



Date Mailed: September 15, 2025

Docket No.: 25-030054

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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Case No.: [REDACTED]

Petitioner: [REDACTED] [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, a telephone hearing was held via Microsoft Teams on September 11, 2025. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Princess Ogundipe, supervisor.

ISSUE

The issue is whether MDHHS properly determined Petitioner's Food Assistance Program (FAP) eligibility.

FINDINGS OF FACT

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

1. As of August 2025, Petitioner received \$[REDACTED] in ongoing FAP benefits as the only member of a benefit group.
1. As of August 2025, Petitioner received \$[REDACTED] in ongoing gross monthly Retirement, Survivors, Disability Insurance (RSDI)
2. As of August 2025, Petitioner's household had no child support, dependent care, or reported medical expenses exceeding [REDACTED]
3. As of August 2025, Petitioner paid \$[REDACTED] for monthly housing expenses with an obligation for paying heating/cooling, but not internet.
4. On August [REDACTED] 2025, MDHHS approved Petitioner for \$[REDACTED] in monthly FAP benefits beginning September 2025.
5. On August [REDACTED] 2025, Petitioner verbally requested a hearing to dispute FAP eligibility.

CONCLUSIONS OF LAW

The 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. MDHHS administers the FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011. MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner verbally requested a hearing to dispute a reduction in FAP benefits.¹ Exhibit A, p. 4. A Notice of Case Action dated August █ 2025, approved Petitioner for \$█ in FAP benefits beginning September 2025.² Exhibit A, pp. 6-10.

FAP benefit amounts are determined by a client's net income. BEM 556 outlines the factors and calculations required to determine a client's net income. FAP net income is based on group size, countable monthly income, and relevant monthly expenses. MDHHS presented FAP budget documentation listing all FAP eligibility factors and calculations. Exhibit A, p. 12 and 16. A budget summary from the approval notice also listed FAP budget factors. Exhibit A, p. 7 During the hearing, all relevant budget factors were discussed with Petitioner.

MDHHS factored a benefit group including only Petitioner. Petitioner did not dispute the FAP benefit group size of one person.³

It was not disputed that Petitioner received \$█ in monthly gross RSDI. For FAP benefits, gross RSDI is countable. BEM 503 (January 2023) p. 29. MDHHS factored the same total unearned income of \$█ in determining Petitioner's FAP eligibility.

MDHHS uses certain expenses to determine net income for FAP eligibility and benefit levels. BEM 554 (January 2025) p. 1. For groups without a senior (over 60 years old), disabled or disabled veteran (SDV) member, MDHHS considers the following expenses: shelter expenses (housing and utilities) up to a capped amount, dependent care costs, and court-ordered child support and arrearages paid to non-household members (see *Id.*). An SDV group that has a verified one-time or ongoing medical expense(s) of more than \$35 for an SDV person(s) will receive the standard medical deduction (SMD) of \$165. *Id.*, p. 9. If the group has actual medical expenses which are more than the SMD, the group has the option to verify their actual expenses instead of receiving the SMD. *Id.*

¹ Clients may verbally request hearings to dispute FAP benefits (see BAM 600).

² FAP budget documents from earlier months verified that Petitioner previously received \$█ in monthly FAP benefits.

Petitioner previously received monthly FAP benefits of \$█ Exhibit A, p. 11 and 15. It is of no matter why

³ See BEM 212 for policies on determining group size for FAP benefits.

As a disabled individual, Petitioner's medical expenses may affect FAP eligibility; Petitioner did not allege having medical expenses exceeding \$35 per month.⁴ Petitioner also did not allege having child support or dependent care expenses. Petitioner's group's non-shelter expenses were \$0.

Petitioner's FAP benefit group size justifies a standard deduction of \$204 (see RFT 255). The standard deduction is given to all FAP benefit groups, though the amount varies based on the benefit group size. The standard deduction and countable non-shelter expenses are subtracted from the countable monthly income to calculate the group's adjusted gross income. Subtracting the standard deduction (\$204) and countable non-shelter expenses (\$0) from the group's countable income (\$██████) results in an adjusted gross income of \$██████.

MDHHS credited Petitioner with monthly housing expenses of \$██████. Petitioner did not allege additional housing expenses for her homestead.⁵ MDHHS credited Petitioner with the standard heating/utility (h/u) credit of \$664. RFT 255 (October 2024) p. 1. Generally, the h/u credit covers all utility expenses, except internet, and is the maximum credit available.⁶ Petitioner did not allege having internet expenses. Petitioner's total shelter credits (housing + utilities) were \$██████.

MDHHS only credits FAP benefit groups with an "excess shelter" expense. The expense is calculated by subtracting half of Petitioner's adjusted gross income from Petitioner's total shelter obligation. Petitioner's excess shelter expense is \$██████ (rounding up to nearest dollar).

The FAP benefit group's net income is determined by subtracting the excess shelter expense from the group's adjusted gross income; doing so results in \$██████ in net income for Petitioner's group. A chart is used to determine the proper FAP benefit issuance.⁷ RFT 260 (October 2024) pp. 1-5. Based on Petitioner's group size and net income, Petitioner's proper FAP issuance for September 2025 is \$██████. MDHHS calculated the same amount. Given the evidence, MDHHS properly determined Petitioner's FAP eligibility.

⁴ MDHHS testified that Petitioner's last written reporting of medical expenses occurred in an application dated April ██████ 2025, in which Petitioner reported having \$5 in monthly medical expenses. There was no evidence that Petitioner reported having additional expenses since.

⁵ Petitioner alleged an additional monthly obligation of \$██████ for taxes on a property in which she did not reside. MDHHS policy implies that only housing expenses for a homestead are countable (see BEM 554); thus, the taxes are not countable in the present case. Furthermore, Petitioner also acknowledged not previously reporting the expenses to MDHHS.

⁶ MDHHS allows additional credits for "actual utility expenses". Such expenses are only allowed for utility installation charges, water well installation and maintenance, and septic installation and maintenance. BEM 554 (October 2019) p. 15. There was no evidence of applicable exceptions.

⁷ FAP eligibility can also be calculated by multiplying the net income by 30% and subtracting the amount from the maximum FAP issuance for the group.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly determined Petitioner to be eligible for \$■ in monthly FAP benefits beginning September 2025. 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.

25-030054

Via Electronic Mail:

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[REDACTED]
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