



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

█
Docket No. 9087-22
Ref: Signature Date

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█
█

Dear █:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 12 January 2023. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

In accordance with DoD 7000.14-R FMR Volume 7A, Chapter 25, Overseas Housing Allowance (OHA) is designed to cover actual rental costs for 80% of the assigned Service members. A Service member is reimbursed actual rental costs, limited to the maximum OHA rate for each locality and grade. A Service member authorized to live in private-sector leased or owned housing is authorized OHA provided a DD 2367 is completed and approved. Payment of OHA requires a lease agreement or a verifiable purchase price. The senior officer of the Uniformed Services in the country concerned, or the individuals or offices designated for that purpose by the senior officer has approval authority. The reported housing must be the actual residence that the Service member occupies and from which the Service member commutes to and from work daily. If a Service member is assigned on an unaccompanied tour or has a Secretarial waiver and authorized OHA for a dependent who lives separately, the reported housing must be the actual residence that the Service member's dependent occupies.

If a Service member or dependent jointly occupy a dwelling with relatives or friends who own the dwelling, the rent amount is zero, even if there is a lease or written document. This restriction does not apply when the Service member or dependent leases lodging from a relative or friend with a bona fide, standard written lease, when the relative or friend concerned does not jointly occupy the leased dwelling and the relative or friend regularly rents the lodging involved. Ordinarily a housing allowance is based on the Service member's Permanent Duty Station (PDS), or the home port for a Service member assigned to a ship or afloat unit. However, the Service may determine that a Service member's assignment to a PDS, or the circumstances of that assignment, requires a dependent to reside separately. Authorization or approval of a housing allowance based on the dependent's location or old PDS is through the Service Secretary or through the Secretarial Process.

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 a Service member is assigned at a PDS Outside the Continental United States (OCONUS) and the dependent does not reside at or near the PDS OCONUS, the housing allowance is based on the dependent's location. If the dependent does reside at or near the PDS OCONUS, the housing allowance is based on the PDS OCONUS.

On 27 January 2020 you were issued official change duty orders (BUPERS order: █) with required obligated service to September 2022, while stationed in █, █ with an effective date of departure of August 2020. Your ultimate activity was █, █, █ for duty with an effective date of arrival of 14 September 2020, with a Projected Rotation Date (PRD) of September 2022.

On 21 July 2020, you got married to █ in █, █.

On 8 September 2020 you were issued official modification to change duty orders (BUPERS order: █) while stationed in █, █ with an effective date of departure of August 2020. Your ultimate activity was █, █, █ for duty with an effective date of arrival of 14 September 2020, with a PRD of September 2022. This transfer funded for member and authorized dependents as reflected on service record page two and other supporting documents. Per The Joint Travel Regulations, Chapter 5, dependents acquired on or prior to the effective date of orders are authorized travel/transportation allowances from the place at which acquired to the new PDS, up to the travel/transportation entitlement for travel from old PDS to the new PDS.

Member advised: for members electing an OCONUS unaccompanied tour (see DoD unaccompanied tour length, JTR appendix q), OCONUS dependent restricted tour, or OCONUS unusually arduous sea duty assignment and request a designated place for dependents, the OCONUS Commanding Officer (CO) can authorize the designated place (and Basic Allowance for Housing (BAH)) for those dependents remaining in Continental United States (CONUS), IAW OPNAV policy memo dated 29 July 2010. OPNAV N130 still remains the approving authority for all designated place requests for OCONUS non-foreign locations. Note: OCONUS foreign requests will be approved if the member's spouse was born in requested location. Approval of non-foreign OCONUS designated place locations (i.e., HI, AK, PR, VI, GU, Samoa) will only be approved locations to which family ties (such as a HOR, PLEAD, or home ownership) exist. Requests are submitted to OPNAV N130.

On 12 September 2020 you transferred from █, and arrived to █ on 27 September 2020.

On 30 January 2021 Japan Airlines issue an Electronic Ticket Itinerary/Receipt for your spouse (█) with a departure date of 6 February 2021 █ International and an arrival to █ on 6 February 2021.

On 23 August 2021 your spouse (█) signed a rental agreement █ of Realtors Standard Form with █ of Realtors. Property was located in █, █ 96814. Rent was \$800.00 effective 1 September 2021.

On 30 March 2022 you were issued official change duty orders (BUPERS order: █) with required obligated service to December 2024, while stationed in █, █ with an effective date of departure of September 2022. Your ultimate activity was █, █, █ for duty with an effective date of arrival of 14 October 2022, with a PRD of October 2025.

