

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**LISA L STEENHOEK**  
Claimant

**APPEAL 19A-UI-10273-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 11/10/19**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

On December 26, 2019, Lisa L. Steenhoek (claimant) appealed an unemployment insurance decision dated December 20, 2019, reference 05, that concluded she was overpaid \$660.00 in unemployment insurance benefits. The parties were properly notified about the hearing. A telephone hearing was held on January 22, 2020 and consolidated with the hearing for appeal 19A-UI-10272-SC-T. The claimant participated personally. Riverside Lutheran Bible Camp (employer) participated through Cheri Schendel-Hennager and Chris Dahl. The only issues on which testimony was taken were the timeliness and overpayment issues. The Department's Exhibits D1 through D3 were admitted into the record.

**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 November 10, 2019. The claimant filed for and received a total of \$660.00 in unemployment insurance benefits for the weeks between November 17 and November 30, 2019. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been modified in favor of the appellant in a decision of the administrative law judge in appeal 19A-UI-10272-SC-T. The modified decision allows the claimant to receive benefits, provided she is otherwise eligible.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was not 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 modified to allow benefits, the claimant was not overpaid \$660.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated December 20, 2019, reference 05, is reversed. The claimant was not overpaid \$660.00 in unemployment insurance benefits.



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Stephanie R. Callahan  
Administrative Law Judge

February 4, 2020  
Decision Dated and Mailed

src/scn