



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

██████████
Docket No. 2156-24
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 10 September 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. In addition, the Board considered the advisory opinion contained in Office of the Chief of Naval Operations memorandum 7431 Ser N130C2/24U0567 of 24 June 2024, which was previously provided to you for comment.

In accordance with Head, Military Pay and Compensation Policy Branch (N130) Memo, published on 29 July 2010, in order to be eligible for a Dependent Designated Place move, the member must be assigned to (a) Unusually Arduous Sea Duty (eligible commands can be found in OPNAVINST 4650.17), or (b) An unaccompanied tour OCONUS (CONUS = continental 48 states, OCONUS = outside of continental 48 states).

On 1 October 2019, you signed an Apartment Lease listing the following: "PREMISES. Landlord, in consideration of the lease payments provided in this Lease, leases to Tenant the following: One-bedroom one-living room one-bathroom (the "Premises") located at ██████████
████████████████████. No other portion of the building (hereinafter, the building), wherein the Premises is located is included unless expressly provided for in this Agreement."

“TERM. The lease term will begin on January 01, 2020 ("Commencement Date") and will terminate on January 01, 2025, and thereafter shall be month-to-month on the same terms and conditions as stated herein, save any changes made pursuant to law, until terminated.”

In accordance with DoD 7000.14-R Financial Management Regulation, Volume 7A, Chapter 26, Table 26-46. Housing Allowance for Service Member in Transit for New Accession, Rule 2: If the service member is newly inducted, enlisted, or an officer candidate, and the service member has a dependent located outside the United States, then a. start BAH [Basic Allowance for Housing] based on the training location beginning the date of enlistment, entry on AD [Active Duty], or the date AD pay begins through the day before the day the Service member reports to the first PDS [Permanent Duty Station], including a training location for 20 or more weeks.

On 26 October 2022, ██████████ Commanding Officer forwarded your request for a single parent waiver to higher authority, signing a Waiver Briefing Sheet (NAVCRUIT 1133/39) listing that you have full custody of your son, ██████████ ... and your former spouse ██████████ ... currently live in ██████████ and is taking care of your son in ██████████, applicant is requesting to go active duty. On 2 November 2022, Commander, ██████████ notified Commanding Officer, ██████████ that “Per [COMNAVCRUITCOMINST 1130.81], the dependency waiver requested in enclosure (NTAG Empire State NAVCRUIT 1133/39 of 26 October 2022)], is approved for enlistment into the Active or Reserve Component. The applicant may enlist providing applicant remains qualified in all other respects.”

On 13 December 2022, you entered active duty. Your Master Military Pay Account (MMPA) shows that you were authorized BAH at the with-dependents rate for ██████████ ██████████ effective 13 December 2022. On 21 December 2022, you certified a Dependency Application/Record of Emergency Data (NAVPERS 1070/602) listing the following: Marriage Dissolved by divorce on 6 October 2022. Child ██████████ born in August 2012 and residing at ██████████. ██████████ ... is listed as custodian of your daughter, and you were paying \$211.80 per month in support. ██████████ born in October 2015 and residing at ██████████ with ██████████ ..., your mother. Remarks state: “Member’s son is staying with Member’s mother while in boot camp. Member will provide \$211.80 in support for daughter.”

On 24 February 2023, you transferred from ██████████, and arrived to ██████████ ██████████ on 24 February 2023 for duty. On 27 July 2023, you certified a Dependency Application (NAVPERS 1070/602) listing the following: Marriage Dissolved by divorce on 6 October 2022. Child ██████████ born in August 2012 and residing at ██████████. Child ██████████ ... born in October 2015 and residing at ██████████. Your Aunt is listed as Custodian/Legal Guardian.

On 29 September 2023, you transferred from ██████████, and arrived to ██████████ ██████████ on 29 September 2023 for duty. Your MMPA shows that you were authorized BAH at the with-dependents rate for ██████████ effective 29 September 2023. On 13 August 2024, you transferred from ██████████, and arrived to ██████████ ██████████ on 13 August 2024 for duty. Your MMPA shows that you were authorized BAH at the with-dependents rate for ██████████ effective 13 August 2024.

