

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JASON KIMZEY**  
Claimant

**APPEAL NO: 21A-UI-23605-SN-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/29/20**  
**Claimant: Appellant (1)**

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Iowa Code § 96.3(7) – Recovery of Benefit Overpayment

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the October 14, 2021, (reference 03) unemployment insurance decision that concluded he was overpaid \$1,726.00 in regular unemployment insurance benefits. After proper notice, a telephone hearing was conducted on December 15, 2021. The hearing was held jointly with appeals 21A-UI-23604-SN-T and 21A-UI-23606-SN-T. The claimant participated. Official notice of the administrative records was taken.

**ISSUE:**

Has the claimant been overpaid any unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of March 29, 2020.

The claimant filed for and received a total of \$1,726.00 in regular, state unemployment insurance benefits for the weeks between March 29, 2020 and May 2, 2020.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge in appeal 20A-UI-08620-DG-T.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant was overpaid regular unemployment insurance benefits.

Iowa Code section 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.

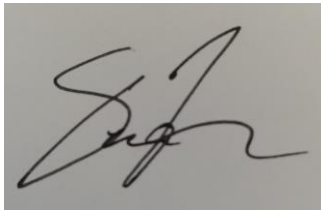
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$1,726.00 in unemployment insurance benefits.

The claimant may have to repay the benefits received thus far, unless the claimant applies and is approved for PUA, as directed in the paragraph below.

**DECISION:**

The unemployment insurance decision dated October 14, 2021, (reference 03), is affirmed. The claimant was overpaid \$1,726.00 in regular, state unemployment insurance benefits.



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Sean M. Nelson  
Administrative Law Judge  
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January 20, 2022  
Decision Dated and Mailed

smn/mh