

Mr. Schwimer

17872

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

FILE: B-199958

DATE: April 22, 1981

MATTER OF: Steven L. Chancey - *[Claim For]* Temporary Quarters  
Subsistence Expenses

DIGEST: Employee and family are not entitled to temporary quarters subsistence expenses for meals while occupying quarters leased as permanent residence at new duty station and while awaiting arrival of household goods.

This decision is in response to *[an appeal]* by Mr. Steven L. Chancey *[of our Claims Group Settlement denying his claim for additional reimbursement of temporary quarters subsistence expenses.]*

The issue is whether temporary quarters subsistence expenses (TQSE) are payable when the employee and his family occupy their new permanent residence while awaiting the arrival of household goods incident to a permanent change of station. The answer is that temporary quarters subsistence expenses are not payable under these circumstances.

Mr. Chancey, *[an employee of the Department of the Army, transferred his permanent duty station]* from St. Joseph, Missouri, to Tacoma, Washington, where he arrived on May 27, 1979. *[Upon arrival he obtained temporary lodging at a hotel until]* June 2, 1979, at which *[time]* he signed a lease and occupied permanent quarters. *[He expected his household goods to arrive]* by June 4, 1979, *[but due to a trucking strike the goods did not arrive until]* July 1979. Mr. Chancey *[was allowed]* \$338.46 in *[TQSE]* which represented *[6 days of lodging and 7 days of subsistence expenses]*. However, Mr. Chancey claims additional subsistence *[from June 2, 1979, to June 27, 1979.]*

*[Mr. Chancey argues that since he did not have furnishings, his permanent residence was in essence "temporary" until the arrival of his household goods.]*

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*Off to 4/29*

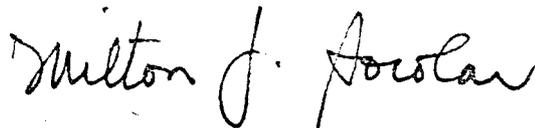
B-199958

[This Office has consistently held that an employee may not be reimbursed temporary quarters subsistence expenses during the period he occupies the residence in which he intends to remain, irrespective of the absence of his household goods which arrive at his new residence at a later date.] See Robert N. Havens, B-194837, August 8, 1979; Kenneth C. Crawford, B-194065, June 8, 1979; Lawrence J. Blus, B-192011, December 12, 1978.

The evidence in the record shows that Mr. Chancey intended to occupy his new quarters on a permanent basis beginning June 2, 1979. [Although the quarters may have been unfurnished, the quarters do not qualify as temporary quarters in which Mr. Chancey's family intended to reside for a short period prior to moving into permanent quarters.]

[In regard to Mr. Chancey's inquiry as to his right of appeal in the event his claim is denied, decisions of the Comptroller General are binding on executive agencies of the United States. However, independent of the jurisdiction of this Office, the United States Court of Claims and District Courts have jurisdiction to consider certain claims against the Government if suit is filed within 6 years after the claim first accrued.] See 28 U.S.C. §§ 1346(a)(2), 1491, 2401, and 2501 (1976).

Accordingly, the settlement of our Claims Group is upheld.

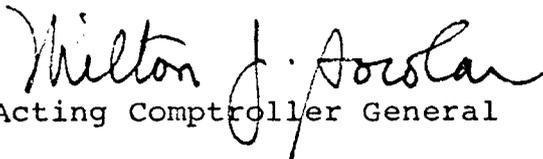


Acting Comptroller General  
of the United States

*Memorandum*

April 22, 1981

TO : Associate Director - AFMD - Claims Group (Room 5858)

FROM :  Acting Comptroller General

SUBJECT: Steven L. Chancey, Claim for Temporary  
Quarters Subsistence Expenses, B-199958-O.M.

Returned is your file Z-2823792 and a copy of our decision of today which sustains the Claims Group's denial of the claim of Steven L. Chancey for temporary quarters subsistence expenses.

Attachments