

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARK L MARTIN
Claimant

APPEAL NO. 12A-UI-06340-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/07/09
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Mark L. Martin filed a timely appeal from an unemployment insurance decision dated May 15, 2012, reference 02, that ruled he had been overpaid emergency unemployment compensation benefits in the gross amount of \$7,452.00 for the 18 weeks ending April 10, 2010. After due notice was issued, a telephone hearing was held June 26, 2012, on a consolidated record with 12A-UI-06339-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Mark L. Martin received emergency unemployment compensation benefits in the gross amount of \$7,452.00 for the 18 weeks ending April 10, 2010. The fact-finding decision that ruled he was not eligible to receive those 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 benefits paid in error be repaid, even if the individual who received the benefits is not at fault for the overpayment. The evidence in this record establishes both that Mr. Martin received the benefits in question and that the decision ruling he was not entitled to the benefits has been affirmed. Therefore, they must be repaid.

DECISION:

The unemployment insurance decision dated May 15, 2012, reference 02, is affirmed.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw