



Date Mailed: July 11, 2025

Docket No.: 25-021101

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।

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.

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Docket No.: 25-021101

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On May 21, 2025, Petitioner [REDACTED] requested a hearing to dispute the Department's decision to deny Petitioner's application for Family Independence Program (FIP) cash assistance benefits. Following Petitioner's hearing request, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, 45 CFR 205.10, and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on July 9, 2025. Petitioner [REDACTED] appeared and represented herself. [REDACTED] appeared as a witness for Petitioner. The Department of Health and Human Services (Department) was represented by Jennipher Wheeler, Family Independence Manager. Lateesha King, Eligibility Specialist, appeared as a witness for the Department.

A 38-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

ISSUE

Did the Department properly deny Petitioner's application for FIP cash assistance for excessive countable assets?

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] 2025, Petitioner applied for FIP cash assistance for herself and living together partner [REDACTED]
2. On Petitioner's [REDACTED] 2025, application, Petitioner listed [REDACTED] MI [REDACTED] as Petitioner's home address.
3. On [REDACTED] 2025, the Department reviewed the property tax record for [REDACTED] MI [REDACTED] and determined that [REDACTED] was the real property owner.
4. The Department reviewed Petitioner's application for FIP cash assistance and determined that the real property was a countable asset.
5. The Department valued the real property at \$230,200.00 (State Equalized Value (SEV) of \$115,100.00 multiplied by 2).

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6. The Department determined that Petitioner's countable assets exceeded the limit to be eligible for FIP cash assistance.
 7. On [REDACTED] 2025, the Department mailed a Notice of Case Action to Petitioner to notify Petitioner that Petitioner's application for FIP cash assistance was denied because Petitioner's total countable assets exceeded the program limit.
 8. On May 21, 2025, Petitioner requested a hearing to dispute the Department's denial.

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 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 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 real property asset limit for FIP is \$200,000. BEM 400 (March 1, 2025), p. 5. Countable assets cannot exceed the applicable program limit. *Id.* at 2. An asset is countable if it is available and not excluded. *Id.*

In this case, the asset at issue is real property owned by Petitioner's living together partner. Real property is land and objects affixed to the land. *Id.* at 33. To determine the fair market value of real property the Department may use the SEV on current property tax records multiplied by 2. Here, the SEV was \$115,100.00. Therefore, the Department multiplied \$115,100.00 by 2 to value Petitioner's real property at \$230,200.00. The real property asset limit for FIP is \$200,000.00. Because Petitioner's real property exceeded the asset limit, Petitioner's application for FIP cash assistance was denied.

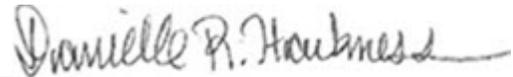
Petitioner argued that the value of Petitioner's home should be excluded pursuant to BEM 400. However, in this case, BEM 400 does not allow the Department to exclude the value of Petitioner's real property.

Based on the evidence presented, Petitioner failed to establish that the Department improperly determined that Petitioner's real property exceeded the asset limit. Therefore, the Department properly denied Petitioner's application for FIP cash assistance benefits.

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 did act in accordance with its policies and the applicable law when the Department denied Petitioner's application for FIP cash assistance.

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



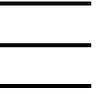
DANIELLE R. HARKNESS
ADMINISTRATIVE LAW JUDGE

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. 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:

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Interested Parties
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B SANBORN
MOAHR

Via First Class Mail:

Petitioner
[Redacted]
MI