

## Relocation Allowances

## § 302-11.2

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AUTHORITY: 5 U.S.C. 5738 and 20 U.S.C. 905(c).

SOURCE: FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, unless otherwise noted.

### Subpart A—General Rules

NOTE TO SUBPART A: Use of pronouns "I", "you", and their variants throughout this subpart refers to the employee, unless otherwise noted.

#### § 302-11.1 What is the purpose of an allowance for expenses incurred in connection with residence transactions?

The purpose of an allowance for expenses incurred in connection with residence transaction is to reimburse you when you transfer from an old official station to a new official station for expenses that you incur due to:

- (a) The sale of one residence at your old official duty station, and/or the purchase of a residence at your new official duty station; or
- (b) The settlement expenses for a lease which has not expired on your residence or mobile home lot which is used as your permanent residence at your old official station.

#### § 302-11.2 Am I eligible to receive an allowance for expenses incurred in connection with my residence transactions?

You are eligible to receive an allowance for expenses incurred in connection with your residence transactions under this subpart if you have signed a service agreement as specified in §302-3, subpart D of this chapter, and you are performing a permanent change of station where:

- (a) Your old and new official stations are within the United States; or
- (b) You transferred from an official station in the United States to a foreign area, and you are now transferring back to the United States and;
  - (1) You have completed your service agreement time period for your overseas tour of duty; and
  - (2) You are assigned to an official station in the United States that is more than 50 miles from your last official station in the United States, unless authorized otherwise in accordance with § 302-2.6 of this chapter.

**§ 302-11.3**

**§ 302-11.3 Must I sign a service agreement before receiving residence transaction allowances?**

Yes, you must sign a service agreement before receiving residence transaction allowances.

**§ 302-11.4 Who is not eligible to receive an allowance for expenses incurred in connection with residence transactions?**

You are not eligible to receive an allowance for expenses incurred in connection with residence transactions under this subpart if you are:

- (a) A new appointee; or
- (b) An employee assigned under the Government Employees Training Act (5 U.S.C. 4109).

**§ 302-11.5 To be reimbursed for expenses incurred in my residence transactions, must I occupy the residence at the time I am notified of my transfer?**

Yes, to be reimbursed for expenses incurred in your residence transactions, you must occupy the residence at the time you are notified of your transfer, unless your transfer is from a foreign area to an official station within the United States other than the one you left when you transferred out of the United States, as specified in § 302-11.2(b).

**§ 302-11.6 For which expenses will I be reimbursed if I qualify for a residence transaction expense allowance?**

If you qualify for a residence transaction expense allowance, you may be reimbursed for the:

- (a) Expenses of selling your old residence and purchasing a new residence in the United States; or
- (b) Settlement of an unexpired lease at your old official station in the United States from which transferred to another official station in the United States or when assigned to a foreign post of duty; and
- (c) Expenses of purchasing a new residence in the United States upon return to the United States upon completion of the foreign tour of duty and the return is to a different official station, and is 50 miles distance from the official station which you transferred from.

**41 CFR Ch. 302 (7-1-03 Edition)**

**§ 302-11.7 When are expenses for my settlement of an unexpired lease reimbursable?**

When your unexpired lease (including month to month) is for residence quarters at your old official station, you may be reimbursed for settlement expenses for an unexpired lease, including but not limited to broker's fees for obtaining a sublease or charges for advertising if:

- (a) Applicable laws or the terms of the lease provide for payment of settlement expenses; or
- (b) Such expenses cannot be avoided by sublease or other arrangement; or
- (c) You have not contributed to the expenses by failing to give appropriate lease termination notice promptly after you have definite knowledge of your transfer; or
- (d) The broker's fees or advertising charges are not in excess of those customarily charged for comparable services in that locality.

**§ 302-11.8 Must I sell a residence at the old official station to be eligible to purchase a residence at the new official station?**

No, you do not have to sell the residence at your old official station to be eligible for residence purchase transactions at your new official station.

**TIME LIMITATIONS**

**§ 302-11.21 How long do I have to submit my claim for reimbursement of expenses incurred in connection with my residence transactions?**

Your claim for reimbursement should be submitted to your agency as soon as possible after the transaction occurred. However, the settlement dates for the sale and purchase or lease termination transactions for which reimbursement is requested must occur not later than 2 years after the day you report for duty at your new official station. (See § 302-11.23.)

**§ 302-11.22 May the 2-year time limitation be extended by my agency?**

Yes, your agency may extend the 2-year limitation for up to two additional years for reason beyond your control and acceptable to the agency.