

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

NICK J CHRISTENSEN
Claimant

APPEAL 21A-UI-24499-DH-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/22/20
Claimant: Appellant (1)

Iowa Code § 96.3(7) - Recovery of Benefit Overpayment

STATEMENT OF THE CASE:

Claimant, Nick Christensen, filed an appeal from the October 26, 2021, (reference 03) unemployment insurance decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$4,932.56 for 14 weeks between 03/22/20-06/27/2020, due to the decision issued which stated claimant was not eligible for benefits during this period due to a voluntary quit. Notices of hearing were mailed to the parties' last known addresses of record for a telephone hearing scheduled for January 4, 2022 at 1:00PM and the hearings were consolidated. The claimant participated. The Department did not participate. Judicial notice was taken of the administrative file.

ISSUE:

Was the claimant overpaid benefits?

FINDINGS OF FACT:

Having heard the testimony and reviewed the evidence in the record, the undersigned finds:

Claimant filed a new claim for unemployment insurance benefits with an effective date of March 3, 2020. The claimant filed for and received a total \$4,932.56 in benefits for 14 week period between 03/22/20-06/27/2020.

The unemployment insurance decision reference 02 that disqualified claimant from benefits as a voluntary quit was AFFIRMED in appeal decision 21A-UI-00138-AW-T. That decision was not appealed.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant was overpaid unemployment insurance benefits.

Iowa Code § 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.

a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

Since the decision disqualifying the claimant for these benefits was affirmed in 21A-UI-00138-AW-T and that decision was not appealed, the claimant was overpaid \$4,932.56 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated October 26, 2021, (reference 03), is **AFFIRMED**. Claimant was overpaid \$4,932.56 in unemployment insurance benefits, which must be repaid.



Darrin T. Hamilton
Administrative Law Judge

January 28, 2022
Decision Dated and Mailed

dh/mh