



Date Mailed: October 30, 2025
Docket No.: 25-024168
Case No.: [REDACTED]
Petitioner: [REDACTED]

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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 October 23, 2025. Petitioner appeared for the hearing and represented himself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Sunshine Simonson, Eligibility Specialist. Gehad Helmy served as Arabic interpreter.

ISSUE

Did the Department properly calculate the amount of Petitioner's Food Assistance Program (FAP) benefits?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Petitioner is an ongoing recipient of FAP benefits. Petitioner was previously approved for FAP benefits in the monthly amount of \$292.
2. In connection with a redetermination, Petitioner's eligibility to receive FAP benefits was reviewed. Petitioner participated in a redetermination interview on May 30, 2025, and reported that his monthly rent of \$284 includes heat, electricity, and water service expenses.
3. On or around May 30, 2025, the Department sent Petitioner a Notice of Case Action advising that effective June 1, 2025, he was approved for FAP benefits of \$58 monthly.
4. On or around June 23, 2025, Petitioner requested a hearing disputing the amount of his FAP benefits.

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) [formerly known as the Food Stamp program] 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 (formerly known as the Department of Human Services) 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 disputed the decrease in his FAP benefits to \$58 effective June 1, 2025. The Department presented a FAP EDG Net Income Results Budget which was thoroughly reviewed to determine if the Department properly calculated the Petitioner's FAP benefits in the amount of \$58.

All countable earned and unearned income available to the client must be considered in determining a client's eligibility for program benefits and group composition policies specify whose income is countable. BEM 500 (April 2022), pp. 1 – 5. The Department considers the gross amount of money earned from SSI benefits in the calculation of unearned income for purposes of FAP budgeting. BEM 503 (April 2024), p. 29-35. For an individual who lives in an independent living situation, State SSI Payments (SSP) are issued quarterly in the amount of [REDACTED] and the payments are issued in the final month of each quarter; see BEM 660. The Department will count the monthly SSP benefit amount [REDACTED] as unearned income. BEM 503, pp. 36-37; BEM 660 (October 2024), pp. 1-2; RFT 248 (January 2024), p. 1.

The budget reflects unearned income of [REDACTED] which consisted of Petitioner's monthly, SSI, and SSP benefits. Specifically, the Department testified that it considered [REDACTED] in SSI, and the [REDACTED] SSP benefit. Petitioner did not present any evidence that the amounts relied upon by the Department were incorrect and thus, the Department properly calculated Petitioner's unearned income.

The deductions to income on the net income budget were also reviewed. Petitioner's FAP group includes a senior/disabled/veteran (SDV) member. BEM 550 (October 2024), pp. 1-2. Petitioner's FAP group is eligible for the following deductions to income:

- Dependent care expense.
- Excess shelter.
- Court ordered child support and arrearages paid to non-household members.
- Standard deduction based on group size.
- Medical expenses for the SDV member(s) that exceed \$35.
- An earned income deduction equal to 20% of any earned income.

BEM 554 (October 2024), p. 1; BEM 556 (October 2024), p. 1-8.

Petitioner's group did not have any earned income, thus, there was no applicable earned income deduction. There was no evidence presented that Petitioner had any out-of-pocket dependent care or child support expenses and therefore, the budget properly did not include any deduction for dependent care or child support. The budget also properly reflects a medical deduction of \$0, as there was no evidence presented that Petitioner submitted allowable medical expenses for consideration. The Department properly applied a standard deduction of \$204 which was based on Petitioner's confirmed group size of one. RFT 255 (October 2024), p. 1.

With respect to the excess shelter deduction, the Department representative testified that prior to the redetermination, Petitioner had monthly rent of \$600 and was eligible for the \$664 heat and utility standard. However, during the redetermination interview, Petitioner reported that his monthly rent was \$284 and that it included heat, electricity, and water services. The Department representative testified that Petitioner was previously receiving the heat and utility standard based on his receipt of a home heating credit. See BEM 554, pp. 18-19. However, because the Department received information that Petitioner is no longer receiving the home heating credit, the \$664 heat and utility standard was removed from the calculation of the excess shelter deduction. The Department presented a LIHEAP Inquiry document which showed that Petitioner did not receive the [REDACTED] LIHEAP payment in July, did not receive greater than [REDACTED] of LIHEAP, SER energy related assistance, or MEAP funds in the current month or previous 12 months and did not receive greater than \$20 in home heating credit funds in the current month or previous 12 months. The Department representative testified that the June 2025 budget reflects an excess shelter deduction of \$0 and was calculated using Petitioner's confirmed housing expenses of \$284 in monthly rent, the \$30 telephone standard, and the \$50 internet standard. Petitioner did not present any evidence to show that he qualified for the heat and utility standard. Petitioner's testimony at the hearing was conflicting and inconsistent.

The excess shelter deduction is calculated by subtracting 50% of the adjusted gross income from the total shelter amount. Upon review, the Department properly applied the correct housing expenses and individual utility expenses and thus, properly determined that Petitioner's excess shelter deduction was \$0.

After further review, the Department properly determined Petitioner's income and took into consideration the appropriate deductions to income. Based on net income of [REDACTED] Petitioner's one person FAP group is eligible for \$58 in monthly FAP benefits. RFT 260 (October 2024), p.11.

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 calculated the amount of Petitioner's FAP benefits of \$58 for June 1, 2025, ongoing.

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



ZAINAB A BAYDOUN
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://irs.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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