

Putnam



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Gordon E. Warrington - Local Moving
Expenses From Government Housing

File: B-230343

Date: March 13, 1989

DIGEST

A transferred employee who was offered government housing for 1 year as an accommodation in a high-cost resort area may not be paid the expenses incurred in later moving his household goods locally to a private residence. Such moving expenses may be paid by the agency only where the employee is required to occupy government quarters. Furthermore, the employee may not have restored the 16 hours of annual leave used during the move.

DECISION

This decision is in response to a request by the Forest Service for a decision concerning an employee's claim for reimbursement of local moving expenses and restoration of 16 hours of annual leave used by the employee in moving from government housing to a private residence.^{1/} For the reasons stated later in this decision, we conclude that the agency need not reimburse the employee for local moving expenses where the move into government quarters was not required by the agency. Similarly, the 16 hours of annual leave used by the employee while moving may not be restored.

BACKGROUND

Mr. Gordon E. Warrington, an employee of the Forest Service, was transferred to the Bridger-Teton National Forest, Jackson, Wyoming, where there are a limited number of government housing units available. The Forest Service reports that these units are used to provide temporary housing, for approximately 1 year, to new employees moving into the area to allow them sufficient time to locate a

^{1/} The request was submitted by Mr. James Turner, Authorized Certifying Officer, Forest Service, United States Department of Agriculture.

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permanent residence. The agency states that Jackson is a resort town, that housing prices are higher than average, and that the availability of housing is reduced during certain periods of the year.

Mr. Warrington moved into government housing on or about August 29, 1985, and was asked to vacate the residence by December 8, 1986. He seeks reimbursement for the moving and transportation expenses he incurred in moving from the government quarters to his private residence (\$559.33) along with the restoration of 16 hours of annual leave he used while moving.

The Forest Service considers Mr. Warrington's movement into the government housing as a move into permanent quarters which bars the payment of additional moving expenses. The agency states that it is aware of our decisions which permit the payment for local transportation of household goods as administrative expenses in limited situations. However, in each of the decisions, the employee was required to occupy the government housing as a condition of employment. The Forest Service says that the occupancy in this case was optional on the part of Mr. Warrington.

Mr. Warrington argues that the agency should pay his moving expenses from the government housing to a private residence. He contends he was required to move into available Forest Service housing and the agency then required him to move out of the government quarters. He also contends that since he acted at the request of the Forest Service and had no personal choice in these moves, he should be reimbursed for the expenses he incurred in moving from government quarters to a private residence.

OPINION

When Mr. Warrington vacated these government quarters, it was not incident to a transfer to a new duty station. Therefore, the relocation of his residence and the transportation of his household goods from government quarters to a private residence may not be regarded as a permanent change of official station within the purview of 5 U.S.C. §§ 5724 and 5724a (1982), and the implementing Federal Travel Regulations for purposes of reimbursing him for the expenses incurred in moving his household effects locally.

On the other hand, our Office has held that an employee may be reimbursed the expenses of moving household goods into or out of government quarters locally when directed by the official responsible for administration of an installation, not as an authorized change of duty station but as an

administrative cost of operating the installation. Such expenses are normally incurred when the agency requires the employee to occupy government quarters. See B-172276, July 13, 1971; B-138678, Apr. 22, 1959.

In this case, the agency has concluded that these government quarters were made available to Mr. Warrington as an accommodation to him and that he was not required to move into government quarters. In addition, it appears that Mr. Warrington knew that these government quarters would only be available to him for approximately 1 year. Thus, when Mr. Warrington was ordered to vacate these quarters, such action was neither unanticipated nor was it an involuntary move from quarters he was required to occupy. Therefore, the decisions cited above do not apply to Mr. Warrington's situation.

Accordingly, we conclude that the costs incurred by Mr. Warrington in moving his household goods from government housing to a private residence may not be paid as an administrative expense by the agency. Consequently, we find no basis to allow the restoration of the 16 hours of annual leave to his leave account.

Milton J. Fowler
for Comptroller General
of the United States