



Date Mailed: April 30, 2025

Docket No.: 25-012934

Case No.: [REDACTED]

Petitioner: [REDACTED]

«RECIP\_FULL\_NAME»

«RECIP\_ADD0»

«RECIP\_ADD1»

«RECIP\_ADD2»

«RECIP\_CITY», «RECIP\_SPCODE»

«RECIP\_POSTAL»

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

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

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

### **HEARING DECISION**

On March 31, 2025, Petitioner, Renee Canty, requested a hearing to dispute the closure of Petitioner's Food Assistance Program (FAP) benefits. As a result, a hearing was scheduled to be held on April 29, 2025, pursuant to MCL 400.9, 7 CFR 273.15, and Mich Admin Code, R 792.11002. Petitioner appeared at the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Kimberly Reed, Assistance Payment Supervisor.

A 36-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

### **ISSUE**

Did the Department properly close Petitioner's FAP benefit case?

### **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 October 15, 2024, a change report was received from Petitioner adding [REDACTED] (PC) to Petitioner's FAP group.
2. On October 30, 2024, the Department mailed a verification checklist to Petitioner requesting that proof of income for PC be submitted to the Department by November 12, 2024.

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3. On November 8, 2024, a change report and PC's check stubs were submitted by Petitioner.
  4. On January 30, 2025, Petitioner submitted a semi-annual contact report and reported that a member of Petitioner's FAP group was paying a housing expense.
  5. On February 6, 2025, the Department processed the November 8, 2024, verifications and the January 30, 2025, semi-annual contact report.
  6. Following the processing of the January 30, 2025, semi-annual contact report, a February 6, 2025, verification checklist was mailed to Petitioner requesting that Petitioner contact the Department to verify all household member information by February 18, 2025.
  7. Petitioner did not contact the Department, and a notice of case action was mailed to Petitioner on March 7, 2025, closing Petitioner's FAP benefit case.
  8. On March 31, 2025, Petitioner requested a hearing to dispute the Department's closure.

### **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 Food Assistance Program (FAP) 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 administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

In this case, Petitioner is disputing the Department's decision to close Petitioner's FAP benefit case. The Department closed Petitioner's FAP benefit case because Petitioner did not contact the Department to verify household member information as instructed by the Department.

Verification is usually required by the Department at the time of application/redetermination or for a reported change affecting eligibility or benefit level. BAM 130 (January 1, 2023), p. 1. The Department must tell a client what verification is required, how to obtain it, and the due date. *Id.* at p. 3. The Department must allow the client 10 calendar days to provide requested verification. *Id.* at p. 7. The client must obtain the verification, but the local office must assist if the client needs it and asks for help. *Id.* Verifications are only considered timely if they are received by the due date. *Id.*

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The Department must send a Negative Action Notice when the client refuses to provide the verification, or the client has failed to provide the verification by the due date. *Id.*

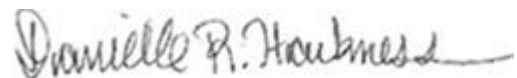
The Department requested verification from Petitioner after receiving Petitioner's January 30, 2025, semi-annual contact report as PC's income needed to be verified as well as a housing expense that was reported as being paid by the FAP group.

The Department properly instructed Petitioner what verification was required, how to obtain it, and the due date. The Department also properly allowed Petitioner 10 calendar days to contact the Department to verify the needed household information. It was Petitioner's responsibility to contact the Department by the due date. When the Department did not receive a response to the February 6, 2025, verification checklist by the due date, the Department properly closed Petitioner's FAP benefit case.

### **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 acted in accordance with its policies and the applicable law when it closed Petitioner's FAP benefit case.

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



**DANIELLE R. HARKNESS**  
**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](https://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](mailto: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**

MECOSTA COUNTY DHHS

800 WATER TOWER RD

BIG RAPIDS, MI 49307

**MDHHS-MECOSTA-OSCEOLA-HEARINGS@MICHIGAN.GOV**

**Interested Parties**

BSC3

B CABANAW

M HOLDEN

MOAHR

**Via**

**First Class Mail:**

**Petitioner**

[REDACTED]

[REDACTED]

[REDACTED], MI [REDACTED]