

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of NICOLE MARIE  
MCKENDRICK, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KATHERINE T. AKINS,

Respondent-Appellant,

and

MILTON ROBINSON and WILLIAM  
MCKENDRICK,

Respondents.

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Before: Owens, P.J., and O'Connell and Davis, JJ.

MEMORANDUM.

Respondent Katherine Akins appeals as of right from the trial court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g). We affirm.

The trial court did not clearly err in finding that clear and convincing evidence supported the statutory grounds for termination. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 351; 612 NW2d 407 (2000); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). The principal condition that led to the child's removal, respondent's lack of income and housing, still had not been resolved approximately four years later. Contrary to respondent's assertion, the record discloses that the caseworkers repeatedly assisted respondent in her efforts to obtain suitable housing. The caseworkers went well beyond merely providing referrals for housing, personally making telephone calls, writing letters on respondent's behalf, and driving respondent to investigate housing. Although respondent claimed that she was unable to work because she was completely disabled, she provided no evidence to verify her claim, and her applications for social security benefits were denied. The trial court gave respondent numerous opportunities and second chances to demonstrate that she could obtain appropriate income and housing, but she

failed to do so. Accordingly, the trial court did not clearly err in determining that termination was warranted under § 19b(3)(g).

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the child's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 354. Although there was clearly a bond between respondent and the child, and the child enjoyed her visits with respondent, the child had become increasingly ambivalent about returning to respondent because of the uncertainty it would bring. Without any realistic expectation that respondent would be able to provide a proper home within a reasonable time, the trial court did not clearly err in finding that termination of respondent's parental rights was not contrary to the child's best interests. The child needed permanence and stability, and her needs must prevail over respondent's desire to parent her.

Affirmed.

/s/ Donald S. Owens  
/s/ Peter D. O'Connell  
/s/ Alton T. Davis