

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**MICHIGAN ADMINISTRATIVE HEARING SYSTEM**

**DEPARTMENT OF TRANSPORTATION**

**BUREAU OF HIGHWAY TECHNICAL SERVICES**

**RELOCATION ASSISTANCE**

(By authority conferred on the executive director of the Michigan administrative hearing system by section 2 of 1970 PA 31, MCL 252.142, and section 7 of 1972 of PA 227, MCL 213.326, and Executive Reorganization Orders 2005-1 and 2011-4, MCL 445.2021 and MCL 445.2030)

**R 247.401 Definitions.**

Rule 1. (1) "Commission" means the state highway commission.

(2) "Department" means the department of state highways and transportation.

(3) "Uniform act" means the uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646.

(4) "Aggrieved relocatee" means a person who may be entitled to a determination pursuant to the uniform act who is dissatisfied with the department's determination with regard to their eligibility for benefits or the amount of the benefits.

(5) "Person" means an individual, partnership, corporation, or association.

History: 1979 AC.

**R 247.402 Aggrieved relocatee's options.**

Rule 2. (1) An aggrieved relocatee who wishes to contest any determination made by the department concerning either eligibility for benefits or the amount of benefits due pursuant to the uniform act may either:

(a) File written objections with the department's district right-of-way agent.

(b) Appear before the department's district right-of-way agent and present his objections orally.

(2) Objections, whether written or oral, shall be filed or presented within 6 months after the aggrieved relocatee is given written notice of the determination to which objection is made.

(3) The district right-of-way agent shall give written notice of his decision, by certified mail, within 30 days after receipt of written or oral objections.

History: 1979 AC.

**R 247.403 Rescinded.**

History: 1979 AC; 2015 AACCS.

**R 247.404 Rescinded.**

History: 1979 AC; 2015 AACCS.

**R 247.405 Rescinded.**

History: 1979 AC; 2015 AACCS.

**R 247.406 Rescinded.**

History: 1979 AC; 2015 AACCS.

**R 247.407 Appeals to commission.**

Rule 7. (1) The decision of the hearings officer may be appealed to the commission if written notice of appeal is filed by the aggrieved relocatee with the commission within 30 days after the hearings officer renders a decision.

(2) On appeal to the commission, additional written evidence may be filed by the aggrieved relocatee and by the department within 10 days after filing the notice of appeal of the hearings officer's decision. In rendering its decision, the commission shall consider the entire hearing record, and additional written evidence which may have been filed by the aggrieved relocatee or the department. The commission may request the aggrieved relocatee to appear personally. The commission shall inform the aggrieved relocatee and the department of its decision on the appeal by sending each of them a copy of its written decision within 30 days after the commission meets following the filing of additional written evidence.

(3) If the commission affirms the hearings officer's decision, the aggrieved relocatee may seek legal remedies in the appropriate state or federal court as provided by statutes and court rules.

History: 1979 AC.