

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAWN M BROWN
Claimant

APPEAL NO. 07A-UI-02668-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/21/07 R: 03
Claimant: Appellant (2)**

Section 96.3-7 - Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated March 8, 2007, reference 03, that concluded she was overpaid \$735.00. A telephone hearing was held on April 6, 2007. The claimant participated in the hearing.

ISSUE:

Was the claimant overpaid unemployment insurance benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of January 21, 2007. The claimant filed three weekly claims for benefits for the weeks ending January 27, February 3, and February 10. She was paid \$735.00 in benefits.

The unemployment insurance decision dated March 7, 2007, reference 02, that disqualified the claimant from receiving unemployment insurance benefits has been reversed in the decision of the administered of law judge in appeal 07A-UI-02667-SWT.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code section 96.3-7 provides:

7. Recovery of overpayment of benefits. 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.

As a result of decision in appeal 07A-UI-02667-SWT, the claimant is not disqualified from receiving unemployment insurance benefits and was not overpaid \$735.00 in benefits.

DECISION:

The unemployment insurance decision dated March 8, 2007, reference 03, is reversed. The claimant was not overpaid \$735.00 in benefits.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css