

Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

October 30, 2001

GSBCA 15615-RELO

In the Matter of MONICA ALEXANDER

Monica Alexander, Temple Hills, MD, Claimant.

Jeanne DiGange, Certifying Officer, National Finance Center, Department of Agriculture, New Orleans, LA, appearing for Department of Agriculture.

BORWICK, Board Judge.

Claimant seeks reconsideration of our decision in Monica Alexander, GSBCA 15615-RELO (Aug. 14, 2001). In that case, the agency requested an opinion pursuant to 31 U.S.C. § 3529 (Supp. IV 1999) as to whether the Federal Travel Regulation (FTR) would allow for reimbursement of a fee claimant had paid to AmeriDream Charity, Inc. (AmeriDream) upon the sale of her residence. Payment of the fee assisted the buyer in securing a down payment subsidy from AmeriDream for the purchase. We concluded that there was no authority for reimbursement of claimant's payment to AmeriDream.

Claimant says the house she sold was in Cincinnati, Ohio, not Cleveland, Ohio, as mentioned in our decision. We correct that error.

Claimant argues that she asked the agency for a relocation services contractor but that her supervisor ordered that a relocation services contractor not be provided. The agency states that it did not provide a relocation services contractor because of a coding error in claimant's travel authorization. We concluded that the cause was a coding error, and claimant takes issue with our conclusion. Mere disagreement with our findings is not grounds for reconsideration. Board Rule 407.

In her reconsideration request, claimant acknowledges that the payment to AmeriDream was not authorized under 41 CFR 302-6.2(a)-(c) (2000), but, for the first time, raises another ground--that the payment is reimbursable under the FTR's provisions for home marketing incentive programs, 41 CFR pt. 301-14. Under that part, a transferred employee must enter the house in an agency home sale program which is offered by the agency through a contractual arrangement with a relocation services company. 41 CFR 302-14.1. The employee receives a home marketing incentive payment when he or she (a) enters the residence in the program, (b) independently and aggressively markets the residence, (c) finds

a bona fide purchaser through his or her own efforts, and (d) transfers the residence to a relocation services company; (e) the agency pays a reduced fee to the relocation services company as a result of the employee's marketing efforts; and (f) the employee meets any other conditions established by the agency. 41 CFR 302-14.5. The agency determines whether it is in the Government's interest to offer the program. 41 CFR 302-14.4.

The home marketing incentive is not applicable here because claimant's residence was not transferred to a relocation services company and the agency did not pay a reduced fee to a relocation services company as a result of claimant's marketing efforts. Instead, claimant's payment to AmeriDream involved a direct sale between claimant and the purchaser without the participation of a relocation services company.

Finally, claimant states that we did not consider the agency's denial of certain other costs of attorney fees, recording taxes, and courier fees. The agency has confirmed, however, that its determination of those entitlements is under review and was not within the scope of the agency referral. If claimant is not satisfied with the agency's determination on these matters, she may ask us to review that determination by filing a separate case.

Claimant's request for reconsideration is denied.

ANTHONY S. BORWICK
Board Judge