

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ARMANDO G MATA
Claimant

APPEAL 19R-UI-00856-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 12/10/17
Claimant: Appellant (2)

Iowa Code § 96.3(7) – Overpayment

STATEMENT OF THE CASE:

Armando Mata, Claimant, filed an appeal from the April 17, 2018 (reference 05) unemployment insurance decision that concluded he was overpaid unemployment insurance benefits in the amount of \$7,095.00 for the 15-week period between December 10, 2017 and March 24, 2018. Claimant was properly notified of the hearing. A telephone hearing was held on February 14, 2019 at 1:05 p.m. Claimant participated and was represented by attorney Lorraine Gaynor. Spanish interpretation was provided by Maria (ID number 11898) from CTS Language Link. Official notice was taken of the administrative record.

ISSUE:

Whether claimant was overpaid benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received unemployment benefits in the gross amount of \$7,095.00 since filing a claim with an effective date of December 10, 2017. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed (see 19R-UI-00855-AW-T).

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant has not been overpaid benefits.

Iowa Code section 96.3(7) states:

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.

Because the decision disqualifying the claimant has been reversed, the claimant was not overpaid unemployment insurance benefits in the amount of \$7,095.00.

DECISION:

The April 17, 2018 (reference 05) unemployment insurance decision is reversed. The claimant was not overpaid unemployment insurance benefits in the amount of \$7,095.00.

Adrienne C. Williamson
Administrative Law Judge
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Decision Dated and Mailed

acw/rvs