

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**WILLIAM G HEVERLY**  
Claimant

**APPEAL NO. 12A-UI-05999-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/19/19**  
**Claimant: Appellant (4)**

Section 96.3-7 – Recovery of Overpayments

**STATEMENT OF THE CASE:**

William G. Heverly filed a timely appeal from an unemployment insurance decision dated May 11, 2012, reference 03, that ruled he had been overpaid emergency unemployment compensation benefits totaling \$3,474.00 for the nine weeks ending April 17, 2010. After due notice was issued, a telephone hearing was held June 22, 2012 on a consolidated record with 12A-UI-05998-AT. The administrative law judge takes official notice of agency benefit payment records.

**ISSUE:**

Has the claimant been overpaid?

**FINDINGS OF FACT:**

William G. Heverly received emergency unemployment compensation benefits totaling \$3,474.00, \$386.00 per week, for the nine weeks ending April 17, 2010. The administrative law judge decision in the companion case has ruled that Mr. Heverly was eligible for those benefits through April 3, 2010. He was not eligible for the \$772.00 he received for the two weeks ending April 17, 2010.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid, even if the individual who has received those benefits is not at fault for the overpayment. The evidence in this record establishes that Mr. Heverly received \$772.00 in benefits more than he was entitled to receive through Iowa. Those benefits must be repaid.

**DECISION:**

The unemployment insurance decision dated May 11, 2012, reference 03, is modified. The claimant has been overpaid \$772.00 for the two weeks ending April 17, 2012.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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