



**Date Mailed:** February 12, 2026

**Docket No.:** 26-001974

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

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

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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.

[REDACTED] MI [REDACTED]

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### **HEARING DECISION**

On January 13, 2026, [REDACTED] Johnson requested a hearing to dispute a Food Assistance Program (FAP) denial. Following Petitioner's hearing request, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, 7 CFR 273.15, and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on February 10, 2026. Petitioner appeared and represented herself. Respondent, Department of Health and Human Services (Department), had Jarrod Swartz, Assistance Payments Supervisor, appear as its representative.

A 54-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

### **ISSUE**

Did the Department properly deny Petitioner's application for FAP benefits?

### **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] 2025, Petitioner applied for FAP benefits.
2. On November 17, 2025, Petitioner completed an interview with the Department and reported that Petitioner receives the following income: child support, adult home help provider, self-employment for Child Development and Care (CDC) childcare, and self-employment for Community Center administrative work.
3. On November 20, 2025, the Department mailed to Petitioner a Verification Checklist to Petitioner's last-known mailing address of record. The form instructed Petitioner to verify Petitioner's income by submitting paycheck stubs for Petitioner's adult home help income and records of self-employment income and expenses (DSH-431) for Petitioner's administrative work. The form further stated, "We need verification of your Adult Home Help income, CDC provider income, and self-employment admin work." The form instructed Petitioner to submit the required proofs or call the Department by December 1, 2025.
4. On November 20, 2025, the Department mailed to Petitioner 3 Self-Employment Income and Expense Statement forms to Petitioner's last-known mailing address

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of record and Petitioner was asked to provide income and expenses for August, September, and October 2025 by submitting business receipts or proof of income.

5. Petitioner did not submit the Self-Employment Income and Expense Statement forms.
6. On December 2, 2025, Petitioner called the Department and reported issues with CDC billing.
7. On December 5, 2025, Petitioner called the Department to inquire about the Verification Checklist and issues with CDC billing.
8. On December 8, 2025, Petitioner submitted check stubs from [REDACTED] and a [REDACTED] Employment Verification form.
9. On December 12, 2025, the Department mailed a Notice of Case Action to Petitioner to notify Petitioner that Petitioner's application for FAP benefits was denied because verification of Petitioner's self-employment forms were not returned as instructed.
10. On January 13, 2026, Petitioner requested a hearing to dispute the Department's decision.

### **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, Petitioner is disputing the Department's decision to deny Petitioner's application for FAP benefits. The Department denied Petitioner's application for FAP benefits because Petitioner did not return the Self-Employment Income and Expense Statement forms for August, September and October 2025 as instructed by the Department.

Verification is usually required by the Department at the time of application/redetermination or for a reported change affecting eligibility or benefit level.

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BAM 130 (January 1, 2023), p. 1. The Department must tell a client what verification is required, how to obtain it, and the due date. *Id.* at p. 3. The Department must allow the client 10 calendar days to provide requested verification. *Id.* at p. 7. The client must obtain the verification, but the local office must assist if the client needs it and asks for help. *Id.* Verifications are only considered timely if they are received by the due date. *Id.* The Department must send a Negative Action Notice when the client refuses to provide the verification, or the client has failed to provide the verification by the due date. *Id.*

The Department requested verification from Petitioner because the Department needed additional information to determine Petitioner's eligibility for FAP benefits after Petitioner reported that Petitioner was self-employed during Petitioner's November 17, 2025, interview.

The Department properly instructed Petitioner what verification was required, how to obtain it, and the due date. The Department also properly allowed Petitioner 10 calendar days to provide the verification. It was Petitioner's responsibility to provide the verification to the Department by the due date. When the Department did not receive the verification by the due date, the Department properly denied Petitioner's November 13, 2025, application for FAP benefits because Petitioner failed to provide the verification forms by the due date.

At the hearing, Petitioner testified that Petitioner did not receive the November 20, 2025, Self-Employment Income and Expense Statement forms.

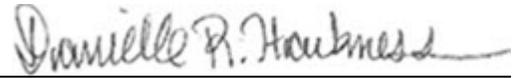
Documents properly addressed and placed in the mail are presumed to reach their destination. *Crawford v Michigan*, 208 Mich App 117, 121; 527 NW2d 30 (1994). "This presumption may be rebutted by evidence, but whether it was is a question for the trier of fact." *Stacey v Sankovich*, 19 Mich App 688, 694; 173 NW2d 225 (1969). Plaintiff denied receipt of the papers but presented no evidence to rebut the presumption of receipt. The mere denial of service is insufficient to rebut the presumption. Cf. *Ins Co of North America v Issett*, 84 Mich App 45, 49; 269 NW2d 301 (1978); *James v James*, 57 Mich App 452, 454; 225 NW2d 804 (1975). In this case, the Department provided credible evidence that November 20, 2025, Self-Employment Income and Expense Statement forms were mailed to Petitioner's last-known mailing address and were not returned as undeliverable. Petitioner's denial of service of the November 20, 2025, Self-Employment Income and Expense Statement forms is insufficient to rebut this presumption.

### **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 did act in accordance with its policies and the applicable law when it denied Petitioner's November 13, 2025, application for FAP benefits.

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IT IS ORDERED, the Department's decision is **AFFIRMED**.



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**DANIELLE 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

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**

[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]