

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

IN THE MATTER OF:



Reg. No.: [REDACTED]
Issue No.: 5006
Case No.: [REDACTED]
Hearing Date: February 14, 2013
County: Macomb County DHS #36

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on February 14, 2013. Claimant appeared and testified

ISSUE

Did the Department of Human Services properly deny Claimant's State Emergency Relief (SER) application?

FINDINGS OF FACT

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

1. Claimant submitted an application for State Emergency Relief (SER) to pay his electric and heat bill which totaled [REDACTED]
2. On September 12, 2012, Claimant was sent a Decision Notice State Emergency Relief (DHS-1419) which stated his application was denied because his income/asset copayment was equal to or greater than the amount needed to resolve the emergency.
3. On September 17, 2012, Claimant submitted a request for hearing.

CONCLUSIONS OF LAW

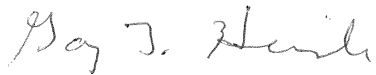
The State Emergency Relief (SER) program is established by 2004 PA 344. The SER program is administered pursuant to MCL 400.10, *et seq.*, and by final administrative rules filed with the Secretary of State on October 28, 1993. MAC R 400.7001-400.7049. Department of Human Services (DHS or department) policies are found in the State Emergency Relief Manual (SER).

In this case Claimant had an [REDACTED] with a listed value of [REDACTED]. Claimant asserted that the liquidated value of the account may not be that high due to fees he would be charged for selling stocks. After a reviewing the State Emergency Relief (SER) policy, Claimant agreed that even after fees, the account would be worth more than the [REDACTED]. A detailed analysis of the evidence presented, applicable Department policies, and reasoning for the decision are contained in the recorded record. During the hearing Claimant was informed of the decision and the reasoning behind the decision.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly denied Claimant's State Emergency Relief (SER) application.

It is ORDERED that the actions of the Department of Human Services, in this matter, are **UPHELD**.



Gary F. Heisler
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: February 21, 2013

Date Mailed: February 21, 2013

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 reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

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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.

GFH/cr

cc:

