



Date Mailed: February 18, 2026
Docket No.: 26-001965
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[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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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 February 9, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Lenya Keller, AP Supervisor. Department Exhibit 1, pp. 1-172 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's Food Assistance Program (FAP) application due to lifetime sanction?

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 March [REDACTED] 2012, Petitioner was found to have committed a third Intentional Program Violation for the FAP program and a lifetime sanction was imposed. Petitioner signed a disqualification consent agreement. (Ex. 1, p.32)
2. On December [REDACTED] 2025, applied for FAP. (Ex. 1, pp. 3-9)
3. On December [REDACTED] 2025, a Notice of Case Action was sent to Petitioner informing her that her application was denied due to lifetime sanction. (Ex. 1, pp. 18-21)

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.

Standard Disqualification Periods FIP, SDA, RCA and FAP

The standard disqualification period is used in all instances except when a court orders a different period; see Non-Standard Disqualification Periods in this item. Apply the following disqualification periods to recipients determined to have committed an IPV: • One year for the first IPV. • Two years for the second IPV. • Lifetime for the third IPV. BAM 720

In this case, the Department provided proof to establish that Petitioner was found to have a third intentional program violation in the FAP program on March 2012, and a lifetime sanction was imposed. Petitioner signed a disqualification consent agreement. (Ex. 1, p.32) Therefore, the denial due to lifetime sanction was proper and correct and consistent with Department policy, BAM 720

When Petitioner was questioned at hearing about whether she received a third FAP intentional program violation in March 2012 she said she did not remember. When questioned at hearing whether the signature on the repay agreement from March 2012 was hers, Petitioner stated that it could be hers, but it could not be hers. The signature from the March 2012 disqualification consent agreement is found to be Petitioner's.

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 denied Petitioner's FAP application due to a lifetime sanction.

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



AARON MCCLINTIC
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://rs.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.

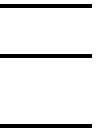
Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation 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

