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State of Oregon  
**Employment Appeals Board**  
875 Union St. N.E.  
Salem, OR 97311

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**EMPLOYMENT APPEALS BOARD DECISION**  
**2018-EAB-0181**

*Affirmed*  
*Overpayment Assessed*

**PROCEDURAL HISTORY:** On October 3, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision assessing a \$590 overpayment claimant was required to repay (decision # 145950). On October 23, 2017, decision # 145950 became final without claimant having filed a timely request for hearing. On December 11, 2017, claimant filed a late request for hearing. On December 15, 2017, ALJ Kangas reviewed claimant's request and issued Hearing Decision 17-UI-99079, dismissing claimant's request subject to his right to renew the request by responding to an appellant questionnaire by December 29, 2017. On December 29, 2017, the Office of Administrative Hearings (OAH) received claimant's response to the appellant questionnaire. On January 22, 2018, ALJ Murdock conducted a hearing, and on February 6, 2018 issued Hearing Decision 18-UI-102613, allowing claimant's late request for hearing and affirming decision # 145950. On February 17, 2018, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 18-UI-102613 is affirmed.

J. S. Cromwell and D. P. Hettle;  
S. Alba, not participating.

**DATE of Service:** February 23, 2018

**NOTE:** You may appeal this decision by filing a Petition for Judicial Review with the Oregon Court of Appeals within 30 days of the date of service listed above. See ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310 or visit the Court of Appeals website at [courts.oregon.gov](http://courts.oregon.gov). Once on the website, use the 'search' function to search for 'petition for judicial review employment appeals board'. A link to the forms and information will be among the search results.

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