



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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February 19, 2025

CBCA 8310-RELO

In the Matter of JOSE C.

Jose C., Claimant.

Marc E. Mandel, Assistant General Counsel, Office of the General Counsel, Federal Bureau of Investigation, Washington, D.C., appearing for Department of Justice

**SHERIDAN**, Board Judge.

Claimant incurred real estate transaction expenses after his two-year reimbursement benefit period and is, therefore, not entitled to reimbursement of those expenses.

Background

On or about July 14, 2022, claimant received orders from the Federal Bureau of Investigation (FBI or agency) for a voluntary rotational transfer from Albuquerque, New Mexico, to Los Angeles, California. The effective date of the transfer was October 9, 2022.

Claimant engaged Landseer Property Management (Landseer) to facilitate leasing a property he owned in New Mexico to tenants. On October 11, 2024, Landseer received a security deposit for the property and stopped advertising the property for lease. On October 15, 2024, Landseer executed a residential lease for the property and was able to bill the leasing fee to claimant. A second tenant executed the lease on October 16, 2024.

On December 5, 2024, Landseer billed claimant a “leasing fee plus tax” charge of \$1893.28. On December 13, 2024, claimant sought reimbursement of the fee from the agency.

### Discussion

The Federal Travel Regulation (FTR) requires that reimbursable expenses for real estate transactions be incurred “not later than 1 year after the day you report for duty at your new official station.” 41 CFR 302-11.21 (2022) (FTR 302-11.21). An agency, however, “may extend the 1-year limitation for up to one additional year for reasons beyond [the employee’s] control and acceptable to [the] agency.” FTR 302-11.22. Here, the agency extended the time limitation for claimant’s benefits from one to two years. Claimant and the agency agree that claimant “reported to the Los Angeles Division of the FBI on 10/09/22. The benefit[s] expiration was 10/09/2024. To be eligible for reimbursement, an expense must incur on or before the expiration of benefits.”

Claimant raises several theories attempting to move the leasing fees he incurred to before the October 9, 2024, extension ended. Claimant posits that:

The [Property Management] company charged the leasing fee on October 15, 2024[,] because that’s when their monthly billing cycle ends and NOT based on when the 2 tenants signed the lease.

.....

The Property Management Company completed the leasing fee service [on] approximately October 7, 2024, which is when the tenant committed via e-mail to rent the property and initiated the required funds to be transferred to the Property Management Company. Therefore, the cost was incurred within the two-year time that the Agency granted of 10/09/2024.

Notwithstanding these arguments, the lease for the property was signed on October 15 and 16, 2024, and the funds did not clear bank accounts until October 11, 2024.

Claimant incurred the leasing fee on October 15, 2024, six days beyond the two-year expiration of benefits date. Accordingly, the agency cannot reimburse claimant’s leasing fee incurred beyond the maximum two-year time limit set by the FTR. *See Emelda J. Hadley, CBCA 4264-RELO, 15-1 BCA ¶ 35,930, at 175,610* (“[T]he regulations do not grant any authority to an agency or the Board to extend the period of eligibility, even if a good reason is cited for an extension.”).

Decision

The claim is denied.

*Patricia J. Sheridan*  
PATRICIA J. SHERIDAN  
Board Judge