



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]
[REDACTED]

Date Mailed: January 19, 2024
MOAHR Docket No.: 23-008089
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Danielle R. Harkness

HEARING DECISION

On November 15, 2023, Petitioner, [REDACTED] [REDACTED] requested a hearing to dispute the Department's decision to deny his request for State Emergency Relief (SER). As a result, a hearing was scheduled to be held on January 17, 2024, pursuant to MCL 400.9 and Mich Admin Code, R 792.11002. Petitioner appeared at the hearing and represented himself. The Department of Health and Human Services (Department) was represented by Ashley Jones, Assistance Payments Worker.

A 23-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 SER for rental 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. Petitioner requested SER from the Department for rental assistance after Petitioner's home was destroyed in a storm.
2. Petitioner did not submit the requested documentation about his living arrangements to the Department.
3. The Department denied Petitioner's request for SER because the Department determined that Petitioner did not have a housing emergency that required assistance.

4. On November █ 2023, the Department mailed a notice to Petitioner to notify him that his request for SER was denied.
5. On November 15, 2023, Petitioner requested a hearing to dispute the Department's decision.

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.

SER is intended to help address essential needs in emergency situations. ERM 101 (March 1, 2013), p. 1. In order to be eligible to receive SER, an emergency must exist. *Id.* SER applicants must cooperate in providing information about income, assets, living arrangements, and other persons living in the home. *Id.*

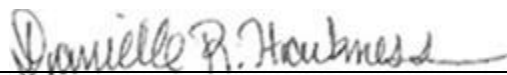
In this case, Petitioner requested SER for rental assistance. Based on the evidence presented, Petitioner failed to provide proof of his living arrangements. Thus, Petitioner did not meet the SER requirements. Since Petitioner did not provide the required verification to establish a shelter emergency, the Department properly denied Petitioner's request for SER.

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 properly denied Petitioner's request for SER for rental assistance.

IT IS ORDERED, the Department's decision is **AFFIRMED**.

DRH/tlf



Danielle R. Harkness
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
Trista Waishkey
Washtenaw County DHHS
22 Center Street
Ypsilanti, MI 48198
**MDHHS-Washtenaw-
Hearings@michigan.gov**

Interested parties
BSC4
J. McLaughlin
E. Holzhausen
MOAHR

Via-First Class Mail :

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