



RICK SNYDER  
GOVERNOR

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

SHELLY EDGERTON  
DIRECTOR

[REDACTED]

Date Mailed: August 3, 2018  
MAHS Docket No.: 18-005763  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE:** Janice Spodarek

**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; 42 CFR 438.400 to 438.424; 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 August 2, 2018, from Lansing, Michigan. The Petitioner appeared and testified. The Department of Health and Human Services (Department) was represented by Eric Murphy, ES.

**ISSUE**

Did the Department properly deny Petitioner's SER applications?

**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 [REDACTED], 2018 and subsequently on [REDACTED], 2018 Petitioner submitted SER applications for relocation. On both, Petitioner requested relocation of \$200; security deposit of \$460; and moving expenses of \$200.00. On both, Petitioner's income consists of RSDI of \$1528.
2. On May 21, 2018 and May 29, 2018, the Respondent denied on the grounds that Petitioner did not submit any evidence of a court summons, order, or judgment.

**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.

In this case, applicable policy applicable to the case herein is found in ERM 101, 103, and 303 requires a showing by verification for these benefits either a court summons, order or judgement. Petitioner had none.

At the administrative hearing Petitioner argued that she obtained court orders on June 2, 2018 and June 22, 2018. However, such documents were not in existence at the time of Petitioner's applications and denials at issue herein, and thus, not relevant to the applications examined here. As such, such evidence is not relevant to this matter.

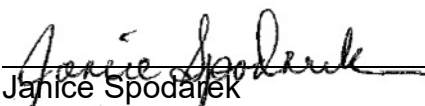
Petitioner understands that she may reapply. However, the Department pointed out that in the alternative, under these facts, Petitioner would not be eligible as she would have excess income under the SER budget.

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 SER applications.

### **DECISION AND ORDER**

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

JS/nr

  
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Janice Spodarek  
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) 763-0155; 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**

Jeanette Cowens  
2524 Clark Street  
Detroit, MI  
48209

Wayne 41 County DHHS- via electronic  
mail

BSC4- via electronic mail

T. Bair- via electronic mail

E. Holzhausen- via electronic mail

**Petitioner**

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