



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]
MI [REDACTED]

Date Mailed: May 14, 2024
MOAHR Docket No.: 24-003858
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Julia Norton

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 May 9, 2024. Petitioner was present and self-represented. The Department of Health and Human Services (Department) was represented by Corlette Brown, Hearings Facilitator, and Tamara Jones, Assistance Payment Worker.

ISSUE

Did the Department properly deny Petitioner's application 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] 2024, Petitioner applied for SER to pay for relocation services in the amount of \$2,250.00. Exhibit B, pp. 1-6. Petitioner reported no income for the household. *Id.* at p. 6.
2. On March 20, 2024, the Department sent Petitioner an Application Notice indicating that Petitioner was not eligible for SER because he had not provided proof of an emergency that could be resolved through issuance of SER. Exhibit A, pp. 3-4.
3. On April 2, 2024, the Department received Petitioner's request for a hearing asking the Department to reconsider its determination. Exhibit A, p. 5.

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, the Department denied Petitioner's SER application for relocation assistance. It determined the emergency could not be resolved through issuance of SER because Petitioner had reported no income and therefore Petitioner's shelter was not affordable according to SER requirements.

SER assists individuals and families resolve or prevent homelessness by providing money for rent, security deposits and moving expenses. ERM 303 (October 2022), p. 1. Provided that an applicant meets all eligibility requirements, the Department is authorized to approve any combination of moving expenses, security deposit, first month's rent and rent arrearage. *Id.* 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. The Department can only authorize SER relocation services if the SER group has sufficient income to meet ongoing housing expenses. ERM 207 (October 2020) p. 1. The Department 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 the Department that he was not employed and had no income. He listed a monthly rental obligation of \$750.00. Exhibit B, p. 4. The Department properly denied Petitioner's application for SER services because he had no income, and thus, the housing expense did not meet the housing affordability requirements. The housing obligation exceeded 75% of Petitioner's net countable income, which was [REDACTED]. At the hearing, Petitioner did not dispute that he was not employed and had no income.

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 application.

DECISION AND ORDER

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



JN/ml

Julia Norton
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

Keisha Koger-Roper
Wayne-District 31 (Grandmont)
17455 Grand River
Detroit, MI 48227

MDHHS-Wayne-31-Grandmont-Hearings@Michigan.gov

Interested Parties

BSC4
E Holzhausen
J McLaughlin
MOAHR

Via First Class Mail:

Petitioner

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