



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

█
Docket No. 6534-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █, USN, █

Ref: (a) Title 10 U.S.C. § 1552
(b) DoD 7000.14-R Chap 26
(c) NAVADMIN 101/10

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 Basic Allowance for Housing (BAH) based upon her previous duty station under the provisions of close proximity per references (b) and (c).

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 10 February 2022 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 17 May 2019 Petitioner joined for duty with Fleet Readiness Center █ and receiving BAH at with dependent rate for PDS zip code █
- b. On 12 August 2020 Petitioner issued BUPERS Order 2250 Official Change Duty Orders to detach during January 2021 with intermediate activity in route and upon completion of temporary duty report to ultimate activity █ with estimated date of arrival 15 March 2021.
- c. On 6 January 2021 Petitioner submits Special Request/Authorization (NAVPERS 1336/3) to receive BAH based on dependents location upon transfer. This request is signed with approval recommendation on 26 January 2021.
- d. On 8 February 2021 Petitioner is transferred from FRC SE and joined for duty on 15 March 2021 with █. Petitioner's BAH at the dependent rate changed to PDS zip code █ upon join.
- e. On 15 April 2021 Commanding Officer, █ signs letter to Commander, Navy Personnel Command requesting BAH based on previous PDS under the provisions of

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close proximity. No evidence of request being approved. Petitioner's master military pay account (MMPA) of 7 January 2022, BAH remains at [REDACTED] zip code [REDACTED]

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 determined the Petitioner did not have approval of BAH under provisions of a close proximity move and removal of household goods (HHG) funding from his orders prior to execution of transfer as required by reference (c). The Board concluded the even though the necessary steps to request authorization for BAH at old PDS under provision of Close Proximity were not executed in a timely manner prior to transfer, due to gaining command's approval and evidence Petitioner has not relocated from residence location prior or after execution of transfer and both old PDS and new PDS are within close proximity parameters required in reference (b), relief is warranted.

RECOMMENDATION

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

Petitioner requested BAH close proximity per reference (c) on 6 January 2021 and it was approved by the Commanding Officer of gaining command on 26 January 2021. BUPERS Order 2250 Official Modification to Change of duty orders removing entitlement or funding for relocation of dependents or movement of Household goods is effective on 1 February 2021.

Effective 15 March 2021 upon joining [REDACTED] Petitioner's BAH continued at the old PDS zip code [REDACTED] vice [REDACTED]

Note: If Petitioner moves from established residence prior after issue date of orders, regardless of whether or not the Petitioner moves at personal expense, there is no authorization for BAH based on the previous PDS per reference (c).

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.

3/3/2022

[REDACTED]