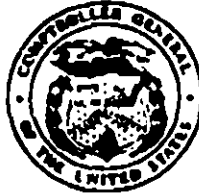


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Agajarian  
v. B. W.

**DECISION**



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

**FILE:** B-190245

**DATE:** February 15, 1978

**MATTER OF:** Roy M. Johnson - Reimbursement of Real Estate Expenses - Telephone Calls and Telegram

**DIGEST:** Employee who departed old duty station prior to sale of residence is entitled to reimbursement of expenses incurred for long-distance telephone calls which were directly related to the sale of the residence at his old duty station. Accordingly, claimant is entitled to reimbursement of the telephone calls to real estate broker. However, telephone calls to former neighbor and other calls, the nature of which have not been ascertained, are not for allowance. While cost of telegram to relay acceptance of purchase offer would be reimbursable, payment therefor is not allowable where claimant has not provided any documentation showing claimed expenses were incurred.

By letter dated September 22, 1977, Mrs. Mary M. Rydquist, an authorized certifying officer of the Bureau of Land Management, United States Department of the Interior, has requested an advance decision as to whether Mr. Roy M. Johnson, an agency employee, may be reimbursed in the amount of \$57.09 for telephone calls and telegrams made incident to his transfer from Atlanta, Georgia, to Billings, Montana.

The record shows that incident to his transfer from Atlanta to Billings, in November of 1975, Mr. Johnson was authorized reimbursement for relocation expenses. In connection with his transfer, Mr. Johnson placed his residence at his old duty station on the real estate market. The record shows that the agency granted Mr. Johnson a 1-year extension of the time limitation for reimbursement for expenses of the realty transaction and that Mr. Johnson sold his home on May 13, 1977.

Mr. Johnson states that the real estate market in the Atlanta area was in a depressed state during the time that he was attempting to sell his home and he therefore called long distance to the real estate brokerage firm representing him in Atlanta in order to determine that a serious effort was being

B-190245

made to sell his home. Mr. Johnson claims reimbursement for the cost of a telegram while in Denver, Colorado, attending a training course. He states that the purpose of the telegram was to communicate his acceptance of an offer to buy his residence in Atlanta and that the offer of purchase required his acceptance in a documented form. The total amount of Mr. Johnson's claim for reimbursement is \$57.09 which represents the expenses of \$49.69 for the telephone calls and \$7.40 for the telegram.

Concerning reimbursement for the long-distance telephone calls and telegram, we have held that such expenses may be allowed or disallowed depending on the purpose of the communication. We have therefore permitted reimbursement as a miscellaneous expense under para. 2-3.3 of the Federal Travel Regulations only when the purposes of the call or telegram concerned an item which would constitute an allowable expense. Matter of Walter Alt, B-185160, January 2, 1976. Thus, in Alt we allowed reimbursement of a long-distance telephone call and telegram by an employee who had already transferred to his new station since the call was necessary to negotiate the contract of sale for his former residence. We have also allowed reimbursement for expenses of telephone calls related to the negotiation of the sales contract and to liquidation of a second mortgage incident to a real estate transaction. See Matter of Richard B. Dawson, B-189140, November 23, 1977. In view of the above-cited decisions Mr. Johnson may be reimbursed for the long-distance telephone calls to his real estate broker which directly relates to efforts to sell his residence. We note that two of the telephone calls for which reimbursement is claimed were for calls from Billings, Montana, to Denver, Colorado, where Mr. Johnson was on temporary duty. Mr. Johnson states that an offer was made to purchase his home and the two telephone calls related to the sale of his home and required an immediate answer in a documented form. The documented form to answer the offer was a night letter telegram. Therefore, the expenses of these two calls in the amount of \$2.19 may be allowed. Concerning the telephone calls to the Atlanta area from Montana, Mr. Johnson has not identified the individuals to whom each of his calls were placed. We have been able to ascertain that three of the telephone calls in the total amount of \$8.43 were to one of the several offices of his real estate broker and reimbursement may therefore be allowed. Several of the calls for

B-190245

which reimbursement is claimed were apparently made to Mr. Johnson's former next door neighbor whom he had asked to watch his residence. These calls do not appear to be related to a reimbursable expense incident to the sale of a residence and payment therefore may not be allowed.

In addition, the record does not indicate the nature of the other calls for which reimbursement is claimed. Accordingly, in the absence of evidence which would establish that those calls concerned an item which would be an allowable expense, reimbursement may not be made.

With respect to the claim for the expenses of the telegram, reimbursement therefore would be allowable since the telegram was directly related to the sale of Mr. Johnson's residence. However, Mr. Johnson has not provided any documentation to establish that the expense of a telegram was incurred. Accordingly, on the record reimbursement for the claim for payment of the cost of the telegram may not be allowed.

From the record we are unable to ascertain whether Mr. Johnson has received the \$200 for miscellaneous moving expenses. If Mr. Johnson has received the \$200 the additional allowance for telephone calls and telegram will be in excess of the \$200 provided in para. 2-3.3a(2) of the FTR and the employee then must support the entire miscellaneous expense allowance with evidence as required by para. 2-3.3b of the FTR.

Action on the voucher should be taken in accordance with the above.

  
Deputy Comptroller General  
of the United States