

**OHIO DEPARTMENT OF JOB AND FAMILY SERVICES  
BUREAU OF STATE HEARINGS**

**ADMINISTRATIVE APPEAL SECTION**

In Re Appeal of:

|                        |                  |    |
|------------------------|------------------|----|
| Docket Number:         | AA-3513          |    |
| Appeal No(s)           | 1441575          | FS |
| AG No.                 | 5049960890       |    |
| Hearing Request Date:  | 10/10/2008       |    |
| Hearing Decision Date: | 01/09/2009 / TDA |    |
| Appeal Request Date:   | 01/16/2009       |    |
| Agency:                | MAHONING CDJFS   |    |

**Administrative Appeal Decision**

The appellant is appealing the agency's October, 2008, denial of her September application for replacement food stamps, in the aftermath of statewide storm damage which caused a week-long power failure that ruined \$800 of meat stored by the appellant. The hearing officer overruled the appeal, finding that the storm was not followed by a Presidential disaster declaration that would form the basis for a disaster food assistance response by the agency; and that failing such a response, the agency was limited to food stamp replacement, which the appellant did not qualify for because she last received food stamps two years ago.<sup>1</sup>

In her request for administrative appeal the appellant states only that her "next step is a meeting with...County Commissioners!" That is her right, since the commissioners oversee agency operations through the agency director. But we agree with the hearing officer that in this instance the agency correctly decided that it lacked authority to reimburse the appellant's loss through a disaster food stamp grant.

**DECISION**

We therefore ORDER that the hearing decision is AFFIRMED.

Administrative Appeal Officer

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<sup>1</sup> OAC 5101:4-6-32, 4-7-11

CONCUR:

Administrative Appeal Officer

Chief Legal Counsel

Date of Issuance: January 30, 2009

**Notice to Appellant**

This Administrative Appeal decision is the final decision on this appeal from the state department of job & family services. It is binding on the department and agency, unless it is reversed or modified on appeal to the court of common pleas.

An Appellant who disagrees with this decision may appeal it to the court of common pleas pursuant to sections 119.12 and 5101.35(E) of the Revised Code. The Appellant shall mail the original notice of appeal to the department at the following address:

**Ohio Department of Job & Family Services  
Office of Legal Services  
30 E. Broad Street, 31<sup>st</sup> Floor  
Columbus, OH 43215-3414**

The Appellant must also file a copy of the notice of appeal with the court of common pleas in the county in which the Appellant resides (Franklin County, if the Appellant does not reside in Ohio). Please note: Both the mailing to the department and the filing with the court must occur within thirty (30) calendar days of the date of issuance of this decision.

If you have questions about appealing to a court, contact your attorney, local legal aid society, or bar association. If you want information about free legal services, you can call the Ohio State Legal Services Association, toll free, at 1-800-589-5888.

cc:

Director, MAHONING CDJFS  
LEHMAS01, DAMICT, Bureau of State Hearings