



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

█
Docket No. 10845-23
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 16 January 2024. 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.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You entered active duty on 19 January 2022.

In accordance with NAVBASESANDIEGOINST 11103.1D of 15 June 2022, to provide standardized policy and operational procedures for the management of the Unaccompanied Housing (UH) program, to include █ and █.

Eligibility, Assignment, and Termination Criteria. To provide the criteria governing the eligibility for assignment to and termination of UH. UH includes permanent party barracks, mission essential barracks (to include austere), and student dormitories. UH eligibility determination and assignment standards are based on paygrade, dependency status, and type of orders.

Unaccompanied Service Members in paygrades E4 and below and assigned to shore duty must obtain a Certificate of Non-Availability (CNA) from UH in order to initiate a request to live off base, and to be eligible for Basic Allowance for Housing (BAH). UH staff will make every effort to house eligible Service Members by ensuring there are no available or assignable space in the barracks. CNAs will not be issued until occupancy has reached 95 percent or greater. When a permanent CNA is issued, the member will not be directed to seek community housing until a formal request has been submitted and approved. The member can then submit a

Commanding Officer (CO) approved Special Request/Authorization (NAVPERS 1336/3) to the Installation CO (ICO) or designee for final approval. Once approved, the Service Member will not be involuntarily required to live on base regardless of future barracks occupancy rates. Service Member must be completely check out of their UH barracks prior to being issued a CNA and Non-Dwelling Certificate.

Eligibility to Receive Housing Allowances. Single E-1 through E-4 Sailors assigned to Shore Duty, or any type of duty other than unusually arduous sea duty, may request BAH when UH occupancy is at 95 percent or greater. An approved request to live off base and draw the BAH entitlement, also authorizes the start of Basic Allowance for Subsistence (BAS) and stops meal deductions for those Service Members not assigned to shipboard duty. The entitlement to BAS does not require a separate request. The effective date will be the same for both BAH and BAS.

BAH Effective Dates. The following examples are examples of the start date for BAH at the without dependent rate: Final approval of the request signed by the ICO/designee or UH check out date, whichever is later. CO or ICO/designee indicated approved date on the request not to exceed 30 days from the date of the request. This date could be different from the CO or ICO/designee signature date.

On 22 July 2022, you transferred from █, and arrived at █ on 7 August 2022 for duty.

The UH, NBSD notified you that UH occupancy status for the purpose of E-4 under 4 sea duty and E-4 and below shore duty BAH process as of 11 October 2022 was 95%. Written in red pen, it is noted that, “█ is a ‘Must House for E-4 and Sailor barracks are available for █ Sailors.’”

On 28 September 2022, you submitted Special Request/Authorization (NAVPERS 1336/3) requesting single BAH/BAS. You listed your rate as MRFR/E-3. Your request was denied by cognizant authority on 15 April 2023. UH occupancy as of 11 October 2022 is 95%. CMC stated, “Will get member back in barracks. Does not meet (unreadable) to live outside of barracks.”

You were advanced to MRFA/E-2 on 16 November 2022.

On 15 February 2023, you signed a █ Residential Lease Agreement to commence on 1 April 2023 for 1-year.

The UH, █ notified you that UH occupancy status for the purpose of E-4 under four sea duty and E-4 and below shore duty BAH process as of 31 March 2023 was 95%.

On 26 July 2023, you submitted Special Request/Authorization (NAVPERS 1336/3) requesting single BAH/BAS. You listed your rate as MRFN/E-3. Your request was denied by cognizant authority on 6 September 2023. Furthermore, CMC stated that, “[p]reviously denied by CO. Nothing has changed.” DLCPO stated that, “SVM is an E-2 with under 21 years of age. He has not been onboard long. He had a barracks room and decided to move out.” and, “I personally called the barracks to have the sailor move back in and he still decided not to. The sailor is already making unwelcoming financial decisions by still staying out in town.”

You were advanced to MRFN/E-3 on 16 August 2023.

