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

FILE: B-194684

DATE: December 10, 1979

MATTER OF: Curtis A. Charter - [House-Hunting Trip Expenses]

**DIGEST:** In the absence of advance written authorization, prior verbal or other informal approval, or administrative error, an employee may not be reimbursed for house-hunting expenses. An after-the-fact determination that authorization of such expenses would have resulted in reduced cost to the Government furnishes no basis for payment.

This action pertains to an appeal by Mr. Curtis A. Charter of the disallowance in Settlement Certificate No. Z-2744945, dated November 15, 1978, of his claim for reimbursement of house-hunting expenses incurred in connection with his transfer from the Small Business Administration's Regional Office in Des Moines, Iowa, to the Regional Office in Philadelphia, Pennsylvania. 2

On May 10, 1976, Mr. Charter signed an agreement to remain in Government service for 12 months and submitted a request for permanent change of station travel orders which included his request for a 3-day house-hunting trip as well as a temporary quarters allowance. Subsequent to its approval by the Acting Regional Director on May 21, 1976, the request was dispatched to the Director, Office of Personnel, where a staff accountant deleted that portion of the claimant's submission relating to house-hunting expenses. As approved by the Assistant Administrator for Administration on July 1, 1976, Mr. Charter's permanent change of station orders did not authorize a house-hunting trip but provided for temporary quarters. We have been advised that, as issued, the orders conform to the Small Business Administration's policy to authorize a house-hunting trip or temporary quarters, but not both.

In the interim, having relied on information received from the Regional Budget Officer that approval by May 14, 1976, was probable, and that the Acting Regional Director had given his verbal approval, Mr. Charter completed his house-hunting trip during the period from May 16 through May 18. Thereafter, upon

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discovering that his request for authorization of a house-hunting trip had been disallowed, the claimant submitted an amended authorization form requesting post approval of his trip. The Assistant Administrator for Administration denied this claim on October 19, 1976, citing in explanation the absence of proper pre-travel authorization or administrative error sufficient to warrant approval after the travel had been accomplished. On November 15, 1978, our Claims Division disallowed Mr. Charter's claim on identical grounds.

The Federal Travel Regulations (FTR) authorize reimbursement of house-hunting expenses when incurred in connection with a permanent change of station and circumstances indicate that the trip was necessary. FTR 2-4.1 and 2-4.3(b) (May 1973). The following language of FTR 2-4.3(c) expressly requires advance authorization for house-hunting trips:

"c. Authorization prior to trip. The trip for finding residence quarters shall not be made at Government expense unless a permanent change of station travel order has been issued which includes authorization for the round trip and mode of transportation and period of time allowed for the trip, specifies the date for reporting at the new official station, and indicates that the employee has signed the required agreement. An employee shall be in a duty status during the authorized round trip period of absence."

Consistent with the above-quoted regulation we have held that, with two exceptions, the failure of advance written authorization is fatal to an employee's claim for house-hunting expenses. B-75802, July 24, 1972; B-179449, November 26, 1973; B-185511, March 3, 1976. House-hunting trip expenses have been allowed notwithstanding lack of prior written authorization where the failure of proper authorization is the result of an administrative error which negates the specific intent of the appropriate authorizing official, B-179449, supra, and in those cases where the subsequent written authorization merely affirms prior verbal or other informal authority granted by a properly authorized official. B-170329, October 19, 1970, and B-175938, November 16, 1972.

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Mr. Charter submits that, inasmuch as a house-hunting trip would cost the Government less than temporary quarters, deletion of a house-hunting trip from his request for a travel authorization constituted correctible administrative error. He explains that the fact that he took a house-hunting trip reduced the period that he occupied temporary quarters. We reiterate, however, that only those errors relating to a failure to follow the specific intent of the appropriate authorizing official may be retroactively corrected. Even though deletion of the house-hunting request by the staff accountant effectively precluded consideration by the Assistant Administrator for Administration nothing in the record suggests that this action was improper. In this regard, see B-179449, supra, where claimant's house-hunting expense request was inadvertently omitted from his application by his supervisor. We held that their actions did not constitute correctible administrative error even though the authorized officials were precluded by the omission from formulating a specific intent with regard to claimant's entitlement. We also refer claimant to our decision in B-185511, supra, wherein we noted that the regulations do not authorize post approval of house-hunting expenses merely because an after-the-fact cost comparison indicates that a temporary quarters allowance would have been more costly to the Government.

The second exception to the requirement for advance authorization of house-hunting trip expenses was invoked in B-173110, July 13, 1971, a case cited by Mr. Charter as involving circumstances similar to his own. In that case, the employee was reimbursed for house-hunting trip expenses authorized by travel orders issued after he had begun but before he had completed the trip. As a basis for holding the employee entitled to reimbursement, the decision relies on B-170329, October 19, 1970, which involved an employee whose travel orders were issued on the last day of his house-hunting trip. The holding in B-170329, supra, was predicated on the fact that the employee was induced by the official who later signed his travel orders to perform the trip without advance authorization.

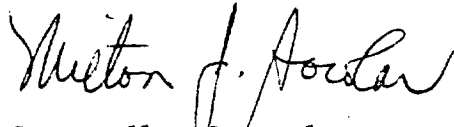
Inasmuch as claimant's house-hunting expenses were at no time allowed by any duly authorized official, this exception and the holding in B-173110, supra, are inapplicable under the present facts. Although Mr. Charter secured the verbal

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approval of the Acting Regional Director, only the Assistant Administrator for Administration was vested with authority to authorize relocation expenses. Accordingly, the informal advice and approval relied upon by claimant was without legal consequence. See B-185511, supra.

Mr. Charter finally urges that his claim be paid on equitable grounds, in accordance with our approach in 54 Comp. Gen. 993 (1975). We note, however, that the holding in the cited decision was based not upon equitable considerations but, rather, upon interpretations of statutory and regulatory provisions. More importantly, that decision has limited relevance to the present case since it does not deal with reimbursement of unauthorized expenses but holds that authorized relocation expenses may be reimbursed prior to actual consummation or cancellation of the transfer. Indeed, the opinion expressly recognizes that house-hunting expenses are among those relocation expenses which may not be reimbursed if incurred in anticipation of transfer. 54 Comp. Gen. 993, 998, supra.

This Office is bound to decide claims in accordance with applicable statutes and regulations. Since Mr. Charter did not satisfy the requirements regarding prior authorization of house-hunting trip expenses, asked for and received an authorization for temporary quarters, in fact received an allowance for temporary quarters, and agency policy precludes payment for both, he may not be reimbursed for the expenses claimed. Accordingly, we sustain the disallowance in the settlement dated November 15, 1978.



For the Comptroller General  
of the United States