

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

<b>JEFFERY L HOLLENBECK</b> Claimant	<b>APPEAL NO. 08A-UI-02478-DWT</b>  <b>ADMINISTRATIVE LAW JUDGE DECISION</b>
<b>IOWA WORKFORCE DEVELOPMENT DEPARTMENT</b>	<b>OC: 11/07/07 R: 04</b> <b>Claimant: Appellant (2)</b>

Section 96.3-7 – Recovery of Overpayment of Benefits

**STATEMENT OF THE CASE:**

Jeffery L. Hollenbeck (claimant) appealed a representative's March 10, 2008 decision (reference 05) that concluded he had been overpaid \$1,224.00 in benefits he received for the weeks ending January 19 through February 9, 2008. The overpayment occurred as the result of a representative's March 6 decision that disqualified the claimant from receiving benefits as of January 13, 2008. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on March 27, 2008. 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 \$1,224.00 in benefits he received?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of November 11, 2007. He reopened his claim during the week of January 13, 2008. The claimant filed claims for the weeks ending January 19 through February 9, 2008. He received a total of \$1,224.00 in benefits during these weeks.

The claimant appealed the representative's March 6, 2008 decision that disqualified him from receiving benefits as of January 13, 2008. This decision has been reversed. See decision for 08A-UI-02477-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 08A-UI-02477-DWT, the claimant is qualified to receive benefits for the weeks ending January 19 through February 9, 2008. The claimant has not been overpaid \$1,224.00 in benefits he received for these weeks.

**DECISION:**

The representative's March 10, 2008 decision (reference 05) is reversed. The claimant is legally entitled to receive benefits for the weeks ending January 19 through February 9, 2008. The claimant has not been overpaid \$1,224.00 in benefits he received for these weeks.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/css