



Date Mailed: January 23, 2026
Docket No.: 25-047932
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [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.

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Docket No.: 25-047932

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On December 10, 2025, Petitioner Bradley Dubord requested a hearing to dispute a Food Assistance Program (FAP) benefit overpayment. Following Petitioner's hearing request, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, 7 CFR 273.15, 45 CFR 205.10, and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on January 21, 2026. Petitioner appeared and represented himself. The Department of Health and Human Services (Department) was represented by Jeremy Enochs, Overpayment Establishment Analyst.

A 103-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

ISSUES

Did the Department properly determine that Petitioner owes the Department a debt of \$876.00 for FAP benefits that were overpaid to Petitioner from March 1, 2025, to May 31, 2025, due to a client error?

Did the Department properly determine that Petitioner owes the Department a debt of \$1,168.00 for FAP benefits that were overpaid to Petitioner from June 1, 2025, to September 30, 2025, due to an agency error?

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 [REDACTED] 2024, Petitioner applied for FAP benefits.
2. On October 21, 2024, Petitioner completed an interview with the Department and reported no employment or income. Petitioner also reported that Petitioner had a job interview scheduled that day at [REDACTED] (a/k/a [REDACTED]).
3. On October 21, 2024, the Department mailed a Notice of Case Action to notify Petitioner that Petitioner was approved for a FAP benefit of \$131.00 from October 18, 2024, to October 31, 2024; and \$292.00 per month from November 1, 2024, to September 30, 2025, based on \$[REDACTED] income. The Notice indicated Petitioner was a simplified reporter and was required to report

25-047932

when Petitioner's household gross monthly income exceeded \$ [REDACTED]. A change in income over the simplified reporting (SR) limit was to be reported by the 10th day of the following month.

4. In the 4th quarter of 2024, Petitioner began employment at [REDACTED] and received the following gross income:
 - a. November 2024 - \$ [REDACTED]
 - b. December 2024 - \$ [REDACTED]
 - c. January 2025 - \$ [REDACTED]
 - d. February 2025 - \$ [REDACTED]
 - e. March 2025 - \$ [REDACTED]
 - f. April 2025 - \$ [REDACTED]
 - g. May 2025 - \$ [REDACTED]
 - h. June 2025 - \$ [REDACTED]
 - i. July 2025 - \$ [REDACTED]
 - j. August 2025 - \$ [REDACTED]
 - k. September 2025 - \$ [REDACTED]
5. On February 11, 2025, Petitioner submitted a Renew Benefits form and reported no employment or income.
6. On February 25, 2025, the Department mailed a Notice of Case Action to Petitioner to notify Petitioner that Petitioner was approved for a FAP benefit of \$292.00 per month from April 1, 2025, to September 30, 2025, based on \$0.00 income. The Notice indicated Petitioner was a change reporter and was instructed to report any changes that may affect Petitioner's eligibility for assistance including changes in employment or income within 10 days.
7. The Department was unaware of Petitioner's employment income, so the Department continued to issue FAP benefits to Petitioner without considering this income.
8. From January 1, 2025, to May 31, 2025, Petitioner's income exceeded the SR limit.
9. On April 20, 2025, and July 20, 2025, the Department received a Wage Match report showing Petitioner's income.

25-047932

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10. The Department failed to consider the April 20, 2025, and July 20, 2025, Wage Match reports.
 11. On August 5, 2025, Petitioner submitted a Renew Benefits form and reported no employment or income.
 12. On September 8, 2025, Petitioner completed a redetermination interview and reported that Petitioner began employment at Island Resort and Casino in November 2024 on a part-time basis earning \$ [REDACTED] per hour. Petitioner also reported that Petitioner was still employed at [REDACTED] and works 40 hours per week earning \$ [REDACTED] per hour.
 13. On September 8, 2025, the Department mailed a Notice of Case Action to Petitioner to notify Petitioner that Petitioner's FAP benefits would be closed beginning October 1, 2025, for exceeding the income limit.
 14. Petitioner received from the Department \$292.00 per month in FAP benefits from March 1, 2025, to September 30, 2025.
 15. The Department recalculated Petitioner's FAP benefit amount from March 1, 2025, to May 31, 2025, by budgeting Petitioner's income. The Department determined that Petitioner was not eligible for any FAP benefits from March 1, 2025, to May 31, 2025, and from June 1, 2025, to September 30, 2025.
 16. The Department determined that Petitioner was overpaid \$876.00 in FAP benefits from March 1, 2022, through April 30, 2022, due to client error, and \$1,168.00 in FAP benefits from June 1, 2025, to September 30, 2025, due to Agency error.
 17. On November 21, 2025, the Department notified Petitioner of the overpayment.
 18. On December 10, 2025, Petitioner requested a hearing to dispute the overpayment.

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 FAP 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 administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

25-047932

In this case, the Department determined that it overpaid FAP benefits to Petitioner because it did not properly budget Petitioner's group's income. When a client receives more benefits than a client was entitled to receive, the Department must attempt to recoup the overpayment. BAM 700 (October 1, 2018), p. 1. When an overpayment of more than \$250.00 occurs, the Department must pursue recoupment, regardless of whether fault lies with the Agency or by client error. *Id.* at p. 5. The overpayment amount is the amount of benefits in excess of the amount the client was eligible to receive. *Id.* at p. 2. Based on the evidence presented, the Department overpaid FAP benefits to Petitioner.

From March 1, 2025, to May 31, 2025, Petitioner received \$876.00 in FAP benefits. The Department paid these FAP benefits to Petitioner without properly budgeting Petitioner's income. This caused the Department to pay Petitioner more FAP benefits than Petitioner was eligible to receive. The overpayment was due to Petitioner's error because Petitioner did not report Petitioner's income in a timely manner. At the hearing, Petitioner argued that Petitioner attempted to report Petitioner's employment to the Department on Petitioner's February 11, 2025, Renew Benefits form but a technical error occurred resulting in that information being omitted. However, no evidence was presented to support Petitioner's testimony. Based on Petitioner's income, Petitioner was not eligible for any FAP benefits from March 1, 2025, to May 31, 2025. Thus, Petitioner was overpaid \$876.00 in FAP benefits from March 1, 2025, to May 31, 2025.

From June 1, 2025, to September 30, 2025, Petitioner received \$1,168.00 in FAP benefits. The Department became aware of Petitioner's employment income via a Wage Match report on April 20, 2025, and July 20, 2025, but did not properly budget the income reported.

The Department presented sufficient evidence to establish that the total amount overpaid was \$876.00 from March 1, 2025, to May 31, 2025, and \$1,168.00 from June 1, 2025, to September 30, 2025, and Petitioner did not present any evidence to rebut the Department's evidence. Therefore, I must find that the Department properly determined that Petitioner owes the Department a debt of \$876.00 from March 1, 2025, to May 31, 2025, and \$1,168.00 from June 1, 2025, to September 30, 2025.

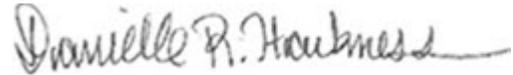
In this case, the Department properly instructed Petitioner of the requirements to report changes in Petitioner's income and no evidence was presented to show that the Department's actions were improper.

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 its policies and the applicable law when it determined that Petitioner owes the Department a debt of \$876.00 for FAP benefits that were overpaid to

Petitioner from March 1, 2025, to May 31, 2025, and \$1,168.00 from June 1, 2025, to September 30, 2025.

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



DANIELLE R. HARKNESS
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.

25-047932



Via Electronic Mail:

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[REDACTED]
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