



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

MARLON I. BROWN, DPA
ACTING DIRECTOR

[REDACTED]
[REDACTED], MI
[REDACTED]

Date Mailed: September 28, 2023
MOAHR Docket No.: 23-003642
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Linda Jordan

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 hearing was held on September 6, 2023, via teleconference. Petitioner appeared and represented himself. Sarah Estes, Hearings Facilitator, appeared on behalf of the Michigan Department of Health and Human Services (MDHHS or Department).

ISSUE

Did MDHHS properly deny Petitioner's request for State Emergency Relief (SER) services?

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] 2023, Petitioner submitted an application for SER to pay for relocation, security deposit and moving expenses (Exhibit A, pp. 32-42). Petitioner reported no income for the household (Exhibit A, p. 37).
2. On June 1, 2023, MDHHS sent Petitioner a Shelter Verification Form requesting information regarding his housing (Exhibit A, p. 43). The form instructed Petitioner to send the form or the requested proofs to MDHHS by June 12, 2023 (Exhibit A, p. 43).
3. On June 7, 2023, MDHHS sent Petitioner a State Emergency Relief Decision Notice indicating that he had been denied the requested \$175.00 for rent to

relocate (Exhibit A, p. 47). The reason for the denial of relocation services was that the shelter was not affordable according to SER requirements (Exhibit A, p. 47).

4. On June 21, 2023, Petitioner requested a hearing to dispute the denial of his SER application (Exhibit A, p. 60).

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).

State Emergency Relief (SER) is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by MDHHS pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

In this case, MDHHS denied Petitioner's SER application for relocation assistance because it determined that the shelter was not affordable per SER regulations.

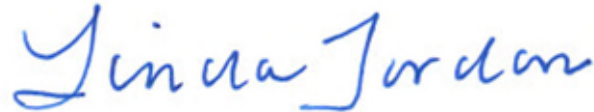
SER assists individuals and families resolve or prevent homelessness by providing money for rent, security deposit and moving expenses. ERM 303 (October 2022), p. 1. Provided that an applicant meets all eligibility requirements, MDHHS is authorized to approve any combination of moving expenses, security deposit, first month's rent and rent arrearage. *Id.* In order to qualify for relocation services, the applicant must be homeless or in danger of being homeless. *Id.*, pp. 1-3. The SER group must also show that the rental obligation meets the criteria for housing affordability specified in ERM 207. MDHHS can only authorize SER relocation services if the SER group has sufficient income to meet ongoing housing expenses. ERM 207 (October 2020), p. 1. MDHHS must deny an application for SER relocation services if the total housing obligation exceeds 75% of the group's total net countable income. *Id.*

Here, Petitioner requested SER funds to relocate. He reported to MDHHS that he was homeless and that he was not employed and had no other income. MDHHS sent Petitioner a Shelter Verification Form. Petitioner returned the form and indicated that his shelter obligation would be \$357.35 per week to rent a room at the Knights Inn in Flint, Michigan (Exhibit A, pp. 44-45). Given this information, MDHHS properly denied Petitioner's application for SER services because he had no income, and thus, the housing expense did not meet the affordability requirements. The housing expense exceeded 75% of Petitioner's net countable income, which was \$0.00. At the hearing, Petitioner did not dispute the facts as presented by MDHHS.

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 MDHHS acted in accordance with Department policy when it denied Petitioner's application for SER.

DECISION AND ORDER

Accordingly, MDHHS' decision is **AFFIRMED**.



LJ/nr

Linda Jordan
Administrative Law Judge

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

Janice Collins
Genesee County DHHS Union St
District Office
125 E. Union St 7th Floor
Flint, MI 48502

**MDHHS-Genesee-UnionSt-
Hearings@michigan.gov**

Interested Parties

Genesee (Union St.) County DHHS
BSC2

J. McLaughlin

T. Bair

MOAHR

Via-First Class Mail :

Petitioner

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