

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-73481
Issue No.: 3052
Case No.: [REDACTED]
Hearing Date: October 17, 2012
County: Oakland DHS (03)

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37; MCL 400.43 (a); Michigan Admin Code, R 400.941 and MCL 24.201, et seq., upon a hearing request by the Department of Human Services (DHS). An administrative hearing was held on October 17, 2012. DHS was represented by [REDACTED], Regulation Agent for the Office of Inspector General (OIG). Respondent did not appear and the hearing was held in Respondent's absence pursuant to 7 CFR R 273.16(e)(3).

DHS requested an administrative hearing in an attempt to establish a debt against Respondent. DHS contended that Respondent received improperly issued benefits.

For debt collection hearings, the client is sent a DHS-828, Notice of Debt Collection Hearing approximately three weeks prior to the hearing date. BAM 725 (8/2012), p. 16. A copy of this notice is sent to the local office hearings coordinator. If the DHS-828 is returned to MAHS by the post office as undeliverable, MAHS will dismiss the hearing. Presumably, the policy is intended to prevent DHS from have one-sided hearings to determine repayment amounts when the client is not informed of the hearing.

A Notice of Hearing was mailed to Respondent on an unspecified date. The Notice of Hearing was returned by the United States Post Office in the mail. As the Notice of

Hearing was returned as undeliverable, the DHS hearing request is hereby DISMISSED WITHOUT PREJUDICE

Christian Gardocki

Christian Gardocki
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: October 30, 2012

Date Mailed: October 30, 2012

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
Re consideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

CG/ctl

cc:



C. Gardocki