

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**DANIELLE N BELL**  
Claimant

**APPEAL 21A-UI-14169-DZ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 05/10/20**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Danielle N Bell, the claimant/appellant, filed an appeal from the June 14, 2021, (reference 02) unemployment insurance decision that concluded she was overpaid REGULAR unemployment insurance benefits in the amount of \$3,325.00. Ms. Bell was properly notified of the hearing. A telephone hearing was held on July 24, 2021. Ms. Bell participated and testified. Official notice was taken of the administrative record.

**ISSUES:**

Has Ms. Bell been overpaid REGULAR UI benefits?

**FINDINGS OF FACT:**

Having reviewed the evidence in the record, the administrative law judge finds: Ms. Bell received REGULAR UI benefits in the amount of \$3,325.00 for 7 weeks between May 17, 2020 and July 4, 2020.

On July 10, 2020, Iowa Workforce Development issued a reference 01 decision finding Ms. Bell was not eligible for REGULAR UI benefits. The administrative law judge's decision in Appeal 20A-UI-08464-X affirmed the reference 01 decision.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes Ms. Bell has been overpaid REGULAR UI 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.

b. (1) (a) If the department determines that an overpayment has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund and this credit shall include both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

Ms. Bell has been overpaid REGULAR UI benefits in the amount of \$3,325.00 for the 7 weeks between May 17, 2020 and July 4, 2020, since she was not qualified and/or eligible to receive REGULAR UI benefits during those weeks per the July 10, 2020, (reference 01) decision that was affirmed by the administrative law judge's decision in Appeal 20A-UI-08464-X.

**DECISION:**

The June 14, 2021, (reference 02) unemployment insurance decision is affirmed. Ms. Bell has been overpaid REGULAR UI benefits in the amount of \$3,325.00, which must be repaid.



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July 29, 2021  
Decision Dated and Mailed

dz/kmj