

ISSUE

Did the Department properly determine Petitioner's eligibility for Food Assistance Program (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 November 24, 2025, Petitioner submitted a Semi-Annual Contact Report. No changes with income were reported. Petitioner questioned whether he needed to continue to report volunteer work that is not paid, but he does receive mileage reimbursement for. Petitioner also provided copies of checks from **REDACTED** for newspaper delivery work. (Exhibit A, pp. 7-13 and 49)
2. On January 20, 2026, Petitioner submitted copies of checks from **REDACTED** for newspaper delivery work. (Exhibit A, pp. 14-17)
3. On January 23, 2026, a verification checklist was issued to Petitioner requesting verification of self-employment income with a due date of February 2, 2026. The listed types of requested proofs were recent business receipts to date, recent accounting or other business records to date, or recent income tax return. The Department also sent Petitioner Self-Employment Income and Expense Statements to complete for the months of November and December. (Exhibit A, pp. 18-24)
4. On February 5, 2026, a Notice of Case Action was issued to Petitioner closing the FAP benefit case effective January 1, 2026 based on the failure to provide verification of self-employment. (Exhibit A, pp. 25-28)
5. On February 6, 2026, Petitioner filed a hearing request contesting the Department's determination. (Exhibit A, pp. 3-5 and 29-31)
6. On February 9, 2026, the Department received a letter from Petitioner regarding his income and explaining that he does not receive paystubs. A copy of a check was included. (Exhibit A, pp. 32-33)
7. On February 13, 2026, the Department received a letter from Petitioner regarding his income from the paper route and explaining that he does have expenses including gas, oil change, and other maintenance and car repairs. Copies of checks were included. (Exhibit A, pp. 34-39)
8. On February 19, 2026, the Department received a letter from Petitioner and emails with **REDACTED** regarding his income from the volunteer work. (Exhibit A, pp. 41-46)

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.

In general, verification is to be obtained when information regarding an eligibility factor is unclear, inconsistent, incomplete, or contradictory. Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level. The Department must tell the client what verification is required, how to obtain it, and the due date. The client must obtain required verification, but the Department must assist if the client needs and requests help. If neither the client nor the Department can obtain verification despite a reasonable effort, the Department should use the best available information. If no evidence is available, the Department is to use their best judgment. BAM 130, May 1, 2024, pp. 1-4.

For FAP, the Department must allow the client 10 calendar days (or other time limit specified in policy) to provide the verification requested. Verifications are considered to be timely if received by the date they are due. The Department is to send a negative action notice when the client indicates refusal to provide a verification, or the time period given has elapsed and the client has not made a reasonable effort to provide it. BAM 130, May 1, 2024, p. 7. For FAP only, if the client contacts the department prior to the due date requesting an extension or assistance in obtaining verifications, assist the client with the verifications but do not grant an extension. Explain to the client they will not be given an extension and their case will be denied once the VCL due date is passed. Also, explain their eligibility will be determined based on their compliance date if they return required verifications. Re register the application if the client complies within 60 days of the application date; see Subsequent Processing in BAM 115. BAM 130, pp. 7-8.

In this case, the Department closed Petitioner's FAP benefit case based on not providing sufficient verification of self-employment income and expenses.

Petitioner's testimony confirmed that the newspaper delivery work is self-employment. Petitioner receives a check with no deductions, there are no paycheck stubs, and he has expenses. (Petitioner Testimony). This is consistent with what was reported in the February 13, 2026 letter from Petitioner regarding his income from the paper route and explaining that he does have expenses including gas, oil change, and other maintenance and car repairs. (Exhibit A, pp. 34-39).

The Department needed verification of the self-employment expenses, as well as income, to determine eligibility for FAP. On January 23, 2026, a verification checklist was issued to Petitioner requesting verification of self-employment income with a due date of February 2, 2026. The listed types of requested proofs were recent business receipts to date, recent accounting or other business records to date, or recent income tax return. The Department also sent Petitioner Self-Employment Income and Expense Statements to complete for the months of November and December. (Exhibit A, pp. 18-24). Petitioner did not return any of the requested types of verification. Rather, Petitioner only provided copies of check stubs. (Exhibit A, pp. 11-17 and 32-39). The Department properly closed Petitioner's FAP benefit case because the requested verification of self-employment expenses was not provided along with the copies of check stubs showing his income from the newspaper delivery work.

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 determined Petitioner's eligibility for FAP benefits.

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