



**Date Mailed:** January 29, 2026  
**Docket No.:** 25-048384  
**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

[REDACTED]  
MI [REDACTED]

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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.

Date Mailed: January 29, 2026

Docket No.: 25-048384

Case No.: [REDACTED]

Petitioner: [REDACTED]

### **HEARING DECISION**

On December 30, 2025, Petitioner [REDACTED] 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 27, 2026. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Dequindre Williamson, Overpayment Establishment Analyst.

A 128-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

### **ISSUE**

Did the Department properly determine that Petitioner owes the Department a debt of \$2,841.00 for FAP benefits that were overpaid to Petitioner from October 1, 2024, 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 for Petitioner, Petitioner's living together partner [REDACTED], and Petitioner's 2 children [REDACTED] and [REDACTED].
2. On Petitioner's February 5, 2024, application Petitioner reported that Petitioner's living together partner was employed at [REDACTED] working an average of 30 hours per week, earning \$[REDACTED] per hour, and being paid weekly. No other household income or employment was reported.
3. On February 16, 2024, Petitioner completed an interview with the Department and reported that Petitioner's living together partner was employed at [REDACTED] working 25-30 hours per week, earning \$[REDACTED] per hour, and being paid weekly. No other household income or employment was reported.
4. During the February 16, 2024, interview, Petitioner reported that Petitioner's 2 children were attending college full-time.

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5. On February 20, 2024, the Department mailed a Notice of Case Action to Petitioner to notify Petitioner that Petitioner was approved for a FAP benefit of \$58.00 from February 5, 2024, to February 29, 2024; and \$171.00 per month from March 1, 2024, to January 31, 2025, for Petitioner and Petitioner's living together partner based on earned income of \$[REDACTED]. The Notice indicated Petitioner was a simplified reporter and was required to report when Petitioner's household gross monthly income exceeded \$2,137.00. A change in income over the simplified reporting (SR) limit was to be reported by the 10<sup>th</sup> day of the following month.
  6. On February 26, 2024, the Department ran a new hire report for Petitioner's employment at [REDACTED].
  7. The Department failed to process the February 26, 2024, new hire report.
  8. On May 20, 2024, the Department ran a new hire report for Petitioner's son's employment at [REDACTED].
  9. The Department failed to process the May 20, 2024, new hire report.
  10. On December 16, 2024, the Department ran a new hire report for Petitioner's daughter's employment at [REDACTED].
  11. The Department failed to process the December 16, 2024, new hire report.
  12. On December 26, 2024, Petitioner submitted a Renew Benefits form and reported that Petitioner's living together partner was employed at [REDACTED] and that Petitioner and Petitioner's 2 children were self-employed.
  13. On January 7, 2025, Petitioner completed an interview with the Department and reported that Petitioner and Petitioner's children were not employed or self-employed and were both living at home while attending college full-time. Petitioner also reported that Petitioner's living together partner was laid off from [REDACTED] and last worked on December 30, 2024, and the last pay received was on January 3, 2025.
  14. On January 20, 2025, the Department ran a wage match report for Petitioner's daughter's employment at [REDACTED].
  15. The Department failed to process the January 20, 2025, wage match report.
  16. On March 10, 2025, the Department ran a new hire report for Petitioner's living together partner's employment at [REDACTED].
  17. The Department failed to process the March 10, 2025, new hire report.

18. On March 24, 2025, the Department ran a new hire report for Petitioner's daughter's employment at [REDACTED].

19. The Department failed to process the March 10, 2025, new hire report.

20. On August 26, 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.

21. From October 1, 2024, to September 30, 2025, Petitioner's household's gross income was as follows:

a. \$ [REDACTED] in October 2024

i. \$ [REDACTED] - [REDACTED] (Petitioner)

ii. \$ [REDACTED] - [REDACTED] (Petitioner's living together partner)

b. \$ [REDACTED] in November 2024

i. \$ [REDACTED] - [REDACTED] (Petitioner)

ii. \$ [REDACTED] - [REDACTED] (Petitioner's living together partner)

c. \$ [REDACTED] in December 2024

i. \$ [REDACTED] - [REDACTED] (Petitioner)

ii. \$ [REDACTED] - [REDACTED] (Petitioner's living together partner)

d. \$ [REDACTED] in January 2025

i. \$ [REDACTED] - [REDACTED] (Petitioner)

ii. \$ [REDACTED] - [REDACTED] (Petitioner's living together partner)

e. \$ [REDACTED] in February 2025 - [REDACTED] (Petitioner)

f. \$ [REDACTED] in March 2025 - [REDACTED] (Petitioner)

g. \$ [REDACTED] in April 2025 - [REDACTED] (Petitioner)

h. \$ [REDACTED] in May 2025 - [REDACTED] (Petitioner)

i. \$ [REDACTED] in June 2025

i. \$ [REDACTED] - [REDACTED] (Petitioner)

- ii. \$ [REDACTED] – [REDACTED] (Petitioner living together partner)
  - iii. \$ [REDACTED] – [REDACTED] (Petitioner’s daughter)
  - iv. \$ [REDACTED] – [REDACTED] (Petitioner’s son)
- j. \$ [REDACTED] in July 2025
- i. \$ [REDACTED] – [REDACTED] (Petitioner)
  - ii. \$ [REDACTED] – [REDACTED] (Petitioner living together partner)
  - iii. \$ [REDACTED] – [REDACTED] (Petitioner’s daughter)
  - iv. \$ [REDACTED] – [REDACTED] (Petitioner’s son)
- k. \$ [REDACTED] in August 2025
- i. \$ [REDACTED] – [REDACTED] (Petitioner living together partner)
  - ii. \$ [REDACTED] – [REDACTED] (Petitioner’s daughter)
  - iii. \$ [REDACTED] – [REDACTED] (Petitioner’s son)
- l. \$ [REDACTED] in September 2025
- i. \$ [REDACTED] – [REDACTED] (Petitioner living together partner)
  - ii. \$ [REDACTED] – [REDACTED] (Petitioner’s daughter)
  - iii. \$ [REDACTED] – [REDACTED] (Petitioner’s son)

22. The Department was unaware of Petitioner’s household’s employment income, so the Department continued to pay FAP benefits to Petitioner without considering this income.

23. From October 1, 2024, to January 31, 2025, and from June 1, 2025, to September 30, 2025, Petitioner’s household’s income exceeded the SR limit.

24. The Department failed to process the February 26, 2024; May 20, 2024; December 26, 2024, new hire reports and the January 20, 2025, wage match report showing Petitioner’s household’s income.

25. Petitioner received from the Department \$292.00 per month in FAP benefits from March 1, 2025, to September 30, 2025.

26. The Department recalculated Petitioner’s FAP benefit amount from October 1, 2024, to September 30, 2025, by budgeting Petitioner’s household’s

income. The Department determined that Petitioner household was eligible for FAP benefits of \$0.00 from October 1, 2024, to January 31, 2025; \$262.00 from February 1, 2025, to February 28, 2025; \$240.00 from March 1, 2025, to March 31, 2025; \$465.00 from April 1, 2025, to April 30, 2025; and \$0.00 from June 1, 2025, to September 30, 2025.

27. The Department determined that Petitioner was overpaid \$2,841.00 in FAP benefits from October 1, 2024, to September 30, 2025, due to agency error.

28. On December 19, 2025, the Department notified Petitioner of the overpayment.

29. On December 30, 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.

In this case, the Department determined that it overpaid FAP benefits to Petitioner because it did not properly budget Petitioner's household'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 October 1, 2024, to September 30, 2025, Petitioner received \$4,621.00 in FAP benefits. The Department paid these FAP benefits to Petitioner without properly budgeting Petitioner's household's income. This caused the Department to pay Petitioner more FAP benefits than Petitioner was eligible to receive. The overpayment was due to the Department's error because the Department failed to process the February 26, 2024; May 20, 2024; December 26, 2024, new hire reports and the January 20, 2025, wage match report showing Petitioner's household's income but did not properly budget the income reported.

The Department presented sufficient evidence to establish that the total amount overpaid was \$2,841.00 from October 1, 2024, to September 30, 2025, and Petitioner

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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 \$2,841.00 from October 1, 2024, to September 30, 2025.

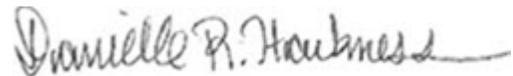
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## DECISION AND ORDER

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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 its policies and the applicable law when it determined that Petitioner owes the Department a debt of \$2,841.00 for FAP benefits that were overpaid to Petitioner from October 1, 2024, to September 30, 2025.

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



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**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](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

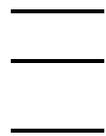
- by email to [MOAHR-BSD-Support@michigan.gov](mailto:MOAHR-BSD-Support@michigan.gov), **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to  
Michigan Office of Administrative Hearings and Rules  
Rehearing/Reconsideration Request  
P.O. Box 30639  
Lansing Michigan 48909-8139

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**Via Electronic Mail:**

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**Via First Class Mail:**

**Petitioner**

[REDACTED]  
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