



Date Mailed: September 29, 2025
Docket No.: 25-031239
Case No.: [REDACTED]
Petitioner: [REDACTED]

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[REDACTED]
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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.

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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 September 22, 2025. Petitioner appeared for the hearing and represented himself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Marcella Towns, Hearing Coordinator.

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 was an ongoing recipient of FAP benefits in the amount of \$282. (Exhibit A, p. 23)
2. In connection with a redetermination, Petitioner's eligibility to receive FAP benefits was reviewed. The Department asserted that Petitioner did not report any housing/shelter expenses on the redetermination documentation submitted and during the redetermination interview. Thus, the housing/shelter expense was removed from Petitioner's FAP budget.
3. On or around July 31, 2025, the Department sent Petitioner a Notice of Case Action advising him that effective August 1, 2025, he was approved for FAP benefits in the amount of \$132. (Exhibit A, pp. 8-12)
4. On or around August 28, 2025, Petitioner requested a hearing disputing the decrease in his FAP benefits to \$132.
5. On an unverified date, Petitioner submitted verification that he is responsible for shelter/housing expenses.

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6. The Department recalculated Petitioner's FAP budget and determined that he was eligible for \$282 effective August 1, 2025. (Exhibit A, p. 23)
 7. The Department conceded that Petitioner did not receive the full \$282 for August 1, 2025, ongoing, and the case needed to be recertified with the correct benefit 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 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 \$132 effective August 1, 2025. The Department representative testified that because Petitioner did not report any housing expenses during the redetermination, the expense was removed from the budget and Petitioner's FAP benefits were reduced. The Department representative testified that it later received verification of Petitioner's housing expenses and recalculated his FAP budget. The Department representative testified that based on the eligibility summary presented for review, Petitioner was approved for \$282 for August 2025 and September 2025. Additionally, a Notice of Case Action dated September 22, 2025, showed that Petitioner was approved for \$296 for October 1, 2025, ongoing. The Department testified that upon review of the benefit issuance record however, Petitioner did not receive the full \$282 for August 2025 and September 2025 and that a Help Desk ticket may be needed in order to issue the increased amount of benefits and to supplement Petitioner. Petitioner testified that he is satisfied with the increase to his benefits of \$282.

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 not act in accordance with Department policy when it decreased Petitioner's FAP benefits to \$132 effective August 1, 2025.

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

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Issue FAP supplements to Petitioner to bring his FAP allotment to the approved \$282 amount for August 1, 2025, ongoing, if otherwise eligible.


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://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:

Respondent

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Via First Class Mail:

Petitioner

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