



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

██████████
Docket No. 7040-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) OPNAVINST 7220.12, 24 Dec 05

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 received Basic Allowance for Housing (BAH) at the without dependents rate effective 3 November 2020 through 11 July 2023.

2. The Board, consisting of ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 9 November 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 19 November 2019, Petitioner transferred from ██████████, and arrived to ██████████ on 23 December 2019 for duty.

b. On 25 September 2020, Petitioner was advanced to ETN2/E-5.

c. On 3 November 2020, Unaccompanied Housing, Naval Base ██████████ notified Disbursing Officer, Personnel Support Detachment, Naval Base ██████████ that "[t]his form is submitted as verification that the following member does not currently reside in Unaccompanied Housing at Naval Base ██████████" And "[h]as officially checked out of Unaccompanied Housing."

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[REDACTED]

d. On 8 June 2023, Petitioner's single BAH request was submitted and approved by cognizant authority on 14 June 2023. On 7 August 2023, Installation Housing Director approved Petitioner's request.

e. On 9 June 2023, Commanding Officer, [REDACTED] notified Director, Transaction Service Center, [REDACTED] that "[t]he following member's eligibility for single BAH is based on advancement date to E-5 on 25 September 2020 and [Petitioner] not residing in Unaccompanied Housing as of 3 November 2020." And "[d]ue to administrative error at the time of [Petitioner] becoming eligible for BAH, [Petitioner's] BAH request was not submitted properly. [Petitioner] was unaware of the situation and did not realize he was not receiving correct entitlements in his pay. The error was caught just recently during a command pay audit and [Petitioner] took immediate action to provide necessary documentation to start BAH. His original BAH request chit was unable to be located however. Due to the circumstance, we request [Petitioner's] BAH be started based on his initial eligibility date of 3 November 2020."

f. On 1 August 2023, Petitioner was authorized BAH at the without dependents rate for Bremerton, WA 98310 effective 12 July 2023.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b)¹ and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. On 25 September 2020, Petitioner was advanced to ETN2/E-5. On 3 November 2020, Unaccompanied Housing confirmed that Petitioner checked out of Unaccompanied Housing. On 8 June 2023, Petitioner's single BAH request was submitted and approved by cognizant authority on 14 June 2023. On 7 August 2023, Installation Housing Director approved Petitioner's request. The Board concluded that there is no evidence of Petitioner requesting BAH prior to 8 June 2023, however based on Petitioner's commanding officer's letter, Petitioner's request was not submitted properly and he was not paid correctly as a result of this administrative error. Petitioner was eligible for BAH at the without dependents rate based on rank and was not residing in Unaccompanied Housing as of 3 November 2020, and received the Installation Housing Director's approval.

RECOMMENDATION

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

Petitioner was authorized BAH at the without dependents rate for [REDACTED] effective 3 November 2020 to 11 July 2023.

¹ Reference (b), Navy policy restricts eligibility to berth ashore for single shipboard Sailors E-5 and E-4 (with greater than four years of service), contingent upon the approval of their commanding officer. This approval, however, does not constitute an authorization to receive a housing allowance, but simply allows the member to reside off the ship. The shore-based facility commander shall make the determination whether the member will be berthed in single bachelor quarters or entitled to draw an off-base housing allowance.

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[REDACTED]

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.

11/21/2023

[REDACTED]