

DECISION

17570
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-201891

DATE: March 31, 1981

MATTER OF: Richard Simmons ^{Request for} Temporary quarters
subsistence expenses

DIGEST: Temporary quarters subsistence reimbursement is denied for the period the employee rented a home he intended to purchase as his permanent residence.

We hold in this decision that the employee, Mr. Richard Simmons, is not entitled to temporary quarters subsistence expenses while occupying and renting a residence he later purchased at his new duty station.

The General Services Administration transferred Mr. Simmons from Cedar Rapids, Iowa, to Kansas City, Missouri, on September 2, 1980. Between September 1 and September 25, 1980, he rented a home which he intended to purchase in Olathe, Kansas. The closing date for the purchase was September 25, 1980. Mr. Simmons states that the rental agreement was separate from the purchase contract. He rented the home because of the limited amount of time to enroll his child in school. The original reporting date at Kansas City had been August 11, but it was delayed until September 2. He points out that by renting the home he saved the Government approximately \$1,100 for lodging and meals and \$844 because temporary storage of his household goods was unnecessary.

An employee is not entitled to temporary quarters subsistence reimbursement for the rental of a home he intends to purchase as his permanent residence, even though final settlement of the purchase has not taken place. See Paul R. Thomas, B-185440, July 13, 1976, and cases cited therein. As that decision states, the rule applies even though the occupancy of the purchased quarters saved money for the Government.

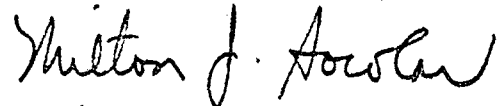
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Moreover, para. 2-5.2d of the Federal Travel Regulations provides that temporary quarters is an expedient to be used only if necessary and until the employee can move into permanent quarters. In the present case, it is clear that Mr. Simmons' intent was to occupy the residence on a permanent basis.

Accordingly, Mr. Simmons' claim for temporary quarters reimbursement is denied.

A handwritten signature in cursive script, reading "Milton J. Fowler".

Acting Comptroller General
of the United States