

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**VINCE L ANKRUM**  
Claimant

**APPEAL NO: 07A-UI-10358-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/11/07 R: 02  
Claimant: Appellant (2)**

Section 96.3-7 – Recovery of Overpayment of Benefits

**STATEMENT OF THE CASE:**

Vince L. Ankrum (claimant) appealed a representative's November 9, 2007 decision (reference 05) that concluded he had been overpaid \$1,683.00 in benefits he received for the weeks ending September 15 through October 13, 2007. The overpayment occurred as the result of a representative's November 8, 2007 decision that disqualified the claimant from receiving benefits as of September 9, 2007. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on November 27, 2007. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Has the claimant been overpaid \$1,683.00 in unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant established a claim for unemployment insurance benefits during the week of March 11, 2007. He filed claims for the weeks ending September 15 through October 13, 2007. He received a total of \$1,683.00 in unemployment insurance benefits for these weeks.

The claimant appealed a representative's November 8, 2007 decision that disqualified him from receiving benefits as of September 9, 2007. This decision has been modified in the claimant's favor. See decision for appeal 07A-UI-10357-DWT. As a result of this decision, the claimant is not disqualified from receiving benefits.

**REASONING AND CONCLUSIONS OF LAW:**

If an individual receives benefits he is not legally entitled to receive, the Department shall recover the benefits even if the individual acted in good faith and is not at fault in receiving the overpayment. Iowa Code section 96.3-7. Based on the decision for appeal 07A-UI-10357-DWT, the claimant is legally entitled to receive benefits for the weeks ending September 15

through October 13, 2007. Therefore, he has not been overpaid \$1,683.00 in benefits he received for these weeks.

**DECISION:**

The representative's November 9, 2007 decision (reference 05) is reversed. The claimant is legally entitled to receive benefits for the weeks ending September 15 through October 13, 2007. Therefore, the claimant has not been overpaid \$1,683.00 in benefits he received for these weeks.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs