

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

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**FILE:** B-210918**DATE:** June 12, 1984**MATTER OF:** David J. Price — Relocation Expenses —  
Sale of Mobile Home**DIGEST:**

A transferred employee sold a mobile home which he had been using as a residence at his old permanent station and seeks reimbursement for advertising and legal expenses incurred incident to the sale. Under FTR, para. 2-6.2b and 2-6.2c, reimbursement of these expenses are authorized. Subject to recomputation, the employee's advertising expenses are allowed. However, not all the legal and related expenses charged employee may be allowed, since some were incurred after the date of closing for the sale. In absence of a showing that the additional legal expenses incurred after that date necessarily related to the sale, only those expenses which were incurred by the employee through the designated date of the closing may be allowed.

This decision is in response to a request from the Finance Officer, National Park Service, Southeast Regional Office, concerning the entitlement of its employee, Mr. David J. Price, to be reimbursed for expenses resulting from the sale of his mobile home incident to a permanent change-of-station transfer in February 1982. Subject to limitations as to the amount, the employee may be reimbursed.

Mr. David J. Price, an employee of the National Park Service, accepted a permanent change-of-station transfer which required him to move from Gunnison, Colorado, to the Everglades National Park, Homestead, Florida, in February 1982. It appears that in May 1980, well before the transfer, he purchased a mobile home in Gunnison and used it as his residence. Upon receiving notice of his transfer, he began advertising the mobile home for sale and finally succeeded in selling it in June 1983. He has presented a claim in the amount of \$511.35, representing his advertising costs of \$140.80, and legal and related costs of \$370.55.

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Statutory authority for reimbursement of the expenses of residence related transactions of transferred employees is found in 5 U.S.C. § 5724a (1982). Regulations implementing those provisions are found in paragraph 2-6.2 of the Federal Travel Regulations, FPMR 101-7 (September 1981) (FTR). Subparagraph 2-6.2b authorizes reimbursement of the costs of newspaper, bulletin board and other advertising services for the sale of a residence at the old station. Subparagraph 2-6.2c authorizes reimbursement of legal and related expenses with respect to the sale of a residence which are customarily paid by the seller of a residence at the old official station.

With regard to the cost of advertising incurred by Mr. Price, that cost may be allowed. However, it appears that based on the copies of the receipts enclosed with the submission, the total cost should be \$120.80, not \$140.80 as claimed, since two sets of the receipts appear to be duplicates.

As to the legal and related expense items, it appears that that was also incorrectly totaled. Based on the receipts enclosed, the total charges for legal and related items were \$295.55. According to the settlement statement prepared at the time of the actual closing, the buyer was charged \$20 as her share of the legal expenses that day and \$3 for a recording fee. Thus, it appears that the total legal expenses incurred by Mr. Price were \$272.55.

Notwithstanding the above, it is noted that these expenses were charged to Mr. Price on a periodic basis. The first part (\$75), was billed on March 31, 1982, and the last part (\$48), on January 5, 1984. The significance of this is that the closing date for the sale of the mobile home was June 26, 1983, and \$89.55 was charged to Mr. Price after that date. Thus, the legal and related expenses apparently incurred by Mr. Price through the date of closing totaled \$183.

A closing, generally, involves the execution and delivery by the seller to the buyer of all documents transferring ownership of the property and the delivery of the

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purchase price by the buyer to the seller, either in the form of money or promissory note, thereby concluding all aspects of the transaction between the parties. There is nothing in the record to show that the sale of the mobile home was not concluded at that time. Therefore, in the absence of information demonstrating that the additional legal expenses incurred after the date of closing and charged to Mr. Price necessarily related to that closing, or that the closing was not concluded at that time, reimbursement of those expenses may not be allowed.

In summary, Mr. Price may be reimbursed a total of \$303.80, representing \$120.80 for his advertising costs and \$183 for legal and related expenses incident to the sale of his mobile home.

for *Milton J. Fowler*  
Comptroller General  
of the United States