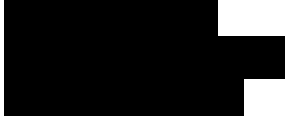




RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM

SHELLY EDGERTON  
DIRECTOR



Date Mailed: September 7, 2017  
MAHS Docket No.: 17-008754  
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 August 30, 2017, from Lansing, Michigan. The Petitioner was represented by himself. The Department was represented by [REDACTED] Hearing Facilitator.

**ISSUE**

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

**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 June 8, 2017, the Department received Petitioner's application for State Emergency Relief (SER) benefits requesting assistance with, among other things, his obligation to pay heating expenses. Exhibit A, pp 6-23.
2. On June 16, 2017, the Department notified Petitioner that his request for assistance with his obligation to pay heating expenses had been denied because his application was not received during the crisis season. Exhibit A, pp 24-25.
3. On June 26, 2017, the Department received Petitioner's request for a hearing protesting the denial of his application for State Emergency Relief (SER) benefits. Exhibit A, p 5.

### **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.

Low-income household who meet all SER eligibility requirements may receive assistance to help them with household heat and electric costs. The Department will deny requests for those services received from June 1 through October 31. Department of Health and Human Services Emergency Relief Manual (ERM) 304 (February 1, 2017), p 1.

On June 8, 2017, the Department received Petitioner's SER application requesting assistance with his obligation to pay heating expenses. On June 16, 2017, the Department denied his SER application because it was not received during the crisis season.

Petitioner argued that he attempted to submit an SER application on May 26, 2017, but due to a computer error, that application was not processed.

Petitioner failed to present any evidence that he submitted a SER application before June 1, 2017. The denial of the June 8, 2017, application was a proper application of Department policy because it was not submitted during the crisis season.

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 June 8, 2017, application for State Emergency Relief (SER) benefits.

### **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]

**Petitioner**

[REDACTED]