



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

█  
Docket No. 2238-22  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █ █, USNR,  
█

Ref: (a) Title 10 U.S.C. § 1552  
(b) DoD 7000.14-R FMR, Volume 7a, Chapter 26

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 show Petitioner was eligible for and received Basic Allowance for Housing (BAH) at the with-dependent rate effective date of marriage.

2. The Board, consisting of █, and █, reviewed Petitioner's allegations of error and injustice on 27 July 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, 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. On 12 May 2021 Petitioner's BAH at the without dependents rate for █ started.

c. On 8 August 2021 Petitioner married.

d. BAH at the without dependents rate for █ stopped on 7 February 2022.

e. Petitioner was released from active duty and transferred to the Navy Reserve with Honorably character of service and was issued a Certificate of Release or Discharge from Active Duty—DD Form 214 for the period of 8 February 2018 to 7 February 2022 upon completion of required active service.

f. On 8 February 2022 Petitioner was issued official separation orders (BUPERS order: 0892) while stationed in █ with an effective date of departure of February 2022. Petitioner's place elected for travel was █ with an effective date of separation 9 February 2022.

Subj: REVIEW OF NAVAL RECORD IC0 [REDACTED], USNR,  
[REDACTED]

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2) and reference (b)<sup>1</sup>, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner was in receipt of BAH at the without-dependent rate for his PDS zip code of [REDACTED]. When Petitioner acquired his dependent on the date he married his spouse, he became entitled to receive BAH at the with-dependent rate based on his PDS location, however, Petitioner's BAH entitlement was never changed to reflect his with-dependent status.

## RECOMMENDATION

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

Petitioner was authorized BAH at the with dependents rate for [REDACTED] for the period of 8 August 2021 to 7 February 2022.

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.

8/9/2022

[REDACTED]  
Deputy Director  
[REDACTED]

---

■ Reference (b), when a Service member acquires a dependent, for example, through marriage, birth, or adoption, a with-dependent housing allowance is authorized as of the date the dependent is acquired.

When the Service member is assigned to a PDS in the CONUS, the housing allowance is authorized based on the PDS. He or she may request through the Secretarial Process a housing allowance based on the dependent's residence location. Table 26-28 specifies the changes in BAH or OHA when a Service member acquires a dependent while assigned in the CONUS.