

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

August 2, 2001

GSBCA 15445-RELO

In the Matter of CLAUDE N. NARRAMORE

Claude N. Narramore, Chelsea, AL, Claimant.

Michael N. Griffin, Chief, Division of Planning and Internal Controls, Office of the Chief Financial Officer, Washington, DC, appearing for Department of Labor.

WILLIAMS, Board Judge.

A transferred employee cannot be reimbursed for expenses incurred in conjunction with the purchase of a residence when the new residence is not located at the new duty station and is not the home from which claimant regularly commutes.

Background

Claimant, Claude N. Narramore, an employee of the Department of Labor, Mine Safety and Health Administration, was transferred from Arlington, Virginia, to Denver, Colorado, in June 1999. Mr. Narramore claimed reimbursement in the amount of \$2725.18 for expenses related to a house-hunting trip to Chelsea, Alabama, and the purchase of a residence in Chelsea.

The Department of Labor denied the claim because the expenses incurred by claimant were for the purchase of a home located in Chelsea, Alabama, while claimant's new duty station was Denver, Colorado. Mr. Narramore now appeals this decision.

Discussion

The authority to reimburse an employee for real estate expenses incurred in the "purchase of a home at the new official station," incident to a change of official station, is contained in 5 U.S.C. 5724a(d) (Supp. IV 1998). The Federal Travel Regulation (FTR), in implementing this statute, provides that the new residence must be located at the employee's new "official station." 41 CFR 302-6.1 (1998). The FTR provides that, with respect to an employee's entitlement to reimbursement of residence transportation expenses, "official station or post of duty means the residence or other quarters from which the employee

regularly commutes to and from work." 41 CFR 302-1.4(k). With respect to the purchase of a residence, both the Board and the General Accounting Office have consistently held that the requirement that the employee regularly commute from the residence in question contemplates commuting on a daily basis, not just on weekends or occasionally during the month. David M. Whetsell, GSBCA 14089-RELO, 98-1 BCA ¶ 29,610; Malcolm L. Jowers, GSBCA 13727-RELO, 97-1 BCA ¶ 28,800; Jesse Jackson, Jr., B-251559 (Mar. 31, 1993); Johnny W. Reising, B-238086 (June 8, 1990); Donald R. Stacy, 67 Comp. Gen. 395 (1988).

In the instant case, claimant's newly purchased residence in Chelsea, Alabama, is not at his official duty station in Denver, Colorado. Nor does claimant commute from this residence on a daily or occasional basis. Claimant is thus ineligible to receive reimbursement.

Decision

The claim is denied.

MARY ELLEN COSTER WILLIAMS
Board Judge