



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

[REDACTED]  
Docket No. 3915-22  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN,  
XXX-XX-[REDACTED]

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 her naval record be corrected to Petitioner authorization Basic Allowance for Housing (BAH), BAH at the without dependents rate for [REDACTED], from 4 January 2021 to 26 May 2021.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 June 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 21 February 2019, Petitioner arrived to [REDACTED].

c. On 2 September 2020, Petitioner certified with witness an administrative remarks (NAVPERS 1070/613) listing she is MIL to MIL with no dependents. Petitioner elected to receive Single-BAH. Furthermore, Petitioner's address was [REDACTED]. It was signed by verifying official on 19 November 2020.

d. On 10 October 2020, Petitioner married [REDACTED] (active duty spouse).

e. On 4 January 2021, [REDACTED] Unaccompanied Housing issued Petitioner a statement showing arrival on 22 February 2019 and departure on 4 January 2021.

f. On 22 March 2021, Petitioner was issued official change duty orders (BUPERS order: [REDACTED]) with a required obligated service to August 2023, while stationed in [REDACTED] with an effective date of departure of May 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 30 June 2021.

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g. On 27 May 2021, Petitioner transferred, and arrived to [REDACTED] on 27 May 2021 for duty. Petitioner's BAH at the without dependents rate for [REDACTED] was started.

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner married an active duty spouse on 10 October 2020 and her request to receive BAH at the without dependents rate was signed by verifying official on 19 November 2020. Petitioner was not residing in Government quarters as of 4 January 2021<sup>1</sup>, therefore, she is eligible for BAH at the without dependents rate for [REDACTED] from 4 January 2021 until 26 May 2021.

#### RECOMMENDATION

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

Petitioner was authorized BAH at the without dependents rate for [REDACTED] from 4 January 2021 to 26 May 2021.

Note: Defense Finance & 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.

6/29/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]

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<sup>1</sup> Reference (b), a service member on Active Duty (AD) entitled to basic pay is authorized a housing allowance based on his or her grade, rank, location, and whether he or she has any dependents. A housing allowance generally is not authorized for a Service member who is assigned to appropriate and adequate Government quarters. In accordance with 37 U.S.C. § 421, a dependent who is on AD in a Uniformed Service and is entitled to basic pay cannot be considered a dependent for housing allowance purpose. When both Service members have no dependents and both are prevented by distance from living together, each is treated as a Service member without a dependent for BAH or OHA.