



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

GRETCHEN WHITMER
GOVERNOR

ORLENE HAWKS
DIRECTOR

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Date Mailed: June 6, 2022
MOAHR Docket No.: 22-001978
Agency No.: ██████████
Petitioner: ██████████ ██████████

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 May 31, 2022, from Lansing, Michigan. Petitioner represented herself. The Department was represented by Amber Gibson.

ISSUE

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

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 ██████ ██████ ██████ the Department received Petitioner’s application for State Emergency Relief (SER) assistance.
2. On April 13, 2022, the Department notified Petitioner that she is not eligible for State Emergency Relief (SER) assistance.
3. On ██████ ██████ ██████ the Department received Petitioner’s request for a hearing protesting the denial of State Emergency Relief (SER) assistance.

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 *et seq.* The Department administers the SER program pursuant to MCL 400.10 of the Social Welfare Act, MCL 400.1 *et seq.*, and Mich Admin Code, R 400.7000 through R 400.7049.

State Emergency Relief (SER) assists individuals and families to resolve or prevent homelessness by providing money for rent, security deposits, and moving expenses. The issuance amount must resolve the group's shelter emergency. Department of Health and Human Services Emergency Relief Manual (ERM) 303 (October 1, 2020), p 1.

The Department will only authorize SER assistance with relocation services if the SER group is homeless or at risk of homelessness. ERM 303, pp 1-2.

Petitioner applied for SER assistance with relocation. Petitioner testified that her current landlord will not provide her with designated parking place, which is a hardship to her due to her physical impairments.


No evidence was presented on the record that Petitioner is homeless or at risk of becoming homeless. Since Petitioner is not homeless or at risk of becoming homeless with the issuance of SER assistance, she is not eligible for SER relocation assistance.

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 [REDACTED] [REDACTED] [REDACTED] application for State Emergency Relief (SER) assistance.

DECISION AND ORDER

Accordingly, the Department's decision is AFFIRMED.

KS/nr



Kevin Scully
Administrative Law Judge
Michigan Office of Administrative Hearings and
Rules (MOAHR)

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 Office of Administrative Hearings and Rules (MOAHR).

A party may request a rehearing or reconsideration of this Order if the request is received by MOAHR 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. MOAHR will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MOAHR. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MOAHR Rehearing/Reconsideration Request.

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

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

Via-Electronic Mail :

DHHS
Amber Gibson
Ingham County DHHS
5303 South Cedar
PO BOX 30088
Lansing, MI 48911

Ingham County DHHS
BSC2
T. Bair
E. Holzhausen

Via-First Class Mail :

Petitioner
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], MI [REDACTED]