



RICK SNYDER  
GOVERNOR

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

SHELLY EDGERTON  
DIRECTOR



Date Mailed: July 27, 2017  
MAHS Docket No.: 17-006281  
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 June 29, 2017, from Lansing, Michigan. The Petitioner was represented by her mother, [REDACTED] [REDACTED]. The Department was represented by [REDACTED] [REDACTED] (Eligibility Specialist), and [REDACTED] (Family Independence Specialist).

### **ISSUE**

Did the Department of Health and Human Services (Department) 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 March 29, 2017, the [REDACTED] District Court of [REDACTED] County issued a Summons based a complaint filed by Petitioner's landlord for nonpayment of rent. Exhibit A, pp 21-23.
2. On April 14, 2017, the Department received Petitioner's State Emergency Relief (SER) application requesting assistance with housing costs. Exhibit A, pp 5-18.
3. On April 14, 2017, the Department notified Petitioner that it had denied her State Emergency Relief (SER) application. Exhibit A, p 3.
4. On May 1, 2017, the Department received Petitioner's request for a hearing protesting the denial of her application for State Emergency Relief (SER) benefits. Exhibit A, p 2.

### **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. The Department will authorize services where the group is homeless or at risk of homelessness. Department of Health and Human Services Emergency Relief Manual (ERM) 303 (October 1, 2015), pp 1-2.

An SER applicant must verify homelessness or the risk that the group will become homeless with an eviction, judgment, or court order from last residence; a demand for possession non-payment of rent or notice to quit is not acceptable. ERM 303, p 6.

On April 14, 2017, the Department received Petitioner's SER application requesting assistance with housing costs. Petitioner had received a complaint for nonpayment of rent but failed to provide verification that the benefit group was homeless or at risk of homelessness. Therefore, the Department denied Petitioner's SER application.

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 because she did not meet the criteria for benefits after failed to establish that the benefit group was homeless or at risk of homelessness.

### **DECISION AND ORDER**

Accordingly, the Department's decision is AFFIRMED.

KS/nr

  
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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]

**Petitioner**

[REDACTED]

**Authorized Hearing Rep.**

[REDACTED]