

[REDACTED]

must have established a continuous residence at the previous PDS prior to receiving his/her new orders; the member must commute daily to the new PDS from the same residence.

Finally, to receive BAH based on the old PDS, the member must complete the below steps prior to the execution of orders: request authorization from the gaining commanding officer to receive BAH based on his/her previous duty station. Gaining commanding officers should ensure that member is maintaining a continuous residence and that the commuting distance from that continuous residence is reasonable for the geographic location of the assignment. If approved by the gaining commanding officer, the member must send the approval letter to his/her detailer in order to get the HHG funding removed from his/her orders. Once HHG funding is removed from the orders and the orders are re-issued, the member must take the approval letter and the orders to PSD upon check in to the gaining command to have BAH based on the previous duty station continued.

c. On 1 November 2015, Petitioner got married.

d. On 1 January 2019, Petitioner arrived to NROTC UNIV [REDACTED] for duty. Furthermore, BAH at the with-dependent rate for [REDACTED] [REDACTED] was started.

e. On 12 February 2020, Petitioner was issued official change duty orders (BUPERS order: 0440), while stationed in [REDACTED], with an effective date of departure of April 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of July 2020.

f. On 9 March 2020, Petitioner notified Commanding Officer, USS [REDACTED] [REDACTED] requesting BAH for housing based on previous permanent duty station under the provisions of a close proximity move.

g. On 10 April 2020, Petitioner transferred from duty station.

h. On 24 April 2020, Commanding Officer, USS [REDACTED] notified LCDR [M] that Petitioner is authorized to receive Basic Allowance for Housing (BAH) based on her previous Permanent Duty Station (PDS). Please remove the funding for a household goods (HHG) move from the members orders and re-issue those orders. Furthermore, Petitioner established a residence prior to the date her orders were issued, she will be commuting daily to her new PDS, and the commuting distance is reasonable for this geographic location.

i. On 19 May 2020, Petitioner was issued official modification to change duty orders (BUPERS order: 0440), while stationed in [REDACTED], with an effective date of departure of April 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of August 2020.

j. On 30 June 2020, Petitioner was issued official modification to change duty orders (BUPERS order: 0440), while stationed in [REDACTED], with an effective date of departure of April 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of August 2020.

k. On 8 November 2020, Petitioner arrived to [REDACTED] for duty. Furthermore, BAH at the with-dependent rate for [REDACTED] was started.

CONCLUSION

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

[REDACTED]

The Board concluded Petitioner took the necessary steps to request authorization for BAH at old PDS under provision of Close Proximity; however, administrative action was not completed prior to transfer.

RECOMMENDATION

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

Petitioner's request for a close proximity move was approved by cognizant authority prior to executing orders. Furthermore, prior to execution, Petitioner's orders were modified to remove funding for a household goods (HHG) move.

Petitioner was authorized BAH at the with-dependent rate for [REDACTED], from 8 November 2020 to present. Note: Note: if Petitioner moves from her residence, she will no longer be authorized BAH at the [REDACTED] rate.

Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay.

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.

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.

9/30/2021

[REDACTED]

Deputy Director

[REDACTED]