

**IN THE COURT OF APPEALS OF IOWA**

No. 7-875 / 07-0928  
Filed November 29, 2007

**RENEE L. HARE,**  
Petitioner-Appellant,

**vs.**

**EMPLOYMENT APPEAL BOARD and  
CINDY'S CLEANING SERVICES,**  
Respondent-Appellee.

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Appeal from the Iowa District Court for Worth County, Stephen Carroll,  
Judge.

Petitioner-appellant appeals from a district court decision affirming the  
Employment Appeal Board. **AFFIRMED.**

Evelyn Ocheltree, Legal Services Corporation, Mason City, for appellant.

Richard Autry, Employment Appeal Board, Des Moines, for appellee-  
Employment Appeal Board.

Patrick Byrne, Clear Lake, for appellee-Cindy's Cleaning Service.

Considered by Sackett, C.J., Vaitheswaran and Baker, JJ.

**SACKETT, C.J.**

Petitioner-appellant Renee L. Hare (Hare) sought unemployment benefits following her discharge from employment as a full-time cleaning assistant with appellee Cindy's Cleaning Service (Cindy's). Cindy's protested. Hare was initially allowed benefits but Cindy's appealed the decision. A hearing was held before an administrative law judge. After hearing evidence the judge denied Hare benefits ruling that she was discharged for soliciting her employer's customers in order to start her own cleaning business which she had started at the time of the hearing. The judge ruled Hare's conduct was a willful and a material breach of the duties and obligations to the employer and in substantial disregard of the standards of behavior the employer had the right to expect of her. Finding that Hare's separation was disqualifying, the earlier decision was reversed and it was determined Hare was not eligible to receive unemployment insurance benefits because she was discharged from work for misconduct. The decision was appealed to the Employment Appeal Board which reviewed the record and in a two to one decision affirmed the administrative law judge's decision and adopted its finding of facts and conclusions of law as its own.

The case was appealed to the district court. In a complete and well-written decision, which we adopt as our own, the district court affirmed the agency.

**AFFIRMED.**