



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: February 4, 2025
MOAHR Docket No.: 24-014044
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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 via Microsoft Teams on February 3, 2025; the parties participated by telephone. Petitioner appeared and was unrepresented. [REDACTED], Petitioner's roommate, testified on behalf of Petitioner. The Michigan Department of Health and Human Services (MDHHS) was represented by Shyla Coleman, hearings facilitator.

ISSUE

The issue is whether MDHHS properly processed Petitioner's State Emergency Relief (SER) request for energy 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. On [REDACTED] 2024, Petitioner applied for SER seeking assistance with payment of an electric bill.
2. As of November 14, 2024, Petitioner's electricity account balance was not past due.
3. On November 18, 2024, MDHHS denied Petitioner's SER application due to not having an emergency.
4. On December 17, 2024, Petitioner requested a hearing to dispute the SER denial.

CONCLUSIONS OF LAW

The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. MDHHS administers the SER program pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049. SER policies are contained in the Emergency Services Manual (ERM).

Petitioner requested a hearing to dispute a denial of SER seeking payment on an electric bill. Exhibit A, pp. 3-4. Petitioner applied for SER on [REDACTED], 2024. Exhibit A, pp. 7-19. An Application Notice dated [REDACTED] 2024, stated that Petitioner's SER application was denied due to a failure to establish an emergency, Exhibit A, pp. 20-23.

Low-income households who meet SER eligibility requirements may receive assistance to help them with household heat and electric costs. ERM 301 (October 2024) p. 1. A household may receive one SER payment for heat and one for non-heat electricity, up to the SER cap, for the current fiscal year. *Id.*

When the SER benefit 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, SER payment may be authorized to the enrolled provider. *Id.*, pp. 3-4. SER payment may be authorized when a household has a past due account or shut-off notice on an energy bill for his or her household.


MDHHS obtained documentation of Petitioner's account with her energy provider. Exhibit A, pp. 24-26. At the time of Petitioner's application, Petitioner had a negative past-due amount meaning she overpaid her account. Petitioner's total current balance was \$[REDACTED] and Petitioner suggested the account balance would further increase; however, at the time of SER application, the account balance was not past-due. Thus, Petitioner was not eligible for SER payment.¹ Given the evidence, MDHHS properly denied Petitioner's SER application dated [REDACTED] 2024, requesting energy assistance.

¹ MDHHS testified that Petitioner's account later became past-due resulting in Petitioner reapplying for SER in [REDACTED] 2025. MDHHS also testified that Petitioner's later application was approved for SER payment of \$[REDACTED]

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's SER application dated [REDACTED] 2024, requesting electricity bill assistance. The actions taken by MDHHS are **AFFIRMED**.

CG/pt



Christian Gardocki
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

Jeanenne Broadnax
Wayne-Taylor-DHHS
25637 Ecorse Rd.
Taylor, MI 48180

MDHHS-Wayne-18-Hearings@michigan.gov

Interested Parties

BSC4
J. McLaughlin
E. Holzhausen
MOAHR

Via-First Class Mail:

Petitioner

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