

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**MONG VANLO**  
Claimant

**APPEAL 18A-UI-10860-SC-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 07/08/18**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Mong Vanlo (claimant) appealed the October 30, 2018, reference 09, unemployment insurance decision that determined he had been overpaid \$1,455.00 in unemployment insurance benefits. After due notice was issued, a telephone hearing was held on November 16, 2018 and was consolidated with the hearing for appeals 18A-UI-10858-SC-T and 18A-UI-10859-SC-T. The claimant participated. Laotian interpretation was provided by Charles (employee number 21210) from CTS Language Link. The administrative law judge took official notice of the administrative record, including fact-finding documents.

**ISSUE:**

Has the claimant been overpaid benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of July 8, 2018. The claimant filed for and received a total of \$1,455.00 in unemployment insurance benefits for the three weeks between September 30, 2018 and October 20, 2018. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits because he was not able to and available for work has been affirmed in a decision of the administrative law judge in appeal 18A-UI-10858-SC-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was overpaid unemployment insurance benefits, which must be repaid.

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 \$1,455.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated October 30, 2018, reference 09, is affirmed. The claimant was overpaid \$1,455.00 in unemployment insurance benefits, which must be repaid.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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