

DECISION

17475 Kirkpatrick
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-197929 *Claim for Reimbursement of* DATE: March 25, 1981

MATTER OF: Adele K. Kauth - Real Estate Expenses
Title-Dependency

DIGEST: Since employee's mother was sole owner of home at old duty station and was not dependent on employee, the employee is not entitled to reimbursement of real estate expenses for sale of home incident to permanent change of duty station. Although employee resided with mother, cared for her, and provided transportation because of mother's medical condition, employee did not provide necessary financial support for the mother to be considered "dependent parent" within meaning of Federal Travel Regulations.

May V. Smith, Authorized Certifying Officer, Department of Housing and Urban Development, asks whether real estate expenses for the sale of a home may be reimbursed to an employee, Ms. Adele K. Kauth, where title to the home was solely in the name of Ms. Kauth's mother.

According to the record, Ms. Kauth resided with her mother at the old duty station. Because of a medical condition, severe arthritis, her mother could not live alone and needed Ms. Kauth with her to provide care. She could not drive a vehicle and depended on Ms. Kauth for transportation. Consequently, the mother sold her home and moved with Ms. Kauth to the new duty station where they resided together. There is nothing in the record to indicate that the mother was in any way financially dependent on Ms. Kauth.

An employee who owns no interest in a home may receive reimbursement of selling expenses upon transfer only if title to that home is "solely in

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the name of one or more members of his immediate family." Section 2-6.1c of the Federal Travel Regulations (FTR). Further, under the definition of "immediate family" in Section 2-1.4d of the FTR, parents residing in the employee's household are considered to be members of the "immediate family" only if they are "dependent parents" of the employee or the employee's spouse.

In 55 Comp. Gen. 462 (1975) we said that ordinarily a parent will be considered "dependent" when the employee provides more than one-half of the parent's support. However, dependency may still exist even if the employee supplies less than one-half of the parent's support, if for reasons such as age and large medical expenses, the parent would not be able to maintain a reasonable standard of living without the support of the employee and his household. In that case, since the parent could not make regular contributions toward housing and food costs because of high medical expenses, the parent was dependent upon the employee and his household for basic necessities. Therefore, for the purpose of relocation expenses, we held that the parent was "dependent," even though the employee provided less than fifty percent of the support.

The present case must be distinguished from 55 Comp. Gen. 462 (1975). The record does not show that Ms. Kauth provided financial support for her mother. A substantial financial contribution is required in order for the parent to be held to dependent upon the employee for the purpose of reimbursement of relocation expenses.

Consequently, reimbursement of real estate expenses here is not authorized.

Milton J. Sorolan

Acting Comptroller General
of the United States