



**Date Mailed:** December 9, 2025  
**Docket No.:** 25-036864  
**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

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

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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 December 2, 2025. Petitioner did not appear and was represented by his sister [REDACTED] [REDACTED] who appeared and testified. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Shelia Crittenden, Hearing Facilitator. Department Exhibit 1, pp. 1- 74 was received and admitted.

### **ISSUE**

Did the Department properly deny Petitioner's State Emergency Relief (SER) application due to excess assets?

### **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 September [REDACTED] 2025, [REDACTED] [REDACTED] submitted an application for State Emergency Relief on behalf of Petitioner her deceased brother seeking burial assistance, specifically cremation with memorial service.
2. On September [REDACTED] 2025, a State Emergency Relief Decision Notice was issued denying the application because assets were over the allowable limit.
3. On September [REDACTED] 2025, [REDACTED] [REDACTED] requested hearing disputing the denial of SER.
4. The Department determined that the value of Petitioner's truck was \$[REDACTED] and the value of his trailer was \$[REDACTED]

### **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

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Tables Manual (RFT), and Department of Health and Human Services Emergency Relief Manual (ERM).

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The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department (formerly known as the Department of Human Services) pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

### **Burial Assets**

For burials, if the decedent is the only group member, there is no asset exclusion. The decedent's homestead, vehicle, bank accounts, etc. are all countable if there are no surviving group members or if the asset is not jointly owned with rights of survivorship. ERM 205

### **Asset Denial**

Deny the application if the total countable value of cash and non-cash assets prior to exclusions exceed the SER payment maximum for burials. When assets exceed the payment maximum, the group cannot designate any of the assets as a supplement. ERM 306

To determine value of the vehicle, do the following: • Use Kelley Blue Book fair condition option at ([www.kbb.com](http://www.kbb.com)) or NADA Book at ([www.nadaguides.com](http://www.nadaguides.com)) wholesale (rough trade-in) value. When comparing the value between the two sources, use the lowest value. • Do not add the value of optional equipment, special equipment or low mileage when determining value. • Enter the greater of actual mileage or 12,000 per year. • Enter the client's ZIP code. • Do not change the preset typical equipment. • Enter "fair" as the condition. • Use the lowest trade-in value. Statement of vehicle dealer or junk dealer, as appropriate. Allow the person to verify a claim that the vehicle is worth less (example: due to damage) than wholesale book value. If the vehicle is no longer listed, accept the person's statement of value. BEM 400

In this case, the Department found that Petitioner's truck was valued at \$████ based on the Kelly Blue Book Value pursuant to Department policy. (Ex. 1, pp. 44-47) The Department also valued Petitioner's trailer at \$████ Petitioner was seeking assistance with cremation and memorial service. The maximum potential benefit was \$600. Because Petitioner's assets were over the maximum potential benefit, assets were over the allowable limit and the denial on that basis was proper and correct and consistent with Department policy. ERM 306 █████ █████ testified at hearing that her brother's trailer was demolished and she sold his truck for \$████ At the time of application, Lori Emery provided insufficient proof to establish that Petitioner's assets were less than \$600.

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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 denied the SER application due to assets over the allowable limit.

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://rs.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.

25-036864

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**Via Electronic Mail:**

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**Authorized Hearing Rep**

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**Petitioner**

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