

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TODD A VANOSTRAND
Claimant

APPEAL 19A-UI-09598-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/17/19
Claimant: Appellant (6)**

Iowa Code § 96.4(4)a-c – Monetary Eligibility and Subsequent Benefit Year
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant/appellant, Todd A. Vanostrand, filed an appeal from the November 27, 2019 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision which concluded he was monetarily ineligible to receive benefits for a second benefit year. A telephone hearing was scheduled on January 2, 2020 at 9:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated December 17, 2019, reference 02. This decision made the issues on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing is needed.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

The pertinent agency documents relating to this claimant establish the following facts: The claimant established a claim for unemployment insurance benefits with an effective date of November 17, 2019. The claimant/appellant, Todd A. Vanostrand, filed an appeal from the November 27, 2019 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision which concluded he was monetarily ineligible to receive benefits for a second benefit year. A telephone hearing was scheduled on January 2, 2020 at 9:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated December 17, 2019, reference 02. The reference 02 decision allowed benefits without a gap in coverage.

This most recent decision made the only issue on appeal moot. Therefore, no testimony or additional evidence is necessary. No hearing is needed.

REASONING AND CONCLUSIONS OF LAW:

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)

The decision appealed was specifically amended in favor of the appellant, making this appeal moot. The most recent decision, dated December 17, 2019, reference 02, is affirmed.

DECISION:

The request to dismiss the appeal of the unemployment insurance decision dated November 27, 2019, reference 01, is approved. The decision issued on December 17, 2019, reference 02, is affirmed. The appeal is dismissed as moot.

The hearing scheduled for January 2, 2020 is cancelled.

Jennifer L. Beckman
Administrative Law Judge
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Iowa Workforce Development
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Decision Dated and Mailed

jlb/scn