

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DANNY R NORELIUS
Claimant

APPEAL NO. 11A-UI-00102-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/20/10
Claimant: Appellant (5)

Section 96.3-7 - Overpayments

STATEMENT OF THE CASE:

Danny R. Norelius filed a timely appeal from an unemployment insurance decision dated December 22, 2010, reference 02, that ruled he had been overpaid \$9,700.00 for 25 weeks ending December 11, 2010 because of a fact-finding decision dated December 21, 2010 that disqualified him for a second benefit year. After due notice was issued, a telephone hearing was held January 29, 2011 on a considered record with 11A-UI-00101-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: The decision holding that Danny R. Norelius is ineligible for state unemployment insurance benefits effective June 20, 2010 has been affirmed by the administrative law judge's decision in the companion case. Mr. Norelius received state unemployment insurance benefits in the gross amount of \$9,700.00 for the 25 weeks ending December 11, 2010. As of the date of this hearing, the remaining balance of the overpayment was \$1,825.00.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.3-7 requires that unemployment insurance benefits paid in error be repaid to the agency, even if the individual who received the benefits is not at fault for the overpayment. The evidence in this record establishes that Mr. Norelius received the benefits in question, that the decision holding him ineligible for the benefits has been affirmed but also that the overpayment has been reduced to \$1,825.00.

DECISION:

The unemployment insurance decision dated December 22, 2010, reference 02, is modified. The claimant was overpaid \$9,700.00 for the 25 weeks ending December 11, 2010. As of January 29, 2011, the remaining balance of the overpayment was \$1,825.00.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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