

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LEIGH A LIST
Claimant

APPEAL NO. 10A-EUCU-00655-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 12/27/09
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Leigh A. List filed a timely appeal from an unemployment insurance decision dated July 15, 2010, reference 02, that ruled she had been overpaid \$9,297.33 for 24 weeks ending June 12, 2010, because of a decision dated July 12, 2010, denying benefits to her for a second benefit year. Due notice was issued for a telephone hearing to be held August 21, 2010. Ms. List did not provide a telephone number at which she could be contacted. This matter is considered on a consolidated record with 10A-EUCU-00654-AT. The administrative law judge also takes official notice of Agency benefit payment records.

ISSUE:

Has the claimant received unemployment insurance benefits she should not have received?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Leigh A. List received state unemployment insurance benefits in the gross amount of \$9,297.33 for the 24 weeks ending June 12, 2010. The fact-finding decision denying those benefits to her has been affirmed by the administrative law judge's decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the unemployment insurance benefits the claimant has received must be repaid. They must.

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid, even if the individual who received the benefits is not at fault for the overpayment. The evidence here establishes that Ms. List received the benefits and that the decision denying them to her has been affirmed. Therefore, they must be repaid.

DECISION:

The unemployment insurance decision dated July 15, 2010, reference 02, is affirmed. The claimant has been overpaid \$9,297.33 for the 24 weeks ending June 12, 2010.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw