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

**IN THE MATTER OF:**

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| Reg. No.: | 2013-34734 |
| Issue Nos.: | 5000 |
| Case No.: | |
| Hearing Date: | June 13, 2013 |
| County: | Wayne (35) |

**ADMINISTRATIVE LAW JUDGE:** Zainab Baydoun

## HEARING DECISION

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. After due notice, a telephone hearing was held on June 13, 2013, from Detroit, Michigan. Claimant appeared and testified. Participating on behalf of the Department of Human Services (Department) was Family Independence Specialist.

## ISSUE

Did the Department act in accordance with Department policy when it processed Claimant's application for State Emergency Relief (SER)?

## 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 SER on February 6, 2013.

2. On an unverified date, the Department denied Claimant's SER application.

3. On March 6, 2013, Claimant filed a request for hearing disputing the Department's action.

## CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), Reference Tables Manual (RFT), and State Emergency Relief Manual (ERM).

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 Mich Admin Code, R 400.7001 through R 400.7049.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant submitted an application for SER assistance on February 6, 2013, that was denied by the Department. Claimant requested a hearing disputing the denial. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. At the hearing, the Department testified that there were certain errors in the processing of Claimant's application. Consequently, the Department agreed to do the following: (i) reregister the February 6, 2013 SER application; (ii) begin reprocessing the February 6, 2013 SER application in accordance with Department policy; and (iii) issue a new SER Decision Notice to Claimant in writing.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

## DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing with regards to SER.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Reregister the February 6, 2013 SER application;

2. Begin reprocessing the February 6, 2013 SER application in accordance with Department policy; and

3. Issue a new SER Decision Notice to Claimant in writing.

Zainab Baydoun
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: July 3, 2013

Date Mailed: July 3, 2013

**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 90 days of the filing of the original request. (60 days for FAP cases)

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt 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.

ZB/cl

cc: [redacted]