



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

█
Docket No. 7211-21
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

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 his naval record be corrected to establish Petitioner's authorization to receive Overseas Housing Allowance (OHA) for dependent spouse during the period of 1 March 2021 through 17 May 2021.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 20 January 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 12 February 2021 Petitioner marries dependent spouse in █. Petitioner assigned to unaccompanied housing at his permanent duty station U.S. Naval Hospital, U. S. Naval Support Activity (NSA) █.

b. On 1 March 2021 Petitioner dependent spouse signs lease for property located in █, █.

c. On 9 April 2021 the verifying official signs Petitioner's dependency application (NAVPERS 1070/602) indicating Basic Allowance for Housing (BAH) change from "R" to "A" (Dependent BAH – married to civilian) spouse effective 12 February 2021.

d. On 17 May 2021 Petitioner vacates Unaccompanied Housing located on █.

e. On 19 May 2021 Petitioner completes DD Form 2367 for OHA effective 1 March 2021.

f. On 1 June 2021 OHA at the with dependent rate started effective 17 May 2021 at JTR location █

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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's master military pay account reflects Petitioner was not paid the appropriate housing allowance per reference (b), warranting relief.

RECOMMENDATION

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

Petitioner authorized BAH credit at with dependent rate for dependent location on the date of marriage effective 12 February 2021 through 28 February 2021. The spouse's known location at date of marriage is [REDACTED].

Petitioner authorized OHA credit for dependent spouse for JTR location [REDACTED] effective 1 March 2021 through 16 May 2021.

Note: Petitioner MMPA does not reflect Family Separation Allowance (FSA) credit. Petitioner should contact local PSD and submit appropriate documentation with this letter for appropriate credit. Per paragraph 270203 of reference (b), FSA is payable to a member serving in any grade as a member with dependents. The member must meet all general requirements and one of the following conditions:

1. FSA-R The member's dependents, including dependents acquired after the effective date of Permanent Change of Station (PCS) orders (see Table 27-1 (FSA Commencement Dates), rules 8 and 9), do not live in the vicinity of the member's homeport/PDS, and their transportation to or near the PDS is not authorized at government expense (see paragraph 270401).

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.

2/9/2022

[REDACTED]

Deputy Director

[REDACTED]