

DECISION



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

FILE: B-218692

DATE: December 17, 1985

MATTER OF: Russell A. Devers

DIGEST:

Where transferred employee and his family occupied temporary quarters in the home of the employee's brother, agency properly limited reimbursement for lodging costs to \$4 a day. Although the employee claims to have paid brother \$30 a day for lodgings and for use of garage to store household goods, documentation submitted by employee shows brother's increased costs for providing lodgings proximated only \$4 a day. Amount paid for use of garage is not a lodging cost, but should be treated as a cost of temporary storage of household goods.

Mr. Russell A. Devers, an employee of the Veterans Administration, claims reimbursement for lodging costs of \$30 a day for the 30-day period that temporary quarters subsistence expenses were allowed, during which period he and his family shared quarters in his brother's home.^{1/} We find that the agency's determination limiting his reimbursement for lodging costs to \$4 a day is reasonable in light of the employee's failure to demonstrate greater increased costs to his host as a result of their shared occupancy.

Facts

In October 1983 Mr. Devers was transferred from Loma Linda, California, to Marion, Illinois, under permanent change of station orders that authorized reimbursement of temporary quarters subsistence expenses for a 30-day period. Upon arrival in Marion, the employee, his wife and daughter stayed temporarily in the home of Mr. Devers' brother. They shared the home with his brother, his sister-in-law, and their two children from October 7, to December 17, 1983.

^{1/} This decision was requested by the Director, Office of Budget and Finance (Controller), Veterans Administration.

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Mr. Devers has claimed temporary quarters subsistence expenses consisting of itemized meal costs and \$30 a day for lodgings for the 30-day period commencing October 7, 1983. The meal portion of his claim has been paid and only the lodging portion is here in issue. In this regard, Mr. Devers states that he agreed to pay his brother \$30 a day for lodgings until he found a permanent residence in Marion. He has explained that this amount was intended to cover not only his family's lodgings, but the use of his brother's garage to store the household goods they shipped from California.

In support of his claim, Mr. Devers has submitted his brother's statement that it would be fair to estimate that his utility costs increased by at least 50 percent during the period that the employee and his family shared the residence. He has also submitted a copy of his brother's account with the local gas company indicating deliveries and billings from April 1982 through April 1984, along with figures indicating an increase in the number of kilowatt hours of electricity used during October and November 1983. Based on its review of this documentation, the Veterans Administration determined that Mr. Devers had failed to establish his entitlement to more than \$4 a day for the lodgings portion of the temporary quarters subsistence expenses allowance.

Mr. Devers questions the agency's determination, pointing out that the \$4 rate was not formally adopted until August 1984 for application to cases in which friends and relatives furnish temporary quarters but are unable to document increased costs attributable to an employee's stay. He also notes that the Veterans Administration failed to take into account the fact that many of his household goods were stored in his brother's garage during their stay.

DISCUSSION

A transferred employee's entitlement to reimbursement for subsistence expenses incurred while occupying temporary quarters is governed by the provisions of chapter 2, part 5 of the Federal Travel Regulations (Supp. 4, Aug. 23, 1982), incorp. by ref., 41 C.F.R. § 101-7.003 (1983). Under these regulations only actual expenses may be reimbursed provided they are incident to the occupancy of temporary quarters and are reasonable in amount. See paragraph 2-5.4a of the Federal Travel Regulations.

We have recognized that charges paid by an employee for temporary quarters supplied by a friend or relative may be reimbursed provided those charges are reasonable in amount. And, we have defined the requirement of reasonableness in terms of an amount "considerably less than motel charges" which is otherwise supported by information indicating a correlation between the payment made and additional costs incurred by the host as a result of providing the lodgings. 52 Comp. Gen. 78 (1972) and Carlos A. W. DiBella, B-198336, February 13, 1981.

It should first be noted that Mr. Devers has not submitted a cancelled check or a receipt from his brother to establish that he, in fact, incurred a cost of \$30 a day for the lodgings provided. Since paragraph 2-5.4b of the Federal Travel Regulations requires receipts for lodgings, no portion of Mr. Devers' claim may be paid until he has provided evidence that the amount in question was actually paid out.

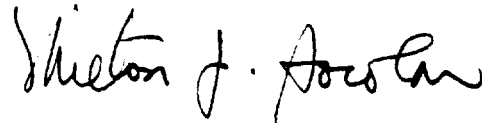
Such information as Mr. Devers has otherwise provided does not establish that \$30 a day was reasonable reimbursement for the cost incurred by his brother in furnishing the lodgings in question. By Mr. Devers' own account the \$30 amount was intended, in part, as compensation for use of his brother's garage to store items of household goods and the record does not otherwise support a finding that the \$30 amount bears any relation to the additional costs his brother incurred in sharing his home with the employee's family.

Although he has submitted figures reflecting an increase in the amount of electricity and propane gas used during the period temporary quarters were occupied, Mr. Devers has not furnished evidence of his brother's added costs which would support a payment of \$30 per day. At most the evidence provided could support an added cost in the range of \$4 per day.

Since Mr. Devers has not presented any documentation of additional costs other than for electricity and propane gas, it appears that the agency's determination to allow lodging costs of \$4 a day is a proper exercise of its discretion to determine the reasonableness of temporary quarters subsistence expenses claimed. See Constance A. Hackathorn, B-205579, June 21, 1982.

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Independent of this determination, Mr. Devers has the right to submit a claim for temporary storage of household goods to his agency for the amount he paid for use of his brother's garage. See paragraph 2-8.5 of the Federal Travel Regulations and B-162684, December 18, 1967. It would appear that this claim has not been considered by the Veterans Administration and we have not been furnished the documentation necessary to assess the validity of any such claim Mr. Devers may have.



Acting Comptroller General
of the United States