

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

MIKE V COLVIN
Claimant

APPEAL NO. 12A-UI-12955-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/03/12
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Mike V. Colvin filed a timely appeal from an unemployment insurance decision dated October 19, 2012, reference 02, that ruled he had been overpaid \$7,315.00 in unemployment insurance benefits for the 19 weeks ending October 13, 2012. After due notice was issued, a telephone hearing was held November 19, 2012 on a consolidated record with 12A-UI-12954-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Mike V. Colvin received unemployment insurance benefits totaling \$7,315.00 for the 19 weeks ending October 13, 2012. The fact-finding decision disqualifying him for benefits has been affirmed by the administrative law judge decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid to the agency, even if the individual who received the benefits is not at fault for the overpayment. The evidence in this record establishes both that Mr. Colvin received the benefits in question and that the decision disqualifying him has been affirmed. Therefore, the benefits must be repaid.

DECISION:

The unemployment insurance decision dated October 19, 2012, reference 02, is affirmed. The claimant has been overpaid \$7,315.00 for the 19 weeks ending October 13, 2012.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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