



Date Mailed: December 9, 2025
Docket No.: 25-009014
Case No.: [REDACTED]
Petitioner: [REDACTED]

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এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

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Date Mailed: December 9, 2025

Docket No.: 25-009014

Case 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, an in-person hearing was held on November 26, 2025, from Detroit, Michigan. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Corlette Brown, hearings facilitator.

ISSUES

The first issue is whether MDHHS properly denied Petitioner’s Family Independence Program (FIP) eligibility.

The second issue is whether MDHHS properly denied Petitioner’s State Emergency Relief applications for Energy Services (SER-Energy).

The third issue is whether MDHHS properly denied Petitioner’s State Emergency Relief applications for Relocation (SER-Relocation).

FINDINGS OF FACT

The administrative law judge, based on competent, material, and substantial evidence on the whole record, finds as material fact:

1. On [REDACTED] 2024, Petitioner applied for FIP benefits. Petitioner also applied for SER seeking assistance to restore a closed energy account and relocation costs.
1. On December 20, 2024, MDHHS requested from Petitioner by December 27, 2024, verification of the amount needed for SER-Energy and the need for SER-relocation.
2. As of December 2024, Petitioner received 60 months of federal countable FIP benefit months.

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3. As of December 2024, Petitioner had no active energy services and had an unpaid balance of \$3,504.05 with her former energy provider.
 4. On December 27, 2024, MDHHS denied Petitioner's SER application due to Petitioner failing to verify the amount needed for SER-Energy and an emergency for SER-relocation.
 5. On March 5, 2025, Petitioner requested a hearing to dispute the termination of FIP benefits and the denial of SER-Energy.

CONCLUSIONS OF LAW

The 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. MDHHS administers FIP pursuant to 45 CFR 233 to 45 CFR 261; MCL 400.10; the Social Welfare Act, MCL 400.1 *et seq.*; and Mich Admin Code, R 400.3101 to R 400.3131. FIP policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing, in part, to dispute a denial of FIP benefits. Exhibit A, pp. 3-24. Petitioner applied for FIP benefits on [REDACTED] 2024. A Notice of Case Action dated December 20, 2024, stated that Petitioner's application was denied due to meeting the 60-month time limit for federal funded benefits. Exhibit A, pp. 21-22.

On Oct. 1, 1996, Michigan began the FIP. BEM 234 (July 2013) p. 1. The FIP is not an entitlement. *Id.* FIP requires an individual to meet all eligibility criteria required for the receipt of federal or state funds or determined necessary by MDHHS to accomplish the goals of the program. *Id.* Time limits are essential to establishing the temporary nature of aid as well as communicating the FIP philosophy to support a family's movement to self-sufficiency. *Id.* The message that FIP is temporary is an important part of how Michigan helps parents take advantage of the opportunities for work as well as self-sufficiency and independence. *Id.*

Temporary Assistance to Needy Families (TANF) is the federal grant that funds the overwhelming majority of FIP assistance issued by MDHHS. *Id.* The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) established a five-year (60 month) lifetime limit on assistance for adult-headed families. *Id.* The begin date for the federal time limit counter is Oct. 1, 1996. *Id.*, pp. 1-2. In line with the goals of the FIP, any group that includes an individual who has received 60 months or more of FIP is not eligible for the FIP program. *Id.*

Any month that an individual's FIP assistance is state funded is not a countable month toward the federal time limit count. *Id.*, p. 3. In a limited number of cases, MDHHS has determined to state fund cases with one or more of the following characteristics:

- Two parent households.

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- A FIP group that has a parent deferred from PATH due to a verified disability or long-term incapacity lasting longer than 90 days (see BEM 230A).
 - Court-ordered and unrelated caregivers receiving FIP for a child placed in the home by Children's Protective Service (see BEM 210).
 - The only dependent child in the FIP group is 19 years old and attending high school full-time (for months before Oct. 1, 2011 only).
 - The legal parent(s) and/or stepparent receives FIP when their dependent child(ren) is in an out-of-home foster care placement due to abuse and/or neglect when there is a plan to return the child(ren) to the parent's home (see BEM 210).
 - A FIP group that includes an adult who has accumulated more than 60 months on their federal time limit counter but meets the federal time limit exception criteria.

Id., p. 3.

Documentation of Petitioner's FIP benefit history listed 60 months that Petitioner received federal funded FIP benefits. Exhibit A, pp. 35. Additional documents of Petitioner's history listed the 60th month as of December 2011. Exhibit A, pp. 36-38.

Petitioner contended that MDHHS erred by not factoring principles of the United States Constitution, the Michigan Constitution, current political landscape, equity, sovereign citizenry, and other issues beyond the jurisdiction of MDHHS. Petitioner's contentions are beyond the jurisdiction of MDHHS and administrative hearings.

Petitioner testified that the previously received FIP benefits concerned a child who is now an adult. Petitioner testified that she now needs income to assist with raising her youngest child. Petitioner's testimony, though sincere and credible, does not affect the restriction of the 60 federal funded benefit months.

Petitioner acknowledged that she was not disabled and that her FIP application did not allege a disability. Petitioner also did not allege meeting other exceptions to receiving federally funded FIP benefits after meeting time limits.

The evidence established that Petitioner received 60 months of federal funded FIP benefit months before applying for FIP benefits. The evidence did not establish an exception to receiving FIP benefits after meeting time limits. Thus, MDHHS properly denied Petitioner's FIP benefit application.

The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1 *et seq.* MDHHS administers the program pursuant to MCL 400.10 and Mich Admin Code, R 400.7000 to R 400.7049. SER policies are contained in the Emergency Services Manual (ERM).

Petitioner also requested a hearing to dispute a denial of SER-Energy. Exhibit A, pp. 3-24. Petitioner applied for SER-Energy on [REDACTED] 2024. A State Emergency

Relief Decision Notice dated December 27, 2024, stated that Petitioner was denied SER-Energy due to failing to verify information. Exhibit A, pp. 33-34.

For SER, clients must be informed of all verifications that are required and where to return verifications. ERM 103 (October 2024) p. 6. The due date is eight calendar days beginning with the date of application. *Id.* MDHHS is to use the DHS-3503, SER Verification Checklist (VCL), to request verification and to notify the client of the due date for returning the verifications. *Id.*

SER-Energy requires that a household experiences an energy crisis or a life-threatening energy crisis. ERM 301 (December 2024) p. 1. An SER energy crisis includes the following: an individual or household has a past due account or shut-off notice on an energy bill for his or her household; a residential fuel tank is estimated to contain no more than 25 percent of its heating fuel capacity or has more than 25 percent and tank is locked by provider; a stated need for household deliverable fuel or nontraditional fuel source such as wood, corn, cherry pits; a notice that the balance of a prepayment account is below \$100. *Id.* A household is considered to have a life-threatening energy crisis if all the following criteria is met:

- The household is not protected by Michigan's Winter Protection Plan (WPP) or some other shut off protection/moratorium.
- The household has experienced disconnection of natural gas or electric service, has ran out of their household heating fuel, or the household has a statement from a licensed service providing indicating that the furnace is inoperable and in need of repair or replacement.
- Restoration of energy service(s) is medically necessary.
- The household does not have any temporary housing alternatives while the emergency is being resolved.

MDHHS presented an SER Verification Checklist dated December 20, 2024 requesting the amount needed to restore energy service. Exhibit B, pp. 1-2. The SER-VCL also requested a basis for SER-Energy need. Petitioner's due date to return the verification was December 27, 2024.

It was not disputed that MDHHS possessed sufficient information to verify that Petitioner's energy service account with DTE was inactive for two years and that Petitioner's balance was \$3,504.05. Exhibit A, pp. 26-31. MDHHS contended it required further verification of the amount to restore Petitioner's energy service and need for SER-Energy.

Petitioner testified she submitted to MDHHS information verification of her closed DTE account; this was not disputed. Petitioner did not allege submitting additional documents of SER- Energy need or restoration amount. Further, MDHHS testified that a list of Petitioner's previously submitted documents verified no submission concerning the amount to restore services of SER-Energy need before the notice date of SER-Energy denial.

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Given the evidence, Petitioner failed to timely submit verification of SER-Energy need and amount. Thus, MDHHS properly denied Petitioner's SER application for energy assistance.

Petitioner lastly requested a hearing to dispute a denial of SER-Relocation. Exhibit A, pp. 3-24. Petitioner applied for SER-Relocation on [REDACTED] 2024. A State Emergency Relief Decision Notice dated December 27, 2024, stated that Petitioner was denied SER-Relocation assistance due to failing to verify information. Exhibit A, pp. 33-34.

The SER-VCL dated December 20, 2024, also requested from Petitioner documentation verifying a need for SER-Relocation. Exhibit B, pp. 1-2. The due date to return verification was December 27, 2024. MDHHS testified that Petitioner's history of submissions verified no returned verification of SER-Relocation need by December 27, 2024; Petitioner did not allege otherwise.

Persons who are imminently homeless are potentially eligible to receive SER-Relocation. ERM 303 (October 2024) p 2. Acceptable verification for imminent homelessness includes any of the following:

- A judgment, eviction order or court summons regarding eviction. (A demand for possession non-payment of rent or a notice to quit is not sufficient.)
- Legal notice from local public agency ordering the group to vacate condemned housing.
- A written statement from MDHHS services worker or MDHHS specialist, approved by a manager.
- Written notification from the energy multi-disciplinary team that the group lives in high energy housing that cannot be rehabilitated.

Id., pp. 6-7.

Persons who are homeless are also potentially eligible to receive SER-Relocation funds. ERM 303 (October 2024) p 2. Verification of homeless includes the following:

- An eviction, judgment, or court order from last residence.
- A group's statement that they are living with others to escape domestic violence.
- A group's statement that they are sleeping in a car, or on the street and there is no housing they can return to.
- A fire department report, newspaper article, etc. verifying a fire or natural disaster.
- Statement from the releasing facility for persons exiting jail, prison, a juvenile facility, a hospital, a medical setting, foster care, a substance abuse facility or a mental health treatment setting indicating there is no available housing and the person has no residence to return to.
- Signed and dated statement on official letterhead of the agency or service provider, which identifies the persons and the homeless assistance program they are eligible for.

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Id., p. 6

The evidence was mixed concerning whether Petitioner was homeless or imminently homeless at the time of SER application. However, the evidence sufficiently established that Petitioner did not return verification of SER-Relocation need by December 27, 2024. Thus, MDHHS properly denied Petitioner's SER application for relocation assistance. Petitioner should be aware that this decision does not impact Petitioner's ability to reapply for SER.

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 FIP, SER-Energy, and SER-Relocation application dated [REDACTED] 2024. The actions taken by MDHHS are **AFFIRMED**.



CHRISTIAN GARDOCKI
ADMINISTRATIVE LAW JUDGE

APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://lrs.michbar.org> or Michigan Legal Help at <https://michiganlegalhelp.org>. A copy of the circuit court appeal should be sent to MOAHR. A circuit court appeal may result in a reversal of the Hearing Decision.

Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation of the specific reasons for the request, and any documents supporting the request. The request should be sent to MOAHR

- by email to MOAHR-BSD-Support@michigan.gov, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to
Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
Lansing Michigan 48909-8139

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.

Via

Electronic Mail:

Respondent

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Via

First Class Mail:

Petitioner

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