



**Date Mailed:** September 25, 2025

**Docket No.:** 25-030772

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED] [REDACTED]

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

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

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### 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 September 18, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Amanda Boobyer, AP Supervisor. Department Exhibit 1, pp. 1-65 was received and admitted.

### ISSUE

Did the Department properly deny Petitioner's Food Assistance Program (FAP) application for failing to verify income?

### 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 FAP.
2. On April [REDACTED] 2025, a Verification Checklist was sent to Petitioner requesting verification of employment income.
3. On April [REDACTED] 2025, a Notice of Case Action was sent to Petitioner informing him that his FAP application was denied for failing to verify employment income.
4. On April [REDACTED] 2025, Petitioner submitted one check stub for pay date April 11, 2025.
5. On August [REDACTED] 2025, Petitioner applied for FAP and submitted 4 check stubs from March and April 2025. Petitioner also submitted a certificate of mailing with an April [REDACTED] 2025 stamp on it.
6. On August 15, 2025, Petitioner requested hearing disputing the denial of FAP.
7. On August [REDACTED] 2025, Petitioner submitted check stubs for pay dated in July and August 2025.

8. On August █ 2025, Petitioner submitted receipts for self-employment yard work he performed on July 29 and August 16, but the receipts did not have his name on them.
9. Petitioner's August █ 2025, FAP application was denied for failing to verify self-employment income.

## **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.

### **Self-Employment Income**

- Primary source - Income tax return provided: The client hasn't started or ended self-employment, or received an increase/decrease in income, etc. The tax return is still representative of future income. The client filed a tax return.
- Secondary source - DHS-431, Self-Employment Statement, with all income receipts to support claimed income.
- Third source - DHS-431, Self-Employment Statement, without receipts. BEM 502

In this case, with regard to the April █ 2025, application, Petitioner's request for hearing is untimely. Petitioner's April █ 2025, application was denied on April █ 2025. Petitioner had 90 days from the denial to contest that denial which would have been July 7<sup>th</sup>. Petitioner requested hearing on August 15, 2025, which was more than 90 days after the denial and therefore is untimely and must be dismissed.

With regard to the August █ 2025, application, Petitioner's verifications of self-employment were inadequate. The receipts do not have his name on them, and he did not assert that this was the only self-employment income he had during this time period. Petitioner did not submit a self-employment statement. It was explained that Petitioner could provide a self-employment statement explaining all the self-employment he had along with his signature showing how much received in self-employment income. Policy does require that self-employment verifications include a signed self-employment statement. BEM 502

## **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 FAP applications for failing to verify employment income and self-employment income. Petitioner's August 15, 2025, request for hearing was untimely for contesting the April 2025 denial.

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



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**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](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**  
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**Via First Class Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]