

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SAMIR HUSIDIC
Claimant

APPEAL NO: 06A-UI-08251-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 07/02/06 R: 03
Claimant: Appellant (2)**

Section 96.3-7 – Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

Samir Husidic (claimant) appealed a representative's August 11, 2006 decision (reference 05) that concluded he had been overpaid \$334.00 in benefits he received for the week ending July 22, 2006. The overpayment occurred as the result of a representative's August 10, 2006 decision that held him ineligible to receive benefits this week. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on August 31, 2006. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Has the claimant been overpaid \$334.00 in benefits he received for the week ending July 22, 2006?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of July 2, 2006. The claimant filed a claim for the week ending July 22, 2006. He received \$334.00 in benefits for this week.

The claimant appealed a representative's August 10, 2006 decision that held him ineligible to receive benefits for the week ending July 22, 2006. This decision has been reversed. See decision for appeal 06A-UI-08250-DWT.

REASONING AND CONCLUSIONS OF LAW:

If an individual receives benefits he is not legally entitled to receive, the Department shall recover the benefits even if the individual acted in good faith and is not at fault in receiving the overpayment. Iowa Code section 96.3-7. Based on the decision for appeal 06A-UI-08250-DWT, the claimant is legally entitled to receive benefits for the week ending July 22, 2006. Therefore, he has not been overpaid \$334.00 in benefits he received for this week.

DECISION:

The representative's August 11, 2006 decision (reference 05) is reversed. The claimant is legally entitled to receive benefits for the week ending July 22, 2006. He has not been overpaid \$334.00 in benefits he received for this week.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/cs