

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**KATIE L WINKEL**  
Claimant

**GRANDMA CINDY'S KITCHEN LLC**  
Employer

**APPEAL 19A-UI-05009-H2T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/09/19**  
**Claimant: Appellant (2)**

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Iowa Code § 96.3(5) – Layoff/Business Closing/Benefit Redetermination

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the June 20, 2019, (reference 03) decision that denied recalculation of her benefits due to a business closing. The parties were properly notified about the hearing. A telephone hearing was scheduled to be held on July 17, 2019. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 05 representative's decision), no testimony was necessary and no hearing was held.

**ISSUE:**

Should the representative's decision be reversed so as to be consistent with subsequent agency action?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The decision appealed has been amended in favor of the appellant by the reference 05 representative's decision which has allowed recalculation of her unemployment insurance benefits due to a business closing.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the representative's decision should be reversed. Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). "A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent." *Iowa Bankers Ass'n v. Iowa Credit Union Dep't*, 335 N.W.2d 439, 442 (Iowa 1983). Since the decision appealed has been amended in favor of the appellant, the original representative's decision bearing reference 03 is reversed.

**DECISION:**

The June 20, 2019, (reference 03) unemployment insurance decision is reversed. Recalculation of benefits due to a business closing is allowed. The hearing set for July 17, 2019 at 10:00 a.m. is cancelled.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

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