

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KEVIN L PETERSON
Claimant

APPEAL NO. 12A-UI-00660-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 12/18/11
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Kevin L. Peterson filed a timely appeal from an unemployment insurance decision dated January 12, 2012, reference 02, that ruled he had been overpaid unemployment insurance benefits in the gross amount of \$355.00 for the two weeks ending December 31, 2011. After due notice was issued, a telephone hearing was held February 23, 2012 on a consolidated record with 12A-UI-00659-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Kevin L. Peterson received unemployment insurance benefits in the gross amount of \$355.00 for the two weeks ending December 31, 2011. The fact-finding decision holding him ineligible for those benefits has been affirmed by the administrative law judge decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.3-7 requires that unemployment insurance benefits paid in error be repaid, even if the individual who has received the benefits is not at fault for the overpayment. The evidence in this record establishes both that Mr. Peterson received the benefits in question and that the fact-finding decision holding him ineligible to receive them has been affirmed. The benefits must be repaid.

DECISION:

The unemployment insurance decision dated January 12, 2012, reference 02, is affirmed. The claimant has been overpaid \$355.00 for the two weeks ending December 31, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs