



Date Mailed: December 15, 2025
Docket No.: 25-041086
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED] MI [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.

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.

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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, a hearing was held by telephone on December 11, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Daniella Sandler, Assistance Payments Supervisor.

ISSUE

Did the Department properly close Petitioner's Food Assistance Program (FAP) case due to lottery or gambling winnings in excess of \$4,500?

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. (Exhibit A, p. 7, Serial No. 79; pp. 18 – 32).
1. On April 24, 2025, Petitioner won \$ [REDACTED] from MGM-MI Online Gaming. (Exhibit A, p. 5).
2. In September 2025, Petitioner won \$ [REDACTED] from ESPNBET Hollywood Casino. (Exhibit A, p. 4).
3. On October 10, 2025, the Department received a verbal report from Petitioner regarding her gambling winnings in April and September 2025. (Exhibit A, p. 7, Serial No. 86).
4. On October 13, 2025, the Department received verification of Petitioner's gambling winnings. (Exhibit A, pp. 4 – 5).
5. On October 30, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that closed Petitioner's FAP case effective December 1, 2025, due to substantial lottery/gambling winnings. (Exhibit A, pp. 14 – 15).

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6. On November 10, 2025, the Department received Petitioner's verbal request for hearing disputing closure of her FAP case. (Exhibit A, p. 3).
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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.

On October 13, 2025, Petitioner reported to the Department that she had gambling winnings of \$[REDACTED] on April 24, 2025, and \$[REDACTED] in September 2025. On October 30, 2025, the Department sent Petitioner a NOCA that closed her FAP case effective December 1, 2025, due to her receipt of gambling winnings in excess of \$4,500. Petitioner requested a hearing to dispute the Department's closure of her FAP case.

All FAP groups must report when they receive substantial lottery or gambling winnings, which is a single payment win of \$4,500 or more, no later than the 10th day of the month following the month in which the group receives the winnings. BEM 403 (October 2024), p. 1. When the Department becomes aware that a FAP group has received a single winning of \$4,500 or more, the Department must close the FAP case and send a NOCA to the client at least 11 days prior to the effective date of the closure. BEM 403, p. 1; BAM 220 (October 2025), pp. 5, 14. FAP groups that reapply after a closure due to substantial lottery winnings are not categorically eligible and must have countable assets of less than \$3,000; or, when the group is considered a senior, disabled, or a disabled veteran (SDV) group, such as Petitioner, the group must have countable assets of less than \$4,500. BEM 403, p. 1.

Here, there was no dispute that Petitioner received gambling winnings of \$[REDACTED] on April 24, 2025, and reported her winnings to the Department on October 10, 2025. Although Petitioner testified that her dispute regarding closure of her FAP case was based on her need for the assistance, she did not identify an error in the Department's actions. Additionally, there was no testimony or evidence that Petitioner previously reported the winnings to the Department, or that her FAP case was previously closed as a result of those winnings. (Exhibit A, p. 7, Serial No. 80 – 86; pp. 22, 28 – 29). Therefore, because Petitioner had a single gambling win in excess of \$4,500 on April 24, 2025, and her FAP case was not previously closed nor was her income and asset

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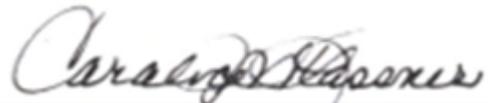
eligibility redetermined following that win, the Department properly closed her FAP case in accordance with policy.

It is noted that, although Petitioner also won \$ [REDACTED] in September 2025, that amount did not rise to the level of substantial winnings pursuant to policy. Further, while the Department properly closed her FAP case due to her April 24, 2025 winnings, there is no minimum closure period for FAP cases closed due to substantial lottery or gambling winnings. Therefore, the Petitioner may reapply for FAP benefits at any time, provided she meets the applicable income and asset eligibility requirements. BEM 403, p. 1.

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 effective December 1, 2025, due to substantial lottery or gambling winnings.

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



CARALYCE M. LASSNER
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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