

Notice of Income (Payroll) Offset

Date

Name

Address

City, State, Zip

Social Security Number:

ID Number:

Dear Name:

We have tried to collect money you owe the Department of Human Services. Either you have not made a satisfactory agreement to repay, or you have not kept your agreement to pay the money you owe.

As of the date on this notice, you owe \$_____.

A portion of your state wages will be kept to pay all or part of the money you owe.

This will be deducted from your paycheck. A deduction will start no earlier than 15 days from the date on this notice. After the 15-day waiting period, the deduction will start on the first day of the next pay period. This will happen unless you make other arrangements with the Department of Inspections and Appeals.

If you have questions about this letter, please write to:

Iowa Department of Inspections and Appeals
Division of Investigations
Public Assistance Debt Recovery Unit
321 E 12th Street, 3rd Floor
Des Moines, IA 50319-0083

You may also call the Iowa Department of Inspections and Appeals at 1-800-572-3945 (toll-free). If you live in the Des Moines area, call 281-3872.

This action is taken based on Iowa Code Sections 8A.504, 441 Iowa Administrative Code 11.4(1), 11.4(2) and 170.9(5), and 11 Iowa Administrative Code 40.

I certify that the above amount is owed to the State of Iowa for the reasons stated. This notice is being mailed on this _____ day of _____.

By _____
Authorized Agency Signature

You have the right to appeal this letter. Please see the back of this notice for more information. If you need help filing an appeal, you may call Iowa Legal Aid at 1-800-532-1275. If you live in the Des Moines area, call 243-1193.

You Have the Right to Appeal

What is an appeal? An **appeal** is asking for a hearing because you do not like a decision the Department of Human Services (DHS) makes. You have the right to file an appeal if you disagree with a decision. You do not have to pay to file an appeal. [441 Iowa Administrative Code Chapter 7].

How do I appeal? Filing an appeal is easy. You must appeal in writing for all programs, except for SNAP. You can appeal in person or by telephone for SNAP. To appeal in writing, do **one** of the following:

- Complete an appeal electronically at <https://dhssecure.dhs.state.ia.us/forms/>, **or**
- Write a letter telling us why you think a decision is wrong, **or**
- Fill out an Appeal and Request for Hearing form. You can get this form at your county DHS office.

Send or take your appeal to the Department of Human Services, Appeals Section, 5th Floor, 1305 E Walnut Street, Des Moines, Iowa 50319-0114. If you need help filing an appeal, ask your county DHS office.

How long do I have to appeal? For SNAP, you have 90 calendar days to file an appeal from the date of a decision. For all other programs, you must file an appeal:

- Within 30 calendar days of the date of a decision or
- Before the date a decision goes into effect

If you file an appeal more than 30 but less than 90 calendar days from the date of a decision, you must tell us why your appeal is late. If you have a good reason for filing your appeal late, we will decide if you can get a hearing.

If you file an appeal 90 days after the date of a decision, we cannot give you a hearing.

Can I continue to get benefits when my appeal is pending? You may keep your benefits until an appeal is final or through the end of your certification period if you file an appeal:

- Within 10 calendar days of the date of a decision or
- Before the date a decision goes into effect

Any benefits you get while your appeal is being decided may have to be paid back if the Department's action is correct.

How will I know if I get a hearing? You will get a hearing notice that tells you the date and time a telephone hearing is scheduled. You will get a letter telling you if you do not get a hearing. This letter will tell you why you did not get a hearing. It will also explain what you can do if you disagree with the decision to not give you a hearing.

Can I have someone else help me in the hearing? You or someone else, such as a friend or relative can tell why you disagree with the Department's decision. You may also have a lawyer help you, but the Department will not pay for one. Your county DHS office can give you information about legal services. The cost of legal services will be based on your income. You may also call Iowa Legal Aid at 1-800-532-1275. If you live in Polk County, call 243-1193.

Policy Regarding Discrimination, Harassment, Affirmative Action and Equal Employment Opportunity

It is the policy of the Iowa Department of Human Services (DHS) to provide equal treatment in employment and provision of services to applicants, employees and clients without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, disability, political belief or veteran status.

If you feel DHS has discriminated against or harassed you, please send a letter detailing your complaint to:

Iowa Department of Human Services, Office of Human Resources, Hoover Building – 1st Floor, 1305 E. Walnut, Des Moines IA 50319-0114; fax (515) 281-4243, or via e-mail stopit@dhs.state.ia.us

(SNAP only) USDA – Director, Office of Civil Rights, 1400 Independence Ave SW, Washington DC 20250-9410, or call (800) 795-3272 (voice) or (800) 877-8339 (TTY-English) or (800) 845-6136 (TTY-Spanish).

Estimated amount to be withheld per paycheck will be:

Gross bi-weekly wage less federal withholding tax, state withholding tax, FICA, and retirement equals estimated net disposable income. Of this estimated net disposable income, 25% will be deducted from your gross wages, along with any non-mandatory deductions.

If your gross pay is not sufficient to deduct non-mandatory items after allowance for this garnishment, you will find that not all of your non-mandatory deductions have been made.

The maximum amount an employee's earnings can be garnished during any one calendar year for each creditor is as follows:

If estimated annual earnings are:	The deduction limit is:
Up to \$11,999.99	\$ 250.00
\$12,000.00 to \$15,999.99	\$ 400.00
\$16,000.00 to \$23,999.99	\$ 800.00
\$24,000.00 to \$34,999.99	\$1,500.00
\$35,000.00 to \$49,999.99	\$2,000.00
\$50,000.00 and above	10%

If the debt owed is to the Department of Administrative Services for taxes, then none of the above restrictions apply. State taxes are exempt from garnishment limits by federal law and the Department of Administrative Services may deduct all of your disposable income with no calendar year limits.