

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

IN THE MATTER OF:



Reg. No.: 2012-41344
Issue No.: 3002
Case No.: [REDACTED]
Hearing Date: May 16, 2012
County: Ottawa

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 May 16, 2012. Claimant, and her husband, personally appeared and provided testimony. The Department of Human Services (the Department) was represented by [REDACTED] f. Assistant Payment Supervisor [REDACTED] served as the interpreter and [REDACTED] Regulation Agent from the Office of Inspector General also appeared on behalf of the department.

ISSUE

In dispute was whether the Department properly reduced Claimant's benefits for the Food Assistance Program (FAP) based on excess income.

FINDINGS OF FACT

Based on the competent, material, and substantial evidence on the whole record, including the testimony of witnesses, the Administrative Law Judge, finds as relevant fact:

1. Claimant received benefits for Food Assistance Program (FAP).
2. On October 26, 2011, the Department sent Claimant notice of a reduction.
3. Beginning December 1, 2011, the Department reduced Claimant's benefits due to excess income to \$271.00, based on a change in Claimant's income.
4. On December 17, 2011, the Department sent Claimant notice of a reduction.
5. Beginning January 1, 2012, the Department reduced Claimant's benefits due to excess income to [REDACTED], based on a change in Claimant's income.
6. On March 13, 2012, Claimant filed a hearing request, contesting the Department's reduction of benefits.

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 60 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.

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

VLA/ds

