

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-2749
Issue No.: 3000, 3021
Case No.: [REDACTED]
Hearing Date: November 2, 2011
County: Montcalm

ADMINISTRATIVE LAW JUDGE: C. Adam Purnell

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. Claimant requested a hearing after the Department of Human Services ("Department") closed her Food Assistance Program (FAP) benefits pursuant to a mass update policy change to Bridges Eligibility Manual (BEM) 400.¹ Claimant requested a hearing because she disputed the Department's calculation of the value of her real property for purposes of the asset test under BEM 400. After due notice, a telephone hearing was held on November 2, 2011, in Lansing, Michigan. Participants on behalf of Claimant include [REDACTED], Authorized Hearing Representative,² and [REDACTED], real estate agent. Participants on behalf of the Department of Human Services (Department) include [REDACTED], Assistance Payments Supervisor/Eligibility Specialist and [REDACTED], Manager.

Prior to the closure of the hearing record, the parties have reached an agreement to resolve this matter. Department agrees to obtain verification of the value of Claimant's real property located at 112 S. Elizabeth Street, Middleton, Michigan 48856. After the Department has verified the real property value, the Department shall recalculate and redetermine Claimant's FAP eligibility under BEM 400. Department further agrees to investigate whether policy permits the Department to calculate Claimant's property by comparing the fair market value of comparable property in the relevant area.

Claimant, by and through her AHR, acknowledged the above stipulation and expressed satisfaction with the terms of the agreement. Accordingly, Claimant indicated that she no longer believed it was necessary to continue with the hearing in this matter.

¹ Effective October 1, 2011, BEM 400 requires the Department to conduct an asset test in order to determine FAP eligibility.

² In her Request for Hearing, Claimant identified Barbara Lambert as her Authorized Hearing Representative (AHR), but Ms. Lambert was unable to attend the hearing. But the Department consented and agreed on the record to permit Claimant's son, Phillip Glinke, to act as Claimant's AHR during the hearing.

Because the parties have mutually reached an agreement to resolve this matter, there is no longer a pending dispute for the Administrative Law Judge to decide. Pursuant to Mich Admin Code R 400.906 and R 400.903, Claimant's hearing request is HEREBY DISMISSED as Claimant is no longer aggrieved by a department action as it pertains to her FAP benefits.

It is SO ORDERED.



C. Adam Purnell
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: 11/7/11

Date Mailed: 11/7/11

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

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error , or other obvious errors in the hearing 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
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-07322

CAP/ds

