



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

█  
Docket No. 4079-24  
Ref: Signature Date

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█  
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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 accordance with NAVADMIN 101/10 of 19 March 2010, "[t]his NAVADMIN clarifies eligibility and procedures for execution of a close proximity move. The following policy is in accordance with Title 37 U.S. Code Section 403 and Joint Federal Travel Regulations 1 November 2008 and supersedes any guidance on BAH [Basic Allowance for Housing] as it pertains to close proximity moves listed in OPNAVINST 7220.12 and NAVADMIN 026/09.

Service members who have not executed their orders are eligible to remove the Household Goods (HHG) funding from those orders in order to fall under the provisions of a close proximity move and may be eligible to receive BAH based on the previous PDS [Permanent Duty Station].

Service members with or without dependents who are reassigned within the continental united states, maintain an established residence, and still commute daily to their new PDS or homeport, may qualify for BAH based on their previous PDS under the provisions of a close proximity move.

To qualify for BAH based on the previous PDS the following provisions must be met: funding for a HHG [Household Goods] move must not be authorized; the member must maintain a continuous residence. The member must have established a continuous residence at the previous PDS prior to receiving his/her new orders; if the member moves after the issue date of orders, regardless of whether or not the member moved at personal expense, there is no authorization for BAH based on the previous PDS. The member must commute daily to the new PDS from the same residence.

Finally, to receive BAH based on the old PDS, the member must complete the below steps prior to the execution of orders: request authorization from the gaining commanding officer [CO] to receive BAH based on his/her previous duty station. Gaining commanding officers should ensure that member is maintaining a continuous residence and that the commuting distance from that continuous residence is reasonable for the geographic location of the assignment. If approved by the gaining commanding officer, the member must send the approval letter to his/her detailee in order to get the HHG funding removed from his/her orders. Once HHG funding is removed from the orders and the orders are re-issued, the member must take the approval letter and the orders to personnel support detachment (PSD) upon check in to the gaining command to have BAH based on the previous duty station continued.”

On 24 January 2017, you certified a Dependency Application (NAVPERS 1070/602) listing the following: Married on 2 March 2015, with a spouse address of ██████████.

On 5 December 2019, you were issued official change duty orders (BUPERS order: 3399) while stationed in ██████████ with an effective date of departure of April 2020. Petitioner’s ultimate activity was ██████████ for duty commissioning and fitting out with an effective date of arrival of 14 May 2020 with a projected rotation date of June 2025. Furthermore, “[p]er your request this order is issued with no entitlement or funding for relocation of dependents or movement of household goods. If you receive approval for BAH at the previous duty station, you will forfeit the authorization for all travel and transportation allowances for the entire assignment per NAVADMIN 101/10.”

On 27 April 2020, you transferred from ██████████, and arrived to ██████████ on 13 May 2020 for duty.

On 5 May 2021, you certified a Record of Emergency Data (DD Form 93) listing your spouse and child were residing at ██████████.

In October 2021, your mortgage with ██████████ started. You provided ██████████ Bill statement with a bill date of 14 November 2023, while residing at ██████████.

You requested to receive BAH for ██████████ vice ██████████, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that although housing allowance is based on the PDS, NAVADMIN 101/10 lists the eligibility criteria and procedures to continue to receive

