

DECISION



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

FILE: B-217922

DATE: September 6, 1985

MATTER OF: James Betts

DIGEST:

Although the employee would not have undertaken plumbing repairs if they had not been needed to pass a housing inspection required to sell his residence, he is not entitled to real estate expenses for the repairs, since they were maintenance costs which may not be reimbursed under the Federal Travel Regulations.

Mr. James Betts, employed by the Equal Employment Opportunity Commission, claims real estate expenses of \$250 for plumbing repairs required to sell his home at his old duty station at Whitefish Bay, Wisconsin. We agree with the Equal Employment Opportunity Commission that this item is a home maintenance cost that may not be reimbursed.^{1/}

Mr. Betts incurred the plumbing expense incident to the sale of his home and transfer of his permanent duty station from Whitefish Bay to Washington, D.C., in November 1984. He explains that his home had to pass a Village of Whitefish Bay inspection before it could be sold and that this inspection was not required when he purchased the home. The inspection revealed a plumbing deficiency which had existed when he purchased the home, but which he was required to correct in order for the home to be sold. He states that unknown to him the plumbing defect existed when he purchased the home, it was not a problem for him, and it should not be considered a functional maintenance problem. Evidently he would not have undertaken the plumbing repair had it not been necessary to sell the home.

Reimbursement of expenses for operating or maintaining a home are not included as reimbursable real estate sale or purchase costs under Federal Travel Regulations, para. 2-6.2d(2) (Supp. 4, August 23, 1982), incorp. by ref.,

^{1/} The Director, Budget and Finance Division, United States Equal Employment Opportunity Commission, requested our decision.


C33112

B-217922

41 C.F.R. § 101-7.003 (1984). We have, in several cases, held that corrections of deficiencies required to sell a residence are not reimbursable since they are maintenance costs. This rule covers deficiencies under applicable local laws which did not apply at the time the residence was constructed or purchased. Robert J. Holscher, B-215410, November 14, 1984, and decisions cited therein.

Just as in the above decisions, the cost of the plumbing work Mr. Betts was required to have done to correct deficiencies in the home under the new inspection requirement is not reimbursable. This is so even though the correction would not have been undertaken without the sale of the home.

Accordingly, the claim may not be allowed.


for Comptroller General
of the United States