



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Christopher Seppanen
Executive Director

SHELLY EDGERTON
DIRECTOR

[REDACTED]

Date Mailed: April 11, 2017
MAHS Docket No.: 17-002331
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Kevin Scully

HEARING DECISION

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10. After due notice, telephone hearing was held on March 21, 2017, from Lansing, Michigan. The Petitioner represented himself. The Department was represented by [REDACTED] [REDACTED] (Hearing Facilitator), and [REDACTED] [REDACTED] (Eligibility Specialist).

ISSUE

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

FINDINGS OF FACT

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

1. On February 2, 2017, the Department received Petitioner's application for State Emergency Relief (SER) requesting assistance with relocation expenses. Exhibit A.
2. Petitioner failed to establish that his SER group is homeless or at risk of homelessness.
3. On February 6, 2017, the Department determined that Petitioner did not meet the eligibility requirements to received relocation assistance and it notified him that his State Emergency Relief (SER) application had been denied. Exhibit C.
4. On February 10, 2017, the Department received Petitioner's request for a hearing protesting the denial of his State Emergency Relief (SER) application.

CONCLUSIONS OF LAW

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

The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department (formerly known as the Department of Human Services) pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

State Emergency Relief (SER) assists individuals and families to resolve or prevent homelessness by providing money for rent, security deposits, and moving expenses. Eligible applicants may request SER benefits to apply towards first month's rent, rent arrearage, a security deposit, and moving expenses. The Department will only authorized relocation assistance where there is a verified emergency need because the SER group is homeless, the SER group is at risk of homelessness, or the SER group meets the criteria of the Family Re-Housing Program or the Rural Homeless Permanent Supportive Housing Initiative. The SER group must provide verification of the emergency need for relocation services. Department of Health and Human Services Bridges Eligibility Manual (BEM) 303 (October 1, 2015), pp 1-7.

On February 2, 2017, the Department received Petitioner's application for SER benefits requesting assistance with relocation services. Petitioner failed to provide the Department with evidence of homelessness, a risk of homelessness, or that he meets the criteria of the Family Re-Housing Program, or the Rural Homeless Permanent Supportive Housing Initiative. Since Petitioner does not meet the criteria necessary to qualify for SER relocation services, on February 6, 2017, it notified him that his SER application had been denied.

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it denied Petitioner's State Emergency Relief (SER) application

DECISION AND ORDER

Accordingly, the Department's decision is AFFIRMED.

KS/nr



Kevin Scully
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

NOTICE OF APPEAL: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Administrative Hearing System (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088; Attention: MAHS Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

DHHS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Petitioner

[REDACTED]