



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  
DIRECTOR

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

Date Mailed: March 15, 2024  
MOAHR Docket No.: 24-001005  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Danielle R. Harkness**

### **HEARING DECISION**

On January 31, 2024, Petitioner, [REDACTED] [REDACTED] requested a hearing. As a result, a hearing was scheduled to be held on March 12, 2024, pursuant to MCL 400.9, 7 CFR 273.15, and Mich Admin Code, R 792.11002. Petitioner appeared at the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Jamila Goods, Eligibility Specialist.

A 13-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

### **ISSUE**

Did the Department properly deny Petitioner's request for State Emergency Relief (SER) rental assistance to prevent eviction?

### **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] [REDACTED] 2024, Petitioner applied for SER rental assistance to prevent eviction.
2. Petitioner requested \$1,153.00 in SER assistance.
3. Petitioner's rent is \$267.00 per month.
4. The Department reviewed 6 months of Petitioner's payment history and determined that Petitioner missed \$1,602.00 in rental payments.

5. On January 26, 2024, the Department sent a SER Decision Notice to Petitioner denying Petitioner's application for SER rental assistance to prevent eviction because her shortfall amount (unmet required payments) was equal to or greater than the amount needed to resolve the emergency.
6. On January 31, 2024, Petitioner requested a hearing to dispute the Department's denial.

### **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 SER program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

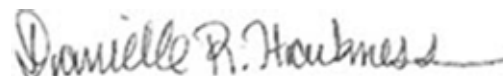
If the copayment, shortfall, contribution, or combination exceeds the need, the application shall be denied unless good cause is granted. ERM 103 (October 1, 2023), p.5.

In this case, Petitioner requested \$1,153.00 in SER rental assistance to prevent eviction. Petitioner had \$1,602.00 in rental payments that she did not make. Petitioner requested \$1,153.00 in SER rental assistance to prevent eviction. However, her unmet required payment (\$1,602.00) is greater than the amount she requested (\$1,153.00) to resolve the emergency. Therefore, the Department properly denied Petitioner's request for SER rental assistance to prevent eviction.

### **DECISION AND ORDER**

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 its policies and the applicable law when it denied Petitioner's request for SER rental assistance to prevent eviction.

IT IS ORDERED that the Department's decision is AFFIRMED.



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**Danielle R. Harkness**  
Administrative Law Judge

DH/nr

**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  
MDHHS-Wayne-19-  
Hearings@michigan.gov**

**Interested Parties**  
Wayne 19 County DHHS  
BSC4  
J. McLaughlin  
E. Holzhausen  
MOAHR

**Via-First Class Mail :**

**Petitioner**

[REDACTED]  
[REDACTED], MI [REDACTED]