

IN THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES  
BUREAU OF STATE HEARINGS

ADMINISTRATIVE APPEAL SECTION

IN RE APPEAL OF:

DOCKET NO. 2005-AA-0295  
APPEAL NO(S). 1215647 / FS  
AG No.  
HEARING REQUEST DATE: 02/14/2005  
HEARING DECISION DATE: 03/15/2005 / TMD  
APPEAL REQUEST DATE: 03/28/2005  
Hamilton CDJFS

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**Administrative Appeal Decision**

The Appellant requests an administrative appeal of the state hearing decision issued on March 15, 2005. The state hearing decision overruled the Appellant's appeal, finding that the Hamilton County Department of Job and Family Services (Agency) correctly determined that the Appellant's food stamp benefits could not be replaced if they were lost or stolen after they were received by the assistance group.

The Appellant reported that her food stamp card was stolen by an acquaintance in October 2004. The Appellant filed a police report on 10/18/04 and 10/12/04. The Appellant reported the theft to the Agency. The Agency replaced the Appellant's food stamp direction card, but did not replace the \$40 in food stamp benefits that were on the card when the card was stolen. As noted in the hearing decision, Ohio Admin. Code 51014-7-11(L)(2) specifically provides that the Agency cannot replace food stamp benefits lost or stolen after they were received by the assistance group. Clearly, this policy was intended to prevent fraudulent claims of lost or stolen benefits. Unfortunately, the Appellant, who was legitimately robbed of her benefits is subject to the same prohibition. The Appellant's \$40 in food stamp benefits cannot be replaced under the rule. The state hearing decision is correct.

**Decision**

Having, reviewed the state hearing decision and record, we find the decision contains no error affecting the outcome of the appeal. Accordingly, we hereby ORDER that the decision be AFFIRMED.



Margaret Adams  
Administrative Appeal Officer

CONCUR:



Robert J. Frankart  
Administrative Appeal Officer



Chris Barley, Attorney-at-Law  
Chief Administrative Hearing Officer

DATE OF ISSUANCE April 12, 2005

This Administrative Appeal Decision is the final administrative decision on your case from the Ohio Department of Job and Family Services. If you disagree with this decision, you may have the right to appeal to common pleas court pursuant to Section 5101.35 of the Ohio Revised Code. Your appeal must be filed within thirty days of the date this decision was issued to you. 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, Hamilton County Department of Job and Family Services  
Hearings Supervisor  
Bureau of State Hearings  
Donna Tonkin  
Appellant