



**Date Mailed:** November 14, 2025

**Docket No.:** 25-036625

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

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

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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 November 5, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by LaRhonda Ellis, Overpayment Establishment Analyst. Department Exhibit 1, pp. 1-44 was received and admitted.

### **ISSUE**

Did the Department properly determined that Petitioner received an overissuance of Food Assistance Program (FAP) benefits due to client error that they are entitled to recoup?

### **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 a recipient of FAP benefits and was a simplified reporter.
2. Petitioner began working at [REDACTED] in July 2025 and exceeded the simplified reporting amount by earning \$[REDACTED] (Ex. 1, pp. 20-24)
3. Petitioner did not report his employment income over the simplified reporting amount as required.
4. On September [REDACTED] 2025, a Notice of Overissuance was sent to Petitioner alleging that he received an overissuance of FAP benefits totaling \$[REDACTED] for the time period from September 1, 2025, through September 30, 2025, due to client error.
5. On October 6, 2025, Petitioner requested hearing disputing the determination of overissuance.

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## **CONCLUSIONS OF LAW**

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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.

### **Client Error**

A type of overpayment (OP) or underissuance resulting from inaccurate reporting on the part of the household. The establishment of a client error overpayment claim does not rule out the possibility of a future finding of intentional program violation. BAM 715

### **Simplified Reporting**

FAP Only

The first month of overpayment is two months after the actual monthly household income exceeded the simplified reporting (SR) limit BAM 715

In this case, at hearing, Petitioner did not dispute that he had employment income that he failed to report. Petitioner explained that he had debts that accumulated following his release from prison and he was hoping that the overissuance could be forgiven based on his financial circumstances. Department policy is clear that income above the simplified reporting amount has to be reported and budgeted. Petitioner failed to report his income and received an overissuance of benefits due to client error. In determining whether Petitioner received an overissuance of benefits his financial circumstances are not taken into consideration. The Department determination of overissuance due to client error was proper and correct and consistent with Department policy. BAM 715

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## **DECISION AND ORDER**

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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 determined that Petitioner received an overissuance of FAP benefits due to client error.

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](https://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.

25-036625

**Via Electronic Mail:**

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**Petitioner**

[REDACTED]  
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