

11—40.13(8A) Procedure for contesting. The debtor may contest the validity or amount of the underlying liability by mailing written notification of the debtor's intent to contest such a liability to the appropriate clerk of the Iowa district court. The Iowa district court will provide the debtor with the procedure and remedies for contesting the validity and amount of the underlying liability.

The debtor may contest the validity of the offset or the right of the offset by mailing written notification to:

Department of Administrative Services
General Counsel
Hoover State Office Building
Third Floor
Des Moines, Iowa 50319

The department will provide the procedure and remedies for contesting the validity of the offset and right of offset pursuant to the applicable contested case rules set forth in 11—Chapter 7.

If a debtor gives written notice of intent to contest the offset validity or the right of offset, the clerk of the district court and the department will hold a payment in abeyance until the final disposition of the contested liability or offset is determined.

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