



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

DJC
Docket No. NR8456-13
27 Jun 14

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) CNP memo 5420 Ser N130C1/13U1015 dtd 22 Nov 13
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show timely written request for early return of dependents (ERD), and adjust entitlement to Basic Allowance for Housing (BAH).

2. The Board, consisting of Mr. Zsalman, Mr. George, and Mr. Ruskin, reviewed Petitioner's allegations of error and injustice on 23 June 2014 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, to show that:

a. Petitioner executed a written request for early return of dependents (ERD). The request was received by cognizant authority and approved with an effective date of 9 August 2013. Note: Petitioner's spouse [REDACTED] is residing at [REDACTED]

b. Petitioner is authorized Basic Allowance for Housing (BAH) with dependents at the [REDACTED] rate from 10 August 2013 to present. Note: Petitioner transferred from NAVMEDCEN, [REDACTED] on or about 22 March 2012, and arrived to CLC 36, CLR 25, [REDACTED] on 21 April 2012. Furthermore, Petitioner's Projected Rotation Date (PRD) is April 2015.

c. Note: Petitioner is authorized Overseas Cost of Living Allowances (OCOLA) for [REDACTED] at the without dependent rate.

d. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


BRONTE I. MONTGOMERY
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

27 Jun 14


ROBERT D. ZSALMAN
Acting Executive Director