



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

RDS  
Docket No. 4733-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN, [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) JTR Chapter 10

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to establish Petitioner's authorizing Basic Allowance for Housing from 16 November 2018 through 28 February 2019 for dependent relocation to CONUS while Petitioner assigned to unaccompanied tour.

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 4 November 2021 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, relevant portions of Petitioner's naval record, 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 8 October 2014, Petitioner joined for duty with permanent duty station (PDS) Naval Station, [REDACTED] Detachment. Data available from Petitioner's master military pay account (MMPA) goes back to 16 December 2016 displaying receipt of OHA at the accompanied rate for [REDACTED] location.

b. On 4 October 2017, Petitioner receives N130 authorization for continuation of housing station allowances for [REDACTED] in connection with unaccompanied orders to [REDACTED]

c. On 20 October 2017, Petitioner is transferred from [REDACTED] Security Detachment; joined for temporary duty (TEMDU) on 8 January 2018 by [REDACTED], [REDACTED] and joined for duty by [REDACTED] on 15 March 2018.

d. During review of Petitioner's pay record, BCNR examiner discovered Petitioner's authorized continuation of OHA for [REDACTED] was stopped on 19 October 2017 (day prior to transfer) and restarted on 15 March 2018 (date joined on unaccompanied tour). OHA [REDACTED] should have continued under provisions of paragraph 100904 of reference (b). Per Table 10-35 Dependent retains permanent residence when Service member assigned to Unaccompanied or dependent-restricted tour at a PDS OCONUS. Rule 4, if dependent retains the permanent residence outside the U.S. and remains at Service member's old PDS then continue to pay OHA based on old PDS.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN, [REDACTED]

e. On 16 November 2018, Petitioner dependent spouse departs [REDACTED] via government paid to individually billed accounts (IBA) and arrives [REDACTED] effective 17 November 2018. Per reference (b), Table 10-36; dependent relocates when Service member assigned to unaccompanied or dependent-restricted tour at a PDS OCONUS. Rule 3; if the dependent relocates the permanent residence at Government expense from outside the U.S. to the U.S. and travels in advance of the Service member, then start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location. OHA based on the old PDS or BAH-Transit continues through the day before the dependent arrives. If dependent spouse relocated a personal expense the follow rule in Table 10-36 would apply. Rule 14; if the dependent relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour and relocates for a designated place outside the U.S. (OHA area) to U.S. location, then discontinue OHA based on the previously authorized location the day before dependent departs. Start BAH based on the new permanent residence location, the day a dependent arrives at this location.

f. Petitioner's MMPA reflects no BAH is initiated upon arrival to [REDACTED] and OHA at the accompanied rate for [REDACTED] continued until 15 December 2018.

g. On 28 February 2019, Petitioner transfers from [REDACTED] and joined Naval Base, [REDACTED] on 4 March 2019. BAH at the dependent rate for PDS zip code [REDACTED] starts effective 4 March 2019.

## 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. The Board concluded Petitioner BAH at dependent location [REDACTED] start date is 17 November 2018, not 16 November 2018, and partial relief warranted. In addition the Board concluded the Petitioner's OHA was erroneously stopped on 19 October 2017 upon transfer from PDS in [REDACTED] and warrants correction even though Petitioner's application did not address this issue.

## RECOMMENDATION

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

Petitioner authorized continuation of OHA at dependent location [REDACTED] from 20 October 2017 through 16 November 2018 per Table 10-36, rule 3 of reference (b).

Credit OHA accompanied (1) at JTR-Location [REDACTED] from 20 October 2017 through 14 March 2018 due to erroneous stop of OHA effective 19 October 2017.

Petitioner authorized BAH at dependent location [REDACTED] effective 17 November 2018 per Table 10-36, rule 3 of reference (b).

Credit BAH at the dependent rate for zip code [REDACTED] from 17 November 2018 through 3 March 2019.

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

4. It is certified that a 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.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN [REDACTED]

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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

12/16/2021

[REDACTED]

Deputy Director

[REDACTED]