



Date Mailed: June 13, 2025
Docket No.: 25-017442
Case No.: [REDACTED]
Petitioner: [REDACTED]

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।

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

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Case No.: [REDACTED]

Petitioner: [REDACTED]

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; 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 telephone conference on June 5, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Rachel Meade, Hearing Facilitator. Department Exhibit 1, pp. 1-48 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's State Emergency Relief (SER) application?

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 April [REDACTED] 2025, Petitioner applied for SER for eviction/relocation assistance. Petitioner provided verifications with her application.
2. On April [REDACTED] 2025, a Verification Checklist was sent to Petitioner requesting verification of shelter payments.
3. On April [REDACTED] 2025, a State Emergency Relief Decision Notice was sent to Petitioner informing her that her SER application was denied for failing to submit required verifications.
4. On April [REDACTED] 2025, Petitioner requested hearing disputing the denial of SER.
5. On May [REDACTED] 2025, Petitioner applied for SER.
6. On May [REDACTED] 2025, an SER Decision Notice was sent to Petitioner informing her that her application was denied because the total of copayment and shortfall exceeds the need amount.

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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 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.

Requirements

In this item, total housing obligation means the total amount the SER group must pay for rent, house payment, mobile home lot rent, property taxes and required insurance premiums. Renters can have a higher total housing obligation if heat, electricity and/or water/cooking gas are included. Note: See chart at the end of this item or ERM 100, SER Quick Reference Charts. Authorize SER for services only if the SER group has sufficient income to meet ongoing housing expenses. An SER group that cannot afford to pay their ongoing housing costs plus any utility obligations will not be able to retain their housing, even if SER is authorized. Deny SER if the group does not have sufficient income to meet their total housing obligation. The total housing obligation cannot exceed 75 percent of the group's total net countable income. ERM 207

Application Denial

If the copayment, shortfall, contribution or combination exceeds the need, the application shall be denied unless good cause is granted. ERM 103

Standard of Promptness

Give priority to SER applicants when there is a direct threat to health or safety requiring immediate attention. The SER standard of promptness is 10 business days, beginning with the date the signed SER application is received in the local office. The case record must include documentation for any delay in processing the application beyond the standard of promptness. • Do not use the standard of promptness as a basis for denial of SER applications. • Continue to pend an application if the SER group is cooperating within their ability to provide verifications. • Deny the application if the group does not cooperate. ERM 103

In this case, Petitioner applied for SER on April [REDACTED] 2025, seeking assistance for relocation/eviction. On April [REDACTED] 2025, a Verification Checklist was sent to Petitioner requesting verification of 6 month rental payment history. Petitioner testified at hearing that she was not able to obtain her rental history for September, October and November 2024 because she made payments through a phone app and she no longer has that

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phone. Petitioner testified that her former landlord for these months was also not cooperative in assisting her to obtain the payment history. Petitioner testified that she requested assistance from the Department and explained her circumstances to a Department worker. The case notes did not reflect that the conversations described by Petitioner took place prior to April 16, 2025, the SER application was denied on April 24, 2025. Therefore, the denial for failing to cooperate was proper and correct and consistent with Department policy. ERM 103

Petitioner filed a subsequent SER application on May █, 2025, and the Department used the best information available for Petitioner's rental payment history and processed the SER application. Petitioner's application was denied because the total of copayment and shortfall exceeds the need amount. That denial was also proper and correct and consistent with Department policy. ERM 207

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 Department policy when it denied Petitioner's SER application for failing to return requested verifications and because the total of copayment and shortfall exceeded the need amount.

Accordingly, the Department's decision is **AFFIRMED**.



AARON MCCLINTIC
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.

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Via Electronic Mail:

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Via First Class Mail:

Petitioner

[REDACTED]