

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DEAN A FARAONI
Claimant

APPEAL 21A-UI-23928-CS-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

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

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

STATEMENT OF THE CASE:

On October 25, 2021, the claimant/appellant filed an appeal from the October 19, 2021, (reference 04), unemployment insurance decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$3,045.00 as a result of a disqualification decision. The appellant was properly notified of the hearing. A telephone hearing was held on December 20, 2021. The hearing was held together with appeals 21A-UI-23926-CS-T; 21A-UI-23927-CS-T; and 21A-UI-23929-CS-T and combined into one record. The claimant participated at the hearing. Administrative notice was taken of the claimant’s unemployment insurance benefits records.

ISSUE:

Is the claimant overpaid benefits which must be repaid?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a new claim for unemployment insurance benefits with an effective date of October 19, 2021. The claimant filed for and received a total of \$3,045.00 in unemployment insurance benefits for the weeks between March 29, 2020, and July 18, 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 21A-UI-23926-CS-T.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 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 \$3,045.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated October 19, 2021 (reference 04), is affirmed. The claimant was overpaid \$3,045.00 in unemployment insurance benefits, which must be repaid.



Carly Smith
Administrative Law Judge
Unemployment Insurance Appeals Bureau

January 21, 2022
Decision Dated and Mailed

cs/mh