



Date Mailed: November 26, 2025
Docket No.: 25-039470
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED], MI [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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Docket No.: 25-039470

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 November 24, 2025. Petitioner appeared for the hearing and represented himself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Danielle Moton, Assistance Payments Worker. Youssef Taha served as Arabic interpreter.

ISSUE

Did the Department properly close Petitioner's Food Assistance Program (FAP) case?

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 connection with a Semi-Annual Contact Report (Semi-Annual), Petitioner's eligibility to receive FAP benefits was reviewed.
2. Prior to the Semi-Annual, Petitioner had been employed at [REDACTED] [REDACTED] and the Department had been budgeting Petitioner's earnings from employment in the calculation of his FAP eligibility.
3. On or around September 9, 2025, Petitioner timely submitted the Semi-Annual to the Department. On the Semi-Annual, Petitioner reported that he stopped his job with [REDACTED] and started a new job with [REDACTED] Education Excellence ([REDACTED]) on September 5, 2025. (Exhibit A, pp. 8-10)
4. On September 19, 2025, the Department sent Petitioner a Verification Checklist (VCL) instructing him to submit his last 30 days of income received from his previous employer [REDACTED] by September 29, 2025. The Department included a Verification of Employment (VOE) form that could be completed by the employer and returned to the Department by September 29, 2025, which specifically identified his employer [REDACTED] (Exhibit A, pp. 10-13; 20-22)

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5. On September 26, 2025, Petitioner submitted a letter from his former boss [REDACTED] of [REDACTED] which indicated that as of August 15, 2025, Petitioner's employment ended. (Exhibit A, p. 23)
 6. On September 26, 2025, Petitioner submitted the VOE form; however, Petitioner had the form completed by his new employer, [REDACTED] and not his previous employer, [REDACTED]. The VOE form indicated that Petitioner's employment start date with [REDACTED] was August 23, 2025, and his first paycheck was September 12, 2025. (Exhibit A, pp. 20-23)
 7. On October 3, 2025, the Department sent Petitioner a Quick Note, advising that the Department had requested Petitioner submit the last 30 days of wages received from [REDACTED] as identified on the VCL and VOE sent with [REDACTED] name on it. The Quick Note indicates that Petitioner crossed out the name [REDACTED] and had his current employer complete the form. The Quick Note instructs Petitioner to submit the requested last 30 days of pay from [REDACTED] by October 3, 2025, otherwise, his FAP case would be closed. (Exhibit A, p. 19)
 8. On or around October 6, 2025, the Department sent Petitioner a second VCL again instructing him to submit the requested last 30 days of paystubs from his employment with [REDACTED] by October 16, 2025.
 9. On October 16, 2025, the Department received paystubs from Petitioner's employment with [REDACTED] for pay dates September 23, 2025, and October 10, 2025.
 10. The Department asserted that Petitioner failed to submit his last 30 days of income from his previous employment at [REDACTED] by the due dates identified on the VCLs and Quick Note.
 11. On October 17, 2025, the Department sent Petitioner a Notice of Case Action advising that effective November 1, 2025, his FAP case would be closed. (Exhibit A, pp. 14-18)
 12. On October 22, 2025, Petitioner requested a hearing disputing the Department's actions with respect to the closure of his FAP case.

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

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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 closure of his FAP case effective November 1, 2025. In his request for hearing, Petitioner indicates that on September 26, 2025, he submitted a letter verifying his loss of employment with ██████

Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level. BAM 130 (May 2024), p.1. To request verification of information, the Department sends a verification checklist (VCL) which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. Although the client must obtain the required verification, the Department must assist if a client needs and requests help. If neither the client nor the Department can obtain the verification despite a reasonable effort, the Department is to use the best available information; and if no evidence is available, the Department is to use its best judgment. BAM 130, pp. 3-4. For FAP cases, clients are given 10 calendar days to provide the verifications requested by the Department. Verifications are considered to be timely if received by the date they are due. The Department sends a negative action notice when the client indicates a refusal to provide a verification **or** the time period given has elapsed and the client has not made a reasonable effort to provide it. BAM 130, pp. 7-8. At redetermination, verifications must be provided by the end of the current benefit period or within 10 days after they are requested, whichever allows more time. The VCL should be sent after the redetermination interview for any missing verifications, allowing 10 days for their return. BAM 210 (October 2024), pp. 17-18.

At the hearing, the Department representative testified that Petitioner's FAP eligibility case was due for review and Petitioner timely submitted a Semi-Annual, on which he reported ending employment with ██████ and starting employment with ██████. The Department confirmed that it received the letter from Petitioner's former employer on September 26, 2025; however, the Department representative testified that because, at the time the Semi-Annual was submitted, the employment was reported to have ended within the last 30 days, the Department was required to verify the last 30 days of income received from ██████ including any final paystubs, in order to stop budgeting the income using the correct date.

The evidence showed that Petitioner timely submitted proof of his current/starting income with ██████ including a VOE form and later, paystubs to the Department. However, the Department asserted that it did not receive any acceptable verification of Petitioner's final earnings from ██████. Petitioner testified that he received his final pay from ██████ on August 8, 2025, and August 22, 2025. Petitioner testified that he submitted the requested verifications to the Department three times but did not recall the dates of submission or the exact documents submitted to the Department. Petitioner asserted that he does not receive paychecks and that he is paid via Zelle. After some inquiry, the

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Department testified that bank statements were submitted on October 7, 2025, showing Zelle payments from ██████████ to Petitioner on August 8, 2025, August 22, 2025, and August 29, 2025. However, because bank statements cannot be used to verify income, the Department testified they could not be accepted. It was also unclear whether Petitioner notified the Department that he was attempting to verify his income through the submission of the bank statements.

The Department representative testified that because Petitioner failed to timely submit verifications of his last 30 days of pay from his previous employment with ██████ by the due dates identified on the VCLs and Quick Note and because Petitioner did not submit the VOE form completed by his former employer by the due date, the Department initiated the closure of his FAP case effective November 1, 2025.

Upon review, notwithstanding Petitioner's testimony during the hearing, although Petitioner made attempts to comply with the Department's requests, Petitioner failed to establish that he timely submitted the requested verifications to the Department. Therefore, the Department properly closed his FAP case effective November 1, 2025. Petitioner is advised that he is entitled to submit a new application for FAP benefits and his eligibility will be reviewed.

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 closed Petitioner's FAP case.

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



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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