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DECISION

THE COMPTROLLER GENERAL
OF THE UNITED STATES

WASHINGTON, D. C. 20548

J. Kulpatrieb
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GA044*[Application of 2-Year Time Limitation on Relocation Expenses]*

FILE: B-191018

DATE: December 26, 1978

MATTER OF: Gerald W. Frye - Relocation expenses -
2-year time limitation

DIGEST: The 2-year time limitation under FTR 2-6.1(e), including a 1-year extension, for settlement of a residence sale is on or before the second anniversary of the date the employee reports for duty at his new duty station. Since settlement was 1 day after the second anniversary of the date the employee reported for duty, real estate expenses are denied.

This responds to a request from R. G. Bordley, Chief, Accounting and Finance Division, Office of the Comptroller, Headquarters, Defense Logistics Agency, for reconsideration of our decision in Matter of Gerald W. Frye, B-191018, April 26, 1978, which denied real estate expenses incurred by Mr. Frye incident to his permanent change of station.

Reconsideration is requested because it has been administratively determined that Mr. Frye's reporting date at his new duty station Burlington, North Carolina, was October 20, 1975, rather than October 19, 1975, the date upon which we based our decision of April 26, 1978.

The question is whether the time limitation (1 year plus 1-year extension) under paragraph 2-6.1(e) of the Federal Travel Regulations for settlement of the sale of a residence is on or before the second anniversary of the date the employee reported for duty at his new duty station. Real estate expenses must be denied under this provision if the time limitation for settlement is not met.

Inasmuch as the actual reporting date was October 20, 1975, the time limitation for settlement of the sale, including the 1-year extension granted Mr. Frye, was the second anniversary date. See B-168318, December 10, 1969, and B-173207, July 13, 1971. Consequently, the date of settlement under paragraph 2-6.1(e) could be no later than October 20, 1977. Since settlement was on October 21, 1977, the time limitation was not met.

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Accordingly, Mr. Frye is not entitled to reimbursement of selling expenses and our decision of April 26, 1978, is sustained.

R. J. Keenan
Acting Comptroller General
of the United States