

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**AARRON ROBERTSON**  
Claimant

**APPEAL NO: 21R-20147-JC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
INVESTIGATION & RECOVERY**

**OC: 01/05/20**  
**Claimant: Appellant (2)**

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Public Law 116-136, Section 2102 – Pandemic Unemployment Assistance  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Code Ch. 96 – Iowa Employment Security Act  
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the March 25, 2021, reference 12, decision that held the claimant was overpaid \$1,276.00 in Pandemic Unemployment Assistance (PUA) for four-week period ending January 1, 2021, due to an erroneous Agency approval of PUA benefits despite lack of evidence the claimant had a dependent child in his custody for whom he provided full-time supervision. A notice of hearing was mailed to the claimant's last-known address of record for a telephone hearing to be held at 10:20 a.m. on June 18, 2021. There were five appeal numbers set for a consolidated hearing: 21A-UI-09516-JT-T, 21A-UI-09532-JT-T, 21A-UI-09533-JT-T, 21A-UI-09536-JT-T, and 21A-UI-095398-JT-T. A review of the Appeals Bureau's conference call system indicates that the claimant/appellant failed to respond to the hearing notice instructions to register a telephone number at which the claimant could be reached for the hearing.

The claimant/appellant requested reopening of the hearing record, and the Employment Appeal Board (EAB) remanded the matter for a new hearing. After proper notice, a telephone hearing was conducted on November 8, 2021. The claimant participated. There were five appeal numbers set for a consolidated hearing: 21R-UI-20144-JC-T, 21R-UI-20143-JC-T, 21R-UI-20145-JC-T, 21R-20146-JC-T, 21R-20147-JC-T. The administrative law judge took official notice of the administrative records.

**ISSUE:**

Is the claimant overpaid PUA benefits?

**FINDINGS OF FACT:**

Claimant established his claim for benefits with an effective date of January 5, 2020. The March 25, 2021, reference 12, decision held the claimant was overpaid \$1,276.00 in Pandemic Unemployment Assistance (PUA) for the four weeks ending January 2, 2021, due to an erroneous Agency approval of PUA benefits. The investigator's notes reflect that the four

weeks in question relevant to this decision were actually the four weeks between February 21, 2021 and March 20, 2021.

IWD then issued a subsequent decision dated November 16, 2021 (reference 16) which stated the reference 12 decision was issued in error and therefore null and void. This decision made the issue on appeal moot. This subsequent agency decision resolved the only issue on appeal in the claimant's favor, making the appeal moot.

**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 reference 12 initial decision appealed was amended (through the reference 16 initial decision) in favor of the appellant, making this appeal moot. The appeal of the original representative's decision dated the March 25, 2021, reference 12 is dismissed as moot. There are currently no outstanding appeals. Claimant is not overpaid PUA benefits.

**DECISION:**

The March 25, 2021, reference 12, decision that held the claimant was overpaid \$1,276.00 in Pandemic Unemployment Assistance (PUA) for four weeks, is reversed due to subsequent agency action. The claimant was not overpaid PUA benefits.

The clerical error regarding the four weeks in question relevant to the reference 12 decision is hereby corrected to reflect the weeks were between February 21, 2021 and March 20, 2021.



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Jennifer L. Beckman  
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Fax 515-478-3528

December 20, 2021

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Decision Dated and Mailed

jlb/abd