

11—40.12(8A) Notice of offset. The department shall send written notification of the offset to the debtor within 10 calendar days from the date the department is notified of such debt by the judicial branch. This notification must include:

1. The clerk of court claiming the liability;
2. The clerk of court's right to the payment in question;
3. The clerk of court's right to recover the payment through the offset program;
4. The basis of the clerk of court's case in regard to the debt;
5. The right of the debtor to request, within 15 days of the mailing of the notice, that the payment between parties be split when the payment in question is jointly owned or otherwise owned by two or more debtors;
6. The right of the debtor to contest the right of offset and the validity of such offset with the department by mailing, to the department's legal counsel, a protest within 15 days of the mailing of such notice, and that the procedure to follow in that appeal will conform, according to the context, to the rules of the department involving protests and contested case proceedings in 11—Chapter 7;
7. The telephone number of the representative the debtor may contact concerning questions regarding the validity of the offset and the procedures for the offset;
8. That the debtor has the opportunity to contest the validity and amount of the liability by mailing, within 15 days of mailing of the notice of offset, a written application to contest the liability to the appropriate clerk of the Iowa district court; and
9. The name of the clerk of the district court and the telephone number for the debtor to contact concerning questions relating to the validity of the underlying liability and regarding the validity of the amount owed.

[ARC 1842C, IAB 1/21/15, effective 2/25/15]