



Date Mailed: December 9, 2025

Docket No.: 25-036298

Case No.: 103131916

Petitioner: [REDACTED]

This is an important legal document. Please have someone translate the document.

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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.

[REDACTED]
[REDACTED]
[REDACTED] MI [REDACTED]

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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; 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, an in-person hearing was held on November 26, 2025, from Detroit, Michigan. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Shana Powell, specialist.

ISSUES

The first issue is whether MDHHS properly denied Petitioner's Family Independence Program (FIP) eligibility.

The second issue is whether MDHHS properly denied Petitioner's applications for SER-Relocation.

The third issue is whether MDHHS properly denied Petitioner's applications for SER-Energy.

FINDINGS OF FACT

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

1. On [REDACTED] 2025, Petitioner applied for SER seeking assistance to restore a closed energy account and relocation costs.
1. On August 22, 2025, MDHHS mailed Petitioner a Verification Checklist (VCL) requesting by August 29, 2025, proof of self-employment income, verification of need for SER-Energy and SER-Relocation.
2. On [REDACTED] 2025, Petitioner applied for SER seeking relocation and security deposit. Petitioner reported having no income and a \$1,000 monthly housing expense.
3. On [REDACTED] 2025, Petitioner applied for FIP benefits and reported not being disabled.

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4. As of August 2025, Petitioner previously received 60 months of federal countable FIP benefits.
 5. As of August 2025, Petitioner had no active energy services in her name and an unpaid balance of \$3,504.05 with her energy provider.
 6. On September 4, 2025, MDHHS denied Petitioner's FIP application dated [REDACTED] 2025, due to Petitioner meeting the 60-month time limit for federal funded benefit months.
 7. On September 4, 2025, MDHHS denied Petitioner's SER-Energy application due to a failure to verify a need and amount for SER-Energy services. MDHHS also denied SER-Relocation due to shelter costs not being affordable.
 8. On [REDACTED] 2025, Petitioner applied for FIP benefits and reported not being disabled.
 9. On [REDACTED] 2025, Petitioner applied for SER seeking energy assistance and relocation costs; Petitioner also reported having no income.
 10. On September 16, 2025, MDHHS denied Petitioner's FIP application dated September 16, 2025, due to meeting the 60-month time limit for federal funded benefit months.
 11. On September 16, 2025, MDHHS denied SER-Energy services due to Petitioner's shortfall, contributions, and assets exceeding the amount of need. MDHHS also denied SER-Relocation due to Petitioner's shelter costs being unaffordable.
 12. On October 3, 2025, Petitioner requested a hearing to dispute the application denials of FIP, SER-Energy, and SER-Relocation. Petitioner also disputed Food Assistance Program (FAP) eligibility.
 13. On November 26, 2025, Petitioner withdrew the dispute concerning FAP benefits.

CONCLUSIONS OF LAW

The FAP [formerly known as the Food Stamp program] is funded under the federal Supplemental Nutrition Assistance Program (SNAP) established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 7 USC 2036d. It is implemented by the federal regulations contained in 7 CFR 273. MDHHS administers the FAP pursuant to MCL 400.10 of the Social Welfare Act, MCL 400.1 *et seq.*, and Mich Admin Code, R 400.3001 to R 400.3031. FAP policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

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Petitioner requested a hearing, in part, to dispute FAP eligibility. Exhibit A, pp. 4-42. During the hearing, Petitioner testified that MDHHS favorably resolved her dispute and that she no longer needs a hearing concerning FAP benefits. MDHHS had no objections to Petitioner's partial hearing request withdrawal. Accordingly, Petitioner's hearing request dispute over FAP benefits will be dismissed.

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. MDHHS administers FIP pursuant to 45 CFR 233to 45 CFR 261; MCL 400.10; the Social Welfare Act, MCL 400.1 *et seq.*; and Mich Admin Code, R 400.3101 to R 400.3131. FIP policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner also requested a hearing to dispute two denials of FIP benefits. Exhibit A, pp. 4-42. Petitioner first applied for FIP benefits on [REDACTED] 2025. Exhibit A, pp. 43-51. A Notice of Case Action dated September 4, 2025, stated that Petitioner's application was denied because Petitioner previously reached the 60-month time limit for federal funded FIP benefits. Exhibit A, pp. 56-61. Petitioner then reapplied for FIP benefits on [REDACTED] 2025. A Notice of Case Action dated September 16, 2025, stated that Petitioner's application was again denied due to receiving 60 months of federal funded FIP benefits.

On Oct. 1, 1996, Michigan began the FIP. BEM 234 (July 2013) p. 1. The FIP is not an entitlement. *Id.* FIP requires an individual to meet all eligibility criteria required for the receipt of federal or state funds or determined necessary by MDHHS to accomplish the goals of the program. *Id.* Time limits are essential to establishing the temporary nature of aid as well as communicating the FIP philosophy to support a family's movement to self-sufficiency. *Id.* The message that FIP is temporary is an important part of how Michigan helps parents take advantage of the opportunities for work as well as self-sufficiency and independence. *Id.*

Temporary Assistance to Needy Families (TANF) is the federal grant that funds the overwhelming majority of FIP assistance issued by MDHHS. *Id.* The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) established a five-year (60 month) lifetime limit on assistance for adult-headed families. *Id.* The begin date for the federal time limit counter is Oct. 1, 1996. *Id.*, pp. 1-2. In line with the goals of the FIP, any group that includes an individual who has received 60 months or more of FIP is not eligible for the FIP program. *Id.*

Any month that an individual's FIP assistance is state funded is not a countable month toward the federal time limit count. *Id.*, p. 3. In a limited number of cases, MDHHS has determined to state fund cases with one or more of the following characteristics:

- Two parent households.

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- A FIP group that has a parent deferred from PATH due to a verified disability or long-term incapacity lasting longer than 90 days (see BEM 230A).
 - Court-ordered and unrelated caregivers receiving FIP for a child placed in the home by Children's Protective Service (see BEM 210).
 - The only dependent child in the FIP group is 19 years old and attending high school full-time (for months before Oct. 1, 2011 only).
 - The legal parent(s) and/or stepparent receives FIP when their dependent child(ren) is in an out-of-home foster care placement due to abuse and/or neglect when there is a plan to return the child(ren) to the parent's home (see BEM 210).
 - A FIP group that includes an adult who has accumulated more than 60 months on their federal time limit counter but meets the federal time limit exception criteria.

Id., p. 3.

Documentation of Petitioner's FIP benefit history stated that Petitioner previously received 60 months of federal funded FIP benefits. Exhibit A, p. 52. Additional documents of Petitioner's history listed the 60th month as of December 2011. Exhibit A, pp. 53-55

Petitioner contended that MDHHS erred by not factoring principles of the United States Constitution, the Michigan Constitution, current political landscape, equity, sovereign citizenry, and other issues. Petitioner's contentions are beyond the jurisdiction of MDHHS and administrative hearings.

Petitioner testified that previously received FIP benefits concerned a child who is now an adult. Petitioner testified that she now needs income to assist with raising her youngest child. Petitioner's testimony, though sincere and credible, does not allow applicants to receive federal funded FIP benefits after 60 months.

Petitioner acknowledged that she was not disabled and that her FIP applications did not allege a disability. Petitioner also did not allege meeting other exceptions to receiving federally funded FIP benefits after meeting time limits.

The evidence established that Petitioner received 60 months of federal funded FIP benefit months before applying for FIP benefits. The evidence did not establish an exception to receiving FIP benefits after meeting time limits. Thus, MDHHS properly denied Petitioner's FIP benefit applications dated [REDACTED] and [REDACTED] 2025.

The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1 *et seq.* MDHHS administers the program pursuant to MCL 400.10 and Mich Admin Code, R 400.7000 to R 400.7049. SER policies are contained in the Emergency Services Manual (ERM).

Petitioner also requested a hearing to dispute two denials of SER-Relocation applications. MDHHS testified that Petitioner initially applied on [REDACTED] 2025. An

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updated application was submitted by Petitioner on ██████████ 2025. Exhibit A, pp. 43-51. A State Emergency Relief Decision Notice dated September 4, 2025, stated that Petitioner's application was denied due to shelter being unaffordable. Exhibit A, pp. 37-38. Petitioner then reapplied for SER-Relocation on ██████████ 2025. A State Emergency Relief Decision Notice dated September 16, 2025, again stated that Petitioner's application was denied due to shelter not being affordable. Exhibit A, pp. 39-40.

SER- Relocation assists individuals and families to resolve or prevent homelessness by providing money for rent, security deposits, and moving expenses. ERM 303 (October 2024) p. 1. Housing affordability is a condition of eligibility for SER- Relocation. ERM 207 (October 2020) p. 1. MDHHS is to approve SER-Relocation only if the SER group has sufficient income to meet ongoing housing expenses. *Id.* An SER group that cannot afford to pay their ongoing housing costs plus any utility obligations will not be able to retain their housing, even if SER is authorized. *Id.* MDHHS is to deny SER if the group does not have sufficient income to meet their total housing obligation. *Id.* The total housing obligation cannot exceed 75 percent of the group's total net countable income. *Id.*

The SER budget computation period is 30 days. ERM 206 (October 2024) p. 1. This is referred to as the countable income period. *Id.* The first day of the countable income period is the date the local office receives a signed application for SER. *Id.*

Petitioner's SER-Relocation application dated ██████████ 2025, reported monthly shelter costs of \$1,000 and no income. Exhibit A, pp. 43-51. Petitioner did not allege a different shelter cost or increase in income on the SER application dated ██████████ 2025.

If no utilities are included in the rent obligation, the total housing obligation cannot exceed 75% of the group's total net countable income *Id.* When heat (15%), water (5%), and/or electricity (5%) obligations are included in the rent, the percentage is increased up to 100 percent. *Id.*, p. 3.

For purposes of this decision, it will be accepted that all utilities were included in Petitioner's housing expense of \$1,000. Multiplying Petitioner's group's income of █ by 100% renders Petitioner's shelter to be unaffordable for monthly shelter costs exceeding \$0. Thus, Petitioner's monthly shelter costs of \$1,000 were not affordable.

Given the evidence, MDHHS properly determined that Petitioner's shelter was unaffordable. Thus, MDHHS properly denied Petitioner's SER-Relocation applications. As discussed during the hearing, Petitioner can reapply for SER-Relocation at any time.

Petitioner also requested a hearing to dispute the denial of an SER-Energy application dated ██████████ 2025. A State Emergency Relief Decision Notice dated September 4,

2025, stated that Petitioner's application was denied due to amount of energy services not being verified. Exhibit A, pp. 37-38.

When the SER benefit group's heat or electric service for their current residence is in past due status, in threat of shutoff or is already shut off and must be restored, SER payment may be authorized to the enrolled provider. ERM 301 (May 2025) p. 4.

For SER, clients must be informed of all verifications that are required and where to return verifications. ERM 103 (October 2024) p. 6. The due date is eight calendar days beginning with the date of application. *Id.* MDHHS is to use the DHS-3503, SER Verification Checklist (VCL), to request verification and to notify the client of the due date for returning the verifications. *Id.*

MDHHS testified it sent Petitioner a VCL on August 22, 2025 requesting verifications of the amount to restore energy service and SER-Energy need. MDHHS further testified that Petitioner's due date to return the verification was August 29, 2025.

It was not disputed that MDHHS possessed sufficient information to verify that Petitioner's energy service account with DTE was inactive for two years and that Petitioner's balance was \$3,504.05. MDHHS contended it required further verification of the amount to restore Petitioner's energy service and need for SER-Energy. MDHHS credibly testified it did not receive verification of Petitioner's SER amount to restore service or need by September 4, 2025: the date of SER-Energy denial. Though Petitioner may have submitted information on a closed energy account, the evidence did not establish that MDHHS received verification of SER-Energy need or amount to restore service. Accordingly, MDHHS properly denied Petitioner's SER-Energy application dated [REDACTED] 2025.

Petitioner lastly requested a hearing to dispute a second denial of SER-Energy. Petitioner reapplied for SER-Energy on [REDACTED] 2025. Exhibit A, pp. 4-42. A State Emergency Relief Decision Notice dated September 16, 2025, stated that Petitioner's application was denied due to shortfalls, contributions, and copayments exceeding the SER need. Exhibit A, pp. 39-40

SER group members must use their available income and cash assets that will help resolve the emergency. MDHHS is to not authorize SER payment unless it resolves the emergency. ERM 208 (October 2024) p. 1. Factors that impact on an SER payment amount include asset copayments, income copayments, client contributions and shortfalls. A client's income and assets may result in a required copayment. *Id.*, pp. 1-2. The SER group must contribute toward the cost of resolving the emergency if SER does not cover the full cost of the service; the amount that a client must pay is a client contribution. *Id.*, p. 4. A shortfall arises when a client's previous payments are considered by MDHHS to be insufficient when factoring a client's past income; however, shortfalls are not factored for SER-Energy applications. *Id.*, p. 4.

Because MDHHS determined that Petitioner's combined shortfall, copayments, and contributions exceeded the SER-Energy need, it is presumed that MDHHS had sufficient information of Petitioner's need amount. It is also presumed that MDHHS calculated Petitioner's income copayment, asset copayment, and contributions. No budget or supporting evidence of the SER need amount, copayments, or contributions were presented.

Given the evidence, MDHHS failed to establish it properly denied Petitioner's SER-Energy application dated [REDACTED] 2025. Accordingly, Petitioner is entitled to a reprocessing of the SER-Energy application. Petitioner should be aware that she may request another hearing if dissatisfied with the reprocessing outcome.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that Petitioner withdrew her dispute of FAP eligibility. Concerning FAP eligibility, Petitioner's hearing request dated October 3, 2025, is **DISMISSED**.

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's FIP applications dated [REDACTED] 2025, and [REDACTED] 2025. MDHHS also properly denied Petitioner's SER-Relocation applications dated [REDACTED] 2025, and [REDACTED] 2025. Additionally, MDHHS properly denied Petitioner's SER-Energy application dated [REDACTED] 2025. Concerning Petitioner's SER-Energy application dated [REDACTED] 2025, Petitioner's FIP applications, and Petitioner's SER-Relocation applications, the actions taken by MDHHS are **AFFIRMED**.

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS failed to establish it properly denied Petitioner's SER-Energy application dated [REDACTED] 2025. It is ordered that MDHHS commence the following actions within 10 days of the date of mailing of this decision:

- (1) Reprocess Petitioner's SER-Energy application dated [REDACTED] 2025; and
- (1) Issue notice and supplements, if any, in accordance with policy.

Concerning Petitioner's SER-Energy application dated [REDACTED] 2025, the actions taken by MDHHS are **REVERSED**.

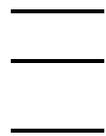

CHRISTIAN GARDOCKI
ADMINISTRATIVE LAW JUDGE

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.



Via

Electronic Mail:

Interested Party

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Via

First Class Mail:

Petitioner

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