

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**IMANI L DELEON**  
Claimant

**APPEAL 18A-UI-10771-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 01/14/18  
Claimant: Appellant (1)**

---

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

**STATEMENT OF THE CASE:**

The claimant appealed the October 22, 2018, (reference 04) unemployment insurance decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$744.00 for the two-week period ending October 13, 2018. A telephone hearing was scheduled and held on November 14, 2018, pursuant to due notice. The claimant participated.

**ISSUE:**

Is the claimant overpaid benefits?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant received unemployment insurance benefits in the gross amount of \$744.00 for the two weeks ending October 13, 2018. Iowa Workforce Development later found claimant was not eligible for benefits during those two weeks in a reference 02 decision. Claimant appealed that decision and it was affirmed in Appeal Number 18A-UI-10770-CL-T.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge concludes claimant has been overpaid 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.

b. (1) If the department determines that an overpayment has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund and this credit shall include both contributory and reimbursable employers, notwithstanding § 96.8, subsection 5. . . .

The administrative law judge concludes that the claimant received unemployment insurance benefits in the amount of \$744.00 for the two weeks ending October 13, 2018. Claimant was not eligible for benefits during the two weeks ending October 13, 2018. Therefore, claimant was overpaid the benefits pursuant to Iowa Code § 96.3(7).

**DECISION:**

The October 22, 2018, (reference 04) unemployment insurance decision is affirmed. The claimant has been overpaid unemployment insurance benefits in the amount of \$744.00.

---

Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

---

Decision Dated and Mailed

cal/scn