



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 14, 2014

CBCA 3471-RELO

In the Matter of ROBB E. ILLICH

Robb E. Illich, Washington, DC, Claimant.

Alma L. Grinston, Chief, PCS Coordinator, National Geospatial Intelligence Agency, Department of Defense, Arnold, MO, appearing for Department of Defense.

ZISCHKAU, Board Judge.

Robb E. Illich, the claimant, appeals the denial of his claim for reimbursement of \$12,600 in temporary quarters subsistence expenses (TQSE) for the period June 13 to July 12, 2013, nearly a year after he was granted and reimbursed for TQSE for the period June 19 through August 17, 2012. We sustain the agency's determination that Mr. Illich may not be reimbursed for TQSE covering the discontinuous period in 2013. Pursuant to the Federal Travel Regulation (FTR), an agency may authorize an employee to claim actual TQSE in increments of thirty days or less, not to exceed sixty consecutive days unless a compelling reason justifies an extension of up to sixty additional consecutive days, for a maximum of 120 consecutive days. 41 CFR 302-6.104 (2011) (FTR 302-6.104).

Background

Mr. Illich received PCS travel orders transferring his duty station from Florida to Washington, D.C., with a reporting date of June 11, 2012. He vacated his permanent quarters at his old station on June 18, 2012. The agency authorized him to receive TQSE in Washington, D.C., for the period June 19 through August 17, 2012. For the period August 18, 2012, through June 12, 2013, Mr. Illich states that he stayed in interim (non-permanent) housing for which he makes no claim for reimbursement. He subsequently stayed in housing for the period June 13 to July 12, 2013, for which he seeks TQSE reimbursement. The agency refused to authorize and reimburse TQSE for this 2013 period,

citing the Joint Travel Regulations (JTR), section C5366, as requiring that the TQSE period be continuous.

Mr. Illich argues that the JTR only requires that the initial sixty days of TQSE be consecutive but is silent regarding whether the maximum 120 days must also be consecutive. FTR 302-6.104 addresses that issue:

Your agency may authorize you to claim actual TQSE in increments of 30-days or less, not to exceed 60 consecutive days. However, if your agency determines that there is a compelling reason for you to continue occupying temporary quarters after 60 consecutive days, it may authorize an extension of up to 60 additional consecutive days. Under no circumstances may you be authorized reimbursement for actual TQSE for more than a total of 120 consecutive days.

The purpose of the TQSE allowance is to assist a relocating employee (and family) by reimbursing the cost of temporary quarters for a reasonable time period to arrange permanent housing. The regulation defines that reasonable time as being up to 120 consecutive days. The claimant has not shown any justification for interrupting occupancy of temporary quarters under FTR 302-6.106.

Decision

The agency properly refused to authorize or reimburse the requested 2013 housing costs which were incurred approximately ten months after the expiration of the initial period of authorized TQSE. The claim is denied.

JONATHAN D. ZISCHKAU
Board Judge