

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JAIME M BURROUGHS
Claimant

APPEAL NO. 12A-UI-06313-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/09/11
Claimant: Appellant (1)**

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Jaime M. Burroughs filed a timely appeal from an unemployment insurance decision dated May 23, 2012, reference 06, that ruled she had been overpaid \$752.00 in unemployment insurance benefits for the two weeks ending May 12, 2012 because of a May 21, 2012 fact-finding decision that denied emergency unemployment compensation benefits based on her 2011 state claim. Due notice was issued for a telephone hearing to be held June 26, 2012. Although the claimant provided a telephone number at which she could be contacted, at the time of the hearing the number was answered by a recording stating that it was no longer in service. The administrative law judge takes official notice of agency benefit payment records and decision records.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Jaime M. Burroughs received emergency unemployment compensation benefits totaling \$752.00 for the two weeks ending May 12, 2012. These benefits were based on her 2011 state unemployment insurance claim. The fact-finding decision ruling that she was not eligible to receive emergency unemployment compensation benefits based on her 2011 claim has been affirmed by administrative law judge decision 12A-UI-06312-AT.

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 Ms. Burroughs received the benefits in question and that the decision denying them to her has been affirmed. Therefore, they must be repaid.

DECISION:

The unemployment insurance decision dated May 23, 2012, reference 06, is affirmed.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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