



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: July 24, 2024
MOAHR Docket No.: 24-005300
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Zainab A. Baydoun

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 June 24, 2024, from Detroit, Michigan. Petitioner appeared for the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Priya Johnson, Assistance Payments Supervisor.

ISSUE

Did the Department properly determine Petitioner's eligibility for Family Independence Program (FIP), State Disability Assistance (SDA), Food Assistance Program (FAP) and State Emergency Relief (SER) benefits?

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 or around [REDACTED] 2023, Petitioner submitted an application requesting FAP, cash assistance, and SER benefits with rent to prevent eviction.
2. Petitioner was approved for FAP benefits in the amount of \$115 for December 1, 2023, ongoing.
3. On or around [REDACTED] 2024, Petitioner submitted an application requesting cash assistance and SER benefits with rent to prevent eviction and electricity services.
4. On or around January 26, 2024, the Department sent Petitioner a Notice of Case Action advising her that her cash assistance application was denied because her

income exceeded the income limit. The Notice of Case Action advised Petitioner that her request for hearing must be received by the Department by April 25, 2024.

5. On or around January 26, 2024, the Department sent Petitioner a State Emergency Relief Decision Notice informing her that her [REDACTED] 2024, request for SER application was denied. The SER Decision Notice was not presented for review during the hearing. (See Hearing Decision for MOAHR Docket No. 24-001589)
6. On or around February 13, 2024, Petitioner requested a hearing disputing the Department's actions with respect to the FAP, SER, Medical Assistance (MA), Child Development and Care (CDC), and FIP cash assistance benefits.
7. On [REDACTED] 2024, Petitioner submitted a new application for cash assistance benefits and SER assistance with electricity services and rent to prevent eviction.
8. On or around March 4, 2024, the Department issued a Notice of Case Action, denying Petitioner's [REDACTED] 2024, cash assistance application because her income exceeded the limit.
9. On or around March 11, 2024, the Department sent Petitioner a State Emergency Relief Decision Notice, denying Petitioner's request for energy services because her countable income is higher than allowed for the program and denying SER with rent to prevent eviction because her income/asset copayment is equal to or greater than the amount needed to resolve the emergency.
10. A hearing regarding Petitioner's February 13, 2024, request for hearing was held on March 25, 2024, under MOAHR Docket No. 24-001589. A representative from the Department was not present. During the hearing, Petitioner withdrew her request for hearing regarding the cash assistance programs and the CDC program.
 - a. On March 27, 2024, Administrative Law Judge (ALJ) Ellen McLemore issued a Hearing Decision dismissing Petitioner's hearing request for the FIP and CDC programs and reversing the Department's actions regarding the FAP, MA and SER programs.
 - b. The March 25, 2024, hearing did not address Petitioner's [REDACTED] 2024, cash assistance or SER application, as it was not referenced in ALJ McLemore's Hearing Decision.
 - c. In a Hearing Decision issued on March 27, 2024, ALJ McLemore ordered the Department to:
 - i. Reinstate and reprocess Petitioner's [REDACTED] 2023, and [REDACTED] 2024, applications;
 - ii. Redetermine Petitioner's MA eligibility as of February 1, 2024, ongoing;

- iii. If Petitioner is eligible for FAP benefits, issue supplements she is entitled to receive;
 - iv. If Petitioner is eligible for MA benefits, provide coverage she is entitled to receive;
 - v. If Petitioner is eligible for SER benefits, issue payments in accordance with Department policy; and
 - vi. Notify Petitioner of its MA, SER and FAP decisions in writing.
11. On or around May 7, 2024, Petitioner submitted a request for hearing regarding the FIP, SDA, FAP, and SER programs. Petitioner indicated that she disputed the denial of her applications and asserted that the Department failed to comply with the prior hearing decision and order. (Exhibit A, pp. 3-4).
12. Petitioner's May 7, 2024, request for hearing was assigned MOAHR Docket No. 24-005300 and is the subject of the present proceeding.

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).

FIP/SDA

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Department of Human Services) administers FIP pursuant to 45 CFR 233-260, MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3101-.3131.

The State Disability Assistance (SDA) program is established by the Social Welfare Act, MCL 400.1-.119b. The Department of Health and Human Services (formerly known as the Department of Human Services) administers the SDA program pursuant to 42 CFR 435, MCL 400.10 and Mich Admin Code, R 400.3151-.3180.

In this case, Petitioner requested a hearing on or around May 7, 2024, disputing the denial of her FIP and SDA cash assistance applications. At the hearing, Petitioner did not specify which applications were at issue and indicated she could not recall when she submitted applications for cash assistance. After reviewing Petitioner's case in Bridges, the Department representative testified that Petitioner applied for cash assistance benefits on [REDACTED] 2023, [REDACTED] 2024, [REDACTED] 2024, and May 14, 2024.

Pursuant to BAM 600, the undersigned does not have the authority to address Petitioner's [REDACTED] 2023, or [REDACTED] 2024, cash assistance applications, as a prior hearing was held to address the Department's actions regarding the processing of both applications on March 25, 2024, and Petitioner withdrew her request for hearing regarding the cash assistance program. Additionally, Petitioner's May 7, 2024, request for hearing was not timely filed within 90 days of the date that written notice of the denials was issued to Petitioner. To dispute the denial, Petitioner had until April 25, 2024, to submit her request for hearing. Furthermore, because Petitioner's May 14, 2024, cash assistance application was submitted after the date of Petitioner's current hearing request, this is considered a subsequent action that the undersigned does not have the authority to address. Petitioner is informed that should she dispute any action taken by the Department regarding her May 14, 2024, cash assistance application, she has 90 days from the date the written notice of denial was issued to request a hearing. See BAM 600.

Regarding the [REDACTED] 2024, cash assistance application, the Department representative testified that Petitioner was ineligible because her income exceeded the income limit. Petitioner indicated that she was requesting cash assistance based on her status as a parent of a minor child. Petitioner also asserted that she was unable to work in December 2023 due to having foot surgery, and thus, requested SDA.

To be eligible for FIP benefits, the group must include a dependent child who lives with a legal parent, stepparent or other qualifying caretaker. BEM 210 (July 2021), p. 1. Financial need must also exist as a condition of receiving FIP benefits. Financial need is established, in part, when a client passes the qualifying deficit test and/or the issuance deficit test. Need is determined to exist when budgetable income is less than the payment standard, which is the maximum benefit amount that can be received by the certified group. BEM 518 (July 2023), pp. 1- 6; BEM 515 (February 2024), pp. 1-5. At application, the Department compares the budgetable income using the qualified earned income disregard for the income month calculated by taking earned income, reducing it by \$200, and then reducing that amount by an additional 20%), to the certified group's payment standard for the application month. The group will be ineligible for FIP for the application month if no deficit exists. To perform the issuance deficit test, the Department subtracts budgetable income from the applicable payment standard for the benefit month. Financial need exists if there is at least a \$10 deficit after income is budgeted. If there is no deficit, the group is ineligible for assistance. BEM 518, pp.1-6. Thus, if Petitioner's group's income is less than the payment standard for the month being tested, the group will be eligible for FIP benefits. The FIP monthly assistance payment standard (based on EDG participation status and FIP certified group size) applicable to Petitioner's group size of two is \$403. RFT 210 (April 2017), pp. 1-2.

SDA is a cash program for individuals who are not eligible for FIP. BEM 214 (April 2019), p. 1. To receive SDA benefits, a person must be disabled, caring for a disabled person, or age 65 or older. BEM 261 (April 2017), p.1. In order to be eligible for SDA benefits, an individual must be in financial need. BEM 515 (January 2022), p. 1; BEM 518 (January 2020), p. 1. Financial need exists when the individual's budgetable income is less than the applicable payment standard established by the Department and the client passes

the issuance deficit test. The payment standard is the maximum benefit amount that can be received by the certified group. BEM 515, p 1; BEM 518, p 1. To perform the issuance deficit test, the Department subtracts budgetable income from the applicable payment standard for the benefit month. BEM 518, p 1. Financial need exists if there is at least a \$10 deficit after income is budgeted. If there is no deficit, the group is ineligible for assistance. BEM 518, pp.2-3. The SDA payment standard applicable to Petitioner is \$200, as she is an individual in an independent living arrangement with no spouse. RFT 225 (December 2013), p. 1.

At the hearing, the Department representative testified that Petitioner's [REDACTED] 2024, cash assistance application was denied because Petitioner's income exceeded the income limit for both the FIP and SDA programs. The Department representative testified that Petitioner was notified of the denial through the March 4, 2024, Notice of Case Action. Although the Department did not present budgets for review, the Department representative testified that it considered Petitioner's earned income from her employment with EduStaff and AMH Painting LLC which were reported by Petitioner. The Department representative testified that Petitioner had gross earned income of [REDACTED] and for the FIP, countable income of [REDACTED]. Petitioner disputed the Department's income determination and testified that between December 2023 and February 2024, she was employed part time as a substitute teacher and a self-employed painter. She testified that it was difficult for her to find work as a painter because she could not stand on her feet. While Petitioner disputed the Department's income calculation, Petitioner did not present any evidence of her earnings to refute the Department's determination. Petitioner testified that she submitted income information to the Department and asserted that the Department should know what her income is. Upon further inquiry however, Petitioner confirmed and acknowledged that at the time of her cash assistance application, she had earnings in excess of both the FIP and SDA payment standards. Therefore, the Department properly determined that Petitioner was ineligible for FIP and SDA benefits due to excess 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 [REDACTED] 2024, FIP and SDA application.

SER/FAP

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.

The Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Department of Human Services) administers FAP pursuant to

MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

SER Failure to Comply/Implement Prior Hearing Decision and Order

In this case, Petitioner requested a hearing on May 7, 2024, asserting that the Department failed to comply with the Hearing Decision issued on March 27, 2024, by ALJ McLemore under MOAHR Docket No. 24-001589. Petitioner asserted that her applications were denied based on false income amounts and that the Judge reversed the Department's denial actions and the Department failed to follow through or notify her of any decisions made on her case. (Exhibit A, pp. 3-4).

According to BAM 600, the Department is to implement and certify a decision and order within ten calendar days of the mailing date on the hearing decision. BAM 600 (March 2021), pp. 41-44. When a hearing decision requires a case action different from the one originally proposed, a DHS-1843, Administrative Hearing Order Certification is sent with the decision and order. The Department is to complete the necessary case action and send the DHS-1843 to MOAHR to certify implementation and place a copy of the form in the case file. BAM 600, p. 41-44.

It is noted that during the hearing, the Department failed to present any documentation showing that it properly complied with the Decision and Order issued by ALJ McLemore with respect to the reprocessing of Petitioner's [REDACTED] 2023, and [REDACTED] 2024, SER applications. The Department representative testified that Petitioner's SER applications were reinstated, verifications were requested, and eligibility was pending; however, the Department's testimony was inconsistent, and it was unclear which applications the Department was referring to, as it asserted Petitioner filed multiple applications.

The Department's review of Petitioner's case file in Bridges showed a State Emergency Relief Decision Notice dated March 11, 2024, which denied Petitioner's request for energy services because her countable income is higher than allowed for the program and denying SER with rent to prevent eviction because her income/asset copayment is equal to or greater than the amount needed to resolve the emergency. However, the Department conceded that this eligibility notice was issued in connection with Petitioner's [REDACTED] 2024, SER application, that will be addressed below, and not in response to the reprocessing of the [REDACTED] 2023, and [REDACTED] 2024, SER applications as ordered by ALJ McLemore in the March 27, 2024, Hearing Decision for MOAHR Docket No. 24-001589.

The undersigned ALJ took judicial notice of ALJ McLemore's Hearing Decision. (See Hearing Decision for MOAHR Docket No. 24-001589). Upon review of the evidence presented during the hearing and the Department representative's testimony, because the Department issued the March 11, 2024, State Emergency Relief Decision Notice prior to the March 25, 2024, hearing held by ALJ McLemore, it could not have been issued in response to and in compliance with ALJ McLemore's Decision and Order. There was no evidence that the Department properly reprocessed Petitioner's [REDACTED] 2023, or

██████████ 2024, SER applications, as there were no eligibility notices presented for review during the current hearing addressing the ██████████ 2023, and ██████████ 2024, SER applications. There was also no evidence that the Department notified Petitioner of its decisions with respect to the reprocessed applications as ordered by ALJ McLemore. Therefore, although the Department asserted for MOAHR Docket No. 24-001589 that the SER denials were correct based upon the income provided at the time of application, the Department failed to establish that it properly reprocessed Petitioner's ██████████ 2023, and ██████████ 2024, SER applications and notified Petitioner of its eligibility decision, and further failed to show that it properly certified and implemented the Decision and Order issued on March 27, 2024.

██████████ 2024, SER Application with Rent to Prevent Eviction and Electric Services

At the hearing, it was established that on or around ██████████ 2024, Petitioner submitted a third application for SER assistance, this one with a request for electricity services and rent to prevent eviction. On or around March 11, 2024, the Department sent Petitioner a State Emergency Relief Decision Notice, denying Petitioner's request for energy services because her countable income is higher than allowed for the program and denying SER with rent to prevent eviction because her income/asset copayment is equal to or greater than the amount needed to resolve the emergency. Petitioner's ██████████ 2024, SER application was not addressed during the prior hearing held by ALJ McLemore and thus, will be addressed below.

Rent to Prevent Eviction

SER assists individuals and families to resolve or prevent homelessness with relocation services by providing money for rent, security deposits, and moving expenses. ERM 303 (October 2022), p. 1. An individual will be eligible for SER if a court summons, order, or judgment was issued, which will result in the SER group becoming homeless. ERM 303, pp. 1-6. Additionally, the Department will complete an SER budget for each request and determine the payment maximums, required payments, income and asset copayment, and client contributions based on the information provided to determine eligibility for SER. ERM 103 (October 2021), pp. 1-7.

SER group members must use their available income and cash assets that will help resolve the emergency. ERM 208 (October 2023), p. 1. The Department will determine SER eligibility for the group as a whole and is to verify income, assets, and potential resources of all group members. An SER group consists of persons who occupy the same home. Home means the place where the members of the SER group keep their personal belongings and sleep. ERM 201 (October 2023), pp.1-2.

A group is eligible for non-energy SER services, such as rent to prevent eviction, with respect to income if the total combined monthly net income that is received or expected to be received by all group members in the 30-day countable income period **does not** exceed the standards found in Exhibit I, SER Income Need Standards for Non-Energy Services. Income that is more than the basic monthly income need standard for the number of group members must be deducted from the cost of resolving the emergency. This is the income

copayment. ERM 208, p. 1. The income and asset copayments combined together determine the SER group's total copayment, or the amount the SER group must pay towards their emergency. Copayment amounts are deducted from the cost of resolving the emergency. ERM 208, pp.1 – 2. Thus, if the copayment exceeds the need, the application shall be denied unless good cause is granted. ERM 208, pp. 1-2; ERM 103, p. 4.

In determining a client's monthly income, the Department must consider the actual income the client expects to receive during the SER countable income period, which is the 30-day period beginning on the date the local office receives a signed application. To determine **net** income for SER purposes, the Department must deduct certain expenses of employment, which can include but are not limited to, mandatory withholding taxes (25% of the gross), deductions required by the employer as a condition of employment, and deductions for health insurance. ERM 206 (November 2019), pp. 1-7.

At the hearing, the Department representative testified that Petitioner's [REDACTED] 2024, request for SER assistance with rent to prevent eviction was denied because the income/asset copayment for the household was greater than the amount needed to resolve the emergency. The Department did not present an SER Copayment Details summary budget showing the amount of the income/asset copayment and did not provide any information on the calculation of the copayment. The Department also did not identify the amount needed to resolve the emergency. The Department also presented no evidence regarding Petitioner's income, or the earnings considered in the processing of the application. Thus, the Department failed to establish that it properly processed and denied Petitioner's [REDACTED] 2024, request for SER assistance with rent to prevent eviction.

Electricity Services

Eligible households who meet all SER eligibility requirements may receive assistance to help them with household heat and electric costs. Funding for energy services assistance is provided through the Low-Income Home Energy Assistance Program (LIHEAP). ERM 301 (October 2023), p. 1. When the group's heat or electric service for their current residence is in past due status, in threat of shutoff or is already shut off and must be restored, payment may be authorized to the enrolled provider. ERM 301, pp. 3-4. The SER should be processed using the past due amount and current bills that are not subject to shutoff should not be included in the amount needed. ERM 301, pp. 3-5. SER group members must use their available income and cash assets that will help resolve the emergency. ERM 208 (October 2023), p. 1. The Department will determine SER eligibility for the group as a whole and is to verify income, assets, and potential resources of all group members. An SER group consists of persons who occupy the same home. Home means the place where the members of the SER group keep their personal belongings and sleep. ERM 201 (October 2023), pp.1-2.

Income eligibility is required for assistance with SER energy services, including heat and electric. All household members are included in the SER group and income of all household members is budgeted. Income verification used for current eligibility for any

other Department administered program may be used, if available. ERM 301, pp. 3-8. The Department is to verify and budget all non-excluded gross income the SER group expects to receive during the 30-day countable income period. The Department will not prorate income. ERM 206 (October 2023), pp. 1-7. The first day of the 30-day countable income period is the date the local office receives a signed application. There is no income copayment for energy related services and the group is either eligible or not. For a group to be eligible for energy services, the combined monthly net income that is received or expected to be received by all group members in the 30-day countable income period cannot exceed the standard LIHEAP income limit based on group size. If the income exceeds the limit, the request must be denied. The SER income need standard for energy/LIHEAP services including heat and electricity for Petitioner's household size of two (Petitioner and one minor child) is [REDACTED] ERM 301, pp. 6-8; ERM 208, pp. 1-6.

According to the March 11, 2024, State Emergency Relief Decision Notice, the Department denied Petitioner's request for assistance with her electric services because her countable income was higher than the maximum amount allowed for the program. However, as discussed above, the Department presented no evidence as to Petitioner's income for SER purposes and thus failed to establish that Petitioner's countable income was higher than the [REDACTED] income limit based on her two-person household.

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 did not act in accordance with Department policy when it denied Petitioner's [REDACTED] 2024, SER application for rent to prevent eviction and electric services.

There was some testimony that Petitioner submitted an application for SER assistance on May 14, 2024. However, because the application was submitted after the date of Petitioner's current hearing request, it will not be addressed with this Hearing Decision. Petitioner is informed that should she dispute any action taken by the Department regarding her May 14, 2024, SER application, she has 90 days from the date the written notice of denial was issued to request a hearing. See BAM 600.

FAP Failure to Comply/Implement Prior Hearing Decision and Order

At the hearing, the Department failed to present any documentation showing that it properly complied with the Decision and Order issued by ALJ McLemore with respect to the reprocessing of Petitioner's [REDACTED] 2023, FAP application. There were no eligibility notices included with the Department's Exhibit A addressing Petitioner's FAP eligibility for December 2023, ongoing. Additionally, although there was some testimony that the Department issued a Notice of Case Action on March 29, 2024, denying Petitioner FAP benefits for March 1, 2024, ongoing, on the basis that her gross income exceeded the limit and failure to verify earned income, there was no evidence presented by the Department to support this action. Furthermore, based on the Department representative's testimony at the hearing, there appears to have been some subsequent action taken on Petitioner's FAP case because the Petitioner was issued FAP benefits for the month of March 2024. The Department reviewed Petitioner's benefit issuance summary in Bridges and testified that: on January 11, 2024, Petitioner was issued \$115

in FAP benefits for the month of December 2023; on January 11, 2024, Petitioner was issued \$115 in FAP benefits for the month of January 2024; on February 9, 2024, Petitioner was issued \$115 in FAP benefits for the month of February 2024; and on May 22, 2024, Petitioner was issued \$535 in FAP benefits for the month of March 2024. While the Department testified that the \$535 issued on May 22, 2024, was likely a supplement for previous months, the Department did not present any documentation to support its testimony. Furthermore, the Department did not present any budgets or otherwise establish that the amount of Petitioner's FAP benefits from December 1, 2023, ongoing were correct. Because, as of the hearing date, Petitioner's FAP case appeared to be open, the Department will be ordered to recalculate her FAP eligibility from December 2023, ongoing.

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 did not act in accordance with Department policy when it failed to properly comply with the Hearing Decision and Order issued by ALJ McLemore on March 27, 2024, regarding Petitioner's FAP eligibility.

DECISION AND ORDER


Accordingly, the Department's decision is **AFFIRMED IN PART** with respect to FIP and SDA and **REVERSED IN PART** with respect to SER and FAP.

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Register and reprocess Petitioner's [REDACTED] 2023, application for SER assistance with rent to prevent eviction to determine the household's eligibility for SER from the application date, ongoing;
2. Supplement Petitioner and/or her SER provider for any SER benefits that she was eligible to receive but did not from the [REDACTED] 2023, application date, ongoing;
3. Issue a new eligibility notice to Petitioner advising of the Department's decision regarding the [REDACTED] 2023, SER application;
4. Register and reprocess Petitioner's [REDACTED] 2024, application for SER assistance with rent to prevent eviction and electric services to determine the household's eligibility for SER from the application date, ongoing;
5. Supplement Petitioner and/or her SER provider for any SER benefits that she was eligible to receive but did not from the [REDACTED] 2024, application date, ongoing;
6. Issue a new eligibility notice to Petitioner advising of the Department's decision regarding the [REDACTED] 2024, SER application;

7. Register and reprocess Petitioner's [REDACTED] 2024, application for SER assistance with rent to prevent eviction and electric services to determine the household's eligibility for SER from the application date, ongoing;
8. Supplement Petitioner and/or her SER provider for any SER benefits that she was eligible to receive but did not from the [REDACTED] 2024, application date, ongoing; and
9. Issue a new eligibility notice to Petitioner advising of the Department's decision regarding the [REDACTED] 2024, SER application;
10. Recalculate Petitioner's FAP budgets each month from December 2023, ongoing;
11. Issue FAP supplements to Petitioner for any benefits she was eligible to receive but did not, if any, from December 1, 2023, ongoing, in accordance with Department policy; and
12. Notify Petitioner in writing of its decisions regarding the recalculation of her FAP benefits.

ZB/ml



Zainab A. Baydoun
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:

Respondent

Yaita Turner
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25620 W. 8 Mile Rd
Southfield, MI 48033
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Interested Party

BSC4
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Via First Class Mail:

Petitioner

[REDACTED]
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