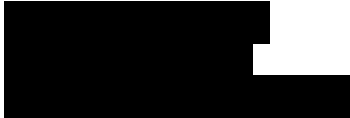




RICK SNYDER  
GOVERNOR

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

SHELLY EDGERTON  
DIRECTOR



Date Mailed: September 8, 2017  
MAHS Docket No.: 17-010385  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE:** Gary Heisler

**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; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on September 7, 2017, from Lansing, Michigan. Petitioner was represented by herself. The Department was represented by Eligibility Specialist [REDACTED] [REDACTED] and Assistance Payment Supervisor [REDACTED] [REDACTED]

**ISSUE**

Did the Department properly determine Petitioner's Food Assistance Program (FAP) eligibility on July 24, 2017?

**FINDINGS OF FACT**

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

1. Petitioner was an ongoing recipient of Food Assistance Program (FAP) benefits. Her eligibility was due for redetermination by August 1, 2017.
2. On June 5, 2017, Petitioner was sent a Redetermination (DHS-1010) for.
3. On July 19, 2017, Petitioner submitted verification of her mortgage payment of \$ [REDACTED]
4. On July 24, 2017, Petitioner's Food Assistance Program (FAP) financial eligibility budget was updated to reflect the mortgage payment she verified. Petitioner was sent a Notice of Case Action (DHS-1605) which stated she was eligible for \$ [REDACTED] per month of Food Assistance Program (FAP) benefits beginning August 1, 2017.

5. On August 1, 2017, Petitioner submitted a hearing request.

### **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 Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Department of Human Services) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

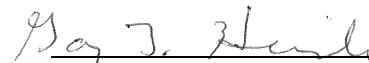
During this hearing Petitioner's Food Assistance Program (FAP) financial eligibility budget was reviewed. Petitioner's \$ [REDACTED] of Retirement, Survivor, and Disability Income (RSDI) income was verified. Her shelter expenses were verified as a \$ [REDACTED] mortgage payment and the \$ [REDACTED] heat and utility allowance. These values were used to correctly calculate that Respondent had \$ [REDACTED] of net income. Reference Table 260 Food Assistance Issuance Tables shows that a Food Assistance Program (FAP) benefit group of 1 with \$ [REDACTED] of net income is eligible for \$ [REDACTED] per month of Food Assistance Program (FAP) benefits.

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 determined Petitioner's Food Assistance Program (FAP) eligibility on July 24, 2017.

### **DECISION AND ORDER**

Accordingly, the Department's decision is **AFFIRMED**.

GH/nr



---

Gary Heisler  
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]