



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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December 17, 2008

CBCA 1360-RELO

In the Matter of DAVID K. WALTERSCHEID

David K. Walterscheid, Fort Worth, TX, Claimant.

Anne M. Schmitt-Shoemaker, Deputy Director, Finance Center, Army Corps of Engineers, Department of the Army, Millington, TN, appearing for Department of the Army.

**VERGILIO**, Board Judge.

On September 26, 2008, the Board received a claim from David K. Walterscheid (claimant), a civilian employee of the Department of Defense. The claimant seeks to reverse the determination by the Department of the Army (Government) that demands payment of \$2185.84, plus an administrative fee and interest, arising from the claimant's permanent change of station within the continental United States. Household goods (HHG) were packed and moved in June 2008, and delivered in July 2008. The claimant's HHG weighed 22,600 pounds. By statute, 5 U.S.C. § 5724(a)(2) (2000) (also expressed in implementing regulations, 41 CFR 302-7.2, -7.5 (2007)), the claimant assumed liability for the associated relocation costs incurred for the weight in excess of 18,000 pounds. The Government correctly determined and calculated the claimant's liability for the excess weight. The inaccurate weight estimates by estimators, movers, and the claimant do not affect ultimate liability. *Steven P. Shafran*, CBCA 656-RELO, 07-2 BCA ¶ 33,603; *John F. Tefft*, GSBCA 14740-RELO, 99-1 BCA ¶ 30,292; *Robert C. Berg*, GSBCA 13655-RELO, 97-1 BCA ¶ 28,939. The claimant must reimburse the Government for the costs and charges assessed.

The Board denies the claim.

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JOSEPH A. VERGILIO  
Board Judge