

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RANDALL W HANSEN**  
Claimant

**APPEAL NO: 13A-UI-00222-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/28/10  
Claimant: Appellant (2)**

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

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's December 4, 2012 determination (reference 02) that held the claimant overpaid \$16,770.00 in benefits he received for the weeks June 12, 2010, through March 26, 2011. The overpayment occurred as the result of a May 6, 2011 determination that disqualified him from receiving benefits as of June 8, 2010. The claimant participated at the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant has not been overpaid benefits he received for the above weeks.

**ISSUE:**

Has the claimant been overpaid \$16,770.00 in benefits?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of March 28, 2010. He filed claims for the weeks ending June 12, 2010, through March 26, 2011. He received his maximum weekly benefit amount of \$388.00 for each week except the week ending June 12, 2010. For the week ending June 12, the claimant received \$310.00 in partial benefits.

The claimant appealed a May 6, 2011 determination that disqualified him from receiving benefits as of June 8, 2010. This decision has been modified in the claimant's favor. Since the claimant voluntarily quit a part-time job, he is eligible to receive benefits as of June 8, 2010. See decision for appeal 13A-UI-00221-DWT.

**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 § 96.3-7. Based on the decision for appeal 13A-UI-00221-DWT, the claimant is eligible to receive benefits for the weeks ending June 12, 2010, through March 26, 2011. He has **NOT** been overpaid \$16,770.00 in benefits.

**DECISION:**

The representative's December 4, 2012 determination (reference 02) is reversed. The claimant was legally entitled to receive benefits for the weeks ending June 12, 2010, through March 26, 2011. He has **NOT** been overpaid \$16,770.00 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

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