

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KELVIN L SAMSON**  
Claimant

**APPEAL NO. 11A-EUCU-00570-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/07/07**  
**Claimant: Appellant (1)**

Section 96.3-7 – Recovery of Overpayments

**STATEMENT OF THE CASE:**

Kelvin L. Samson filed a timely appeal from an unemployment insurance decision dated June 29, 2011, reference 03, that ruled he had been overpaid emergency unemployment compensation in the amount of \$4,008.00 for the 12 weeks ending March 19, 2011. After due notice was issued, a telephone hearing was held on a consolidated record with 11A-EUCU-00569-AT on July 28, 2011. The administrative law judge takes official notice of Agency overpayment records.

**ISSUE:**

Whether the claimant has been overpaid emergency unemployment compensation in the amount of \$4,008.00 for the 12 weeks ending March 19, 2011.

**FINDINGS OF FACT:**

Kelvin. L. Samson receive emergency unemployment compensation in the gross amount of \$4,008.00 for the 12 weeks ending March 19, 2011. The fact-finding decision holding him ineligible for emergency unemployment compensation for those weeks has been affirmed by the administrative law judge's decision in the companion case. As of the date of the hearing, the remaining balance of the overpayment was \$827.29.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.3-7 requires that benefits paid by the Agency 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 that Mr. Samson received more in benefits during the weeks in question than he should have received. All but \$827.29 of the overpayment has been recovered.

**DECISION:**

The unemployment insurance decision dated June 29, 2011, reference 03, is affirmed. The claimant was overpaid \$4,008.00 for the 12 weeks ending March 19, 2011. The remaining balance as of the date of this hearing is \$827.29.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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