

## ISSUE

Did the Department properly determine Petitioner's FAP benefit amount?

## 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 is a FAP benefit recipient.
2. Petitioner is a disabled individual.
3. Petitioner has a group size of one.
4. Petitioner pays \$241.00 per month for rent, and Petitioner is responsible for paying his electric cooling costs.
5. Petitioner receives Social Security RSDI.
6. In 2025, Petitioner's gross RSDI benefit amount was REDACTED per month.
7. In 2026, Petitioner's gross RSDI benefit amount increased to REDACTED per month.
8. For the month of December 2025, the Department approved Petitioner to receive a FAP benefit amount of \$240.00. The Department determined Petitioner's FAP benefit amount using the following information:
  - a. REDACTED per month in unearned income
  - b. \$209.00 per month for a standard deduction
  - c. \$239.00 per month for a housing expense
  - d. \$682.00 per month for a heat/utility standard
9. On December 6, 2025, the Department issued a notice of case action to notify Petitioner that his FAP benefit amount was going to decrease to \$227.00 per month, effective January 1, 2026. The Department determined Petitioner's FAP benefit amount using the following information:
  - a. REDACTED per month in unearned income
  - b. \$209.00 per month for a standard deduction
  - c. \$239.00 per month for a housing expense
  - d. \$682.00 per month for a heat/utility standard

10. Subsequently, Petitioner submitted a redetermination to the Department to renew his eligibility for FAP benefits. In the redetermination, Petitioner reported that he was receiving a gross RSDI benefit of REDACTED per month, and Petitioner reported that he was paying a rent expense of \$241.00 per month.
11. The Department contacted the Social Security Administration (SSA) to verify Petitioner's RSDI benefit amount, and the SSA verified that Petitioner was receiving a gross RSDI benefit of REDACTED per month.
12. The Department redetermined Petitioner's FAP benefit amount.
13. On January 8, 2026, the Department issued a notice of case action to notify Petitioner that his FAP benefit amount was going to decrease to \$212.00 per month, effective February 1, 2026. The Department determined Petitioner's FAP benefit amount using the following information:
  - a. REDACTED per month in unearned income
  - b. \$209.00 per month for a standard deduction
  - c. \$241.00 per month for a housing expense
  - d. \$682.00 per month for a heat/utility standard
14. Petitioner requested a hearing to dispute his FAP benefit amount.

### **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) 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 Petitioner was eligible for a maximum FAP benefit of \$212.00 per month, effective February 1, 2026. Petitioner is disputing his FAP benefit amount. Thus, the issue is whether the Department properly determined Petitioner's FAP benefit amount.

The Department determines a client's monthly FAP benefit amount by determining the client's group size and net household income and then looking that information up in its applicable Food Issuance Table. BEM 212 (June 1, 2025), BEM 213 (October 1, 2024),

BEM 550 (April 1, 2025), BEM 554 (October 1, 2025), BEM 556 (October 1, 2025), RFT 255 (October 1, 2025), and RFT 260 (October 1, 2025).

Petitioner's gross RSDI benefit increased to REDACTED per month in 2026, and Petitioner's rent expense increased to \$241.00 per month. Based on Petitioner's gross unearned income of REDACTED per month, Petitioner's housing cost of \$241.00 per month, and Petitioner's obligation to pay his cooling utilities, Petitioner's net income was REDACTED per month. Based on Petitioner's net income of REDACTED and Petitioner's group size of one, the maximum FAP benefit amount that Petitioner was eligible for was \$212.00 per month. Accordingly, the Department properly determined that Petitioner was eligible for a FAP benefit amount of \$212.00 per month, effective February 1, 2026.

Although Petitioner may have additional expenses, and Petitioner may not have a net income of REDACTED per month to live on, the Department properly used the maximum deductions and standards that it was permitted to use to calculate Petitioner's FAP benefit amount, and the Department properly determined the maximum FAP benefit amount that Petitioner was eligible for.

### **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 Petitioner's FAP benefit amount.

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