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The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Danny L. Johnson
File: B-232836
Date: November 16, 1989

DECISION

The issue in this decision is whether an employee may be reimbursed for temporary quarters expenses where the employee occupied an apartment for an extended period of time.^{1/} The employee, Mr. Danny L. Johnson, transferred to Tulsa, Oklahoma, in January 1987 and moved into an apartment. The agency contends that his occupancy of the apartment was permanent, and it denied reimbursement of 55 days of temporary quarters expenses.

Our decisions have held that what constitutes temporary quarters depends upon the facts and circumstances of each case. Factors to be considered in determining whether quarters are temporary include the duration of the lease, the movement of household goods into the quarters, attempts to secure a permanent dwelling, and the length of time the employee occupies the quarters. Charles J. Wilson, B-187622, June 13, 1977.

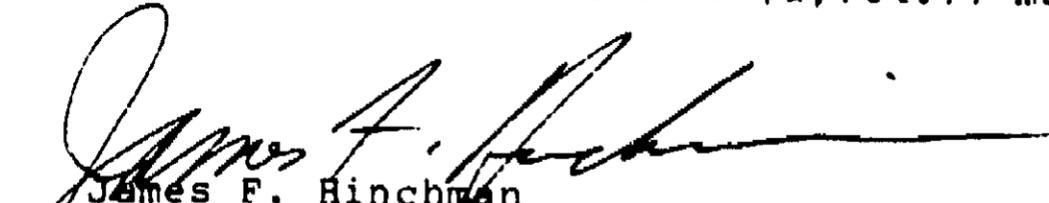
In this case, Mr. Johnson states that he obtained the shortest lease available in the apartment complex (8 months) and placed some of his household goods and appliances in storage. He also affirms his continuing interest in securing a permanent residence. However, he has resided in the apartment for nearly 3 years. He states that his occupancy of the apartment is only temporary because his agency is planning to relocate and he plans to contract to have a home built when the office relocation is finalized.

Under the circumstances, we conclude that this assertion that the apartment is only temporary is too vague and indefinite to qualify that residence as temporary quarters

^{1/} The request was submitted by Gary Hayter, Authorized Certifying Officer, Southwestern Power Administration, Department of Energy.

for purposes of reimbursement of subsistence expenses. The fact that Mr. Johnson and his wife have lived there for nearly 3 years indicates that such occupancy is other than temporary. See Jerrold Cooley, B-233161, July 14, 1989.

Accordingly, the claimed temporary quarters subsistence expenses in the amount of \$2,764.77 may not be paid.



James F. Hinchman
General Counsel