

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**LAUREN N LEROY
3836 EAGLE HEIGHTS DR
CLINTON IA 52732**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-05698-AT
OC: 03-14-04 R: 04
Claimant: Appellant (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.3-7 – Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

Lauren N. LeRoy filed a timely appeal from an unemployment insurance decision dated May 17, 2004, reference 03, which ruled that she had been overpaid by \$194.00 for the two weeks ending May 8, 2004. After due notice was issued, a telephone hearing was held June 8, 2004 with Ms. LeRoy participating. This matter is considered on a consolidated record with 04A-UI-05697-AT. The administrative law judge takes official notice of Agency benefit payment records.

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Lauren N. LeRoy received unemployment insurance benefits in the gross amount of \$194.00 for the two weeks ending May 8, 2004. The fact-finding decision disqualifying her for benefits has been affirmed by the administrative law judge's decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Ms. LeRoy must repay the benefits in question. She must. Iowa Code Section 96.3-7 requires that unemployment insurance benefits paid in error be repaid to the Agency. The evidence in this record establishes both that Ms. LeRoy received the benefits in question and that the decision disqualifying her for those benefits has been affirmed. Therefore, they must be repaid.

DECISION:

The unemployment insurance decision dated May 17, 2004, reference 03, is affirmed. The claimant has been overpaid in the gross amount of \$194.00 for the two weeks ending May 8, 2004.

tjc/tjc