

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**KARINA K WOOD**  
Claimant

**APPEAL 20A-UI-05742-AW-T  
ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 05/31/20  
Claimant: Appellant (4)**

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Iowa Code § 96.5(13) – Disqualification due to outstanding fraud overpayment

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the June 3, 2020 (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified of the hearing. A telephone hearing was held on July 13, 2020, at 3:00 p.m. Claimant participated. Iowa Workforce Development (IWD) submitted documents in lieu of participating personally. Claimant's Exhibits C1 – C7 were admitted. Department's Exhibits D1 – D3 were admitted. Official notice was taken of the administrative record.

**ISSUE:**

Whether claimant is ineligible for benefits due to an outstanding fraud overpayment balance.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: On April 16, 2014, a decision was issued finding claimant was overpaid benefits in the net amount of \$2,672.00, including interest and a 15% penalty due to fraud. (Exhibit 2) The administrative record reflects that claimant did not appeal the decision. Claimant filed an initial claim for benefits effective May 31, 2020. On June 9, 2020, claimant paid the fraud overpayment balance, including interest and penalty. (Exhibit 3) As of June 10, 2020, claimant has no fraud overpayment balance. (Exhibit 3)

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes as follows:

Iowa Code section 96.5(13) provides:

Overpayment resulting in disqualification. If the department finds that an individual has received benefits by reason of misrepresentation pursuant to section 96.16, such individual shall be disqualified for benefits until the balance of the benefits received by the individual due to misrepresentation, including all penalties, interest and lien fees, is paid in full.

Claimant paid the fraud overpayment balance, including interest and penalty on June 9, 2020. Therefore, benefits are allowed effective June 7, 2020, provided claimant is otherwise eligible.

**DECISION:**

The June 3, 2020 (reference 01) unemployment insurance decision is modified in favor of the appellant. Claimant is ineligible for benefits from May 31, 2020 through June 6, 2020 due to an unpaid fraud overpayment balance. Claimant is eligible for benefits effective June 7, 2020, provided claimant meets all other eligibility requirements.



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Adrienne C. Williamson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

July 21, 2020  
Decision Dated and Mailed

acw/scn

**Note to Claimant:** This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits due to disqualifying separations, but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>. If this decision becomes final or if you are not eligible for PUA, you may have an overpayment of benefits.