assistance Program (FAP).
- 2 On February 21, 2012, the Depar tment sent Claimant notice of the reduction.
- April 1, 2012, the Department reduced Claimant's benefits due 3. Beginning to a corrected rental payment.
- 4 On March 1, 2012, Claimant file d a hearing request, contesting the Department's reduction of benefits.

CONCLUSIONS OF LAW

The FAP [formerly known as the Food St amp (FS) program] was established by the Food Stamp Act of 1977, as amended, and is implem ented by the federal regulations contained in T itle 7 of t he Code of Federal Regulations (CF R). The Department administers the FAP in accordance with MCL 400.10, *et seq*., and 1997 AACS, R 400.3001 through R 400.3015. Agency policies pertaining to this program are found in the BAM, BEM, and RFT.

Claimant admitted during the hearing that the department used the correct rental payment, in calculating her FAP allotment of \$140.00. Claimant stated she needed her FAP allotment increased back to \$200.00 a month so she cou ld pay her m edical bills. The department testified this was the first notice they had that Claimant had medical bills and they would process them accordingly.

As a result, the Department properly reduced Claimant's benefits for FAP.

DECISION AND ORDER

Based on the above findings of fact and conclu sions of law, and f or the reasons stated on the record, the Administrative Law Judge finds that the Department did act properly.

Accordingly, the Department's decision is AFFIRMED.

It is SO ORDERED.

<u>/s/</u>

Vicki L. Armstrong Administrative Law Judge for Maura D. Corrigan, Director Department of Human Services

Date Signed: <u>4/9/12</u>

Date Mailed: <u>4/9/12</u>

NOTICE: Michigan Administrative Hearing S ystem (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order . MAHS will not or der a rehearing or reconsideration on the Department's mo tion where the final decis ion cannot be implemented within 90 days of the filing of the original request.

VLA/ds

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.

