



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

██████████  
Docket No. 10145-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ██████████, USN,  
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) NAVADMIN 101/10, 19 Mar 10

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 that Petitioner was eligible for and received receive basic allowance for housing (BAH) for ██████████, ██████████ under the provisions of a close proximity move.

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 4 February 2025 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. Reference (b) 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 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.

Service members with or without dependents who are reassigned within the ██████████ 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 move must not be authorized; the member must maintain a continuous residence. The member

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must have established a continuous residence at the previous PDS prior to receiving his/her new orders; 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 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.

b. On 30 January 2023, Petitioner was issued official change duty orders (BUPERS order: 0303) while stationed in [REDACTED] with an effective date of departure of June 2023. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of June 2023 with a Projected Rotation Date (PRD) of June 2024.

c. On 23 May 2023, Petitioner was issued official modification to change duty orders (BUPERS order: 0303) while stationed in [REDACTED], [REDACTED] with an effective date of departure of July 2023. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of July 2023 with a PRD of July 2024.

d. On 27 July 2023, Petitioner was authorized BAH at the without dependents rate for [REDACTED] [REDACTED] stopped.

e. On 19 July 2023, Petitioner transferred from [REDACTED] and arrived at [REDACTED] on 28 July 2023 for temporary duty.

f. On 9 August 2023, Petitioner certified a Dependency Application/Record of Emergency Data (NAVPERS 1070/602) listing the following address: [REDACTED], [REDACTED] 92120.

g. On 19 September 2023, Petitioner was authorized BAH at the without dependents rate for [REDACTED] [REDACTED] stopped.

h. On 16 April 2024, Petitioner was issued official change duty orders (BUPERS order: 1074) while stationed in [REDACTED], [REDACTED] with an effective date of departure of July 2024. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of July 2024 with a PRD of July 2027. Furthermore, the following was listed: "Members who receive pcs orders when their old and new permanent duty stations are within close proximity to each other (based on a reasonable commute determined by the gaining co) may be eligible to receive a close proximity waiver and receive bah based on their old PDS location. See NAVADMIN 101/10 for waiver eligibility requirements and procedures."

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i. On 19 April 2024, [REDACTED] issued Petitioner a Mortgage Loan Statement listing the following address [REDACTED] [REDACTED]. Additionally, the statement shows that a payment was made on 10 April 2024.

j. On 23 May 2024, Petitioner was issued official modification to change duty orders (BUPERS order: 1074) while stationed in [REDACTED] [REDACTED] with an effective date of departure of May 2024. Petitioner's ultimate activity was [REDACTED] [REDACTED], for duty with an effective date of arrival of May 2024 with a PRD of May 2027.

k. On 30 May 2024, BAH at the without dependents rate for [REDACTED] stopped.

l. On 30 May 2024, Petitioner transferred from [REDACTED] and arrived at [REDACTED] [REDACTED] on 31 May 2024 for duty.

m. On 31 May 2024, BAH at the without dependents rate for [REDACTED] started.

n. On 5 June 2024, Commanding Officer, [REDACTED] notified [REDACTED] [REDACTED] via Petitioner that "[p]er references (a) [Title 37 U.S.C. Ch. 7 SEC 403], [JTR Ch. 10], [CNO [REDACTED] NAVADMIN 101/10)] through (d) [SER N01321/15APR24] the requesting service member is authorized to receive Basic Allowance for Housing (BAH) based on his previous Permanent Duty Station (PDS). Please remove funding for a household goods (HHG) move from the member's orders and re-issue those orders.

The member established residence prior to the date his orders were issued, he will be commuting to and from his new PDS, and the commuting distance is reasonable for this geographic location.

With the removal of funding for a HHG move, the member realizes he has forfeited the authorization for the government to fund a move. Additionally, he will forfeit the right to receive BAH based on her previous PDS if the member moves his residence at his own expense. As indicated in the request, the member acknowledges that any obligated service associated with these orders must still be completed."

o. On 16 October 2024, Petitioner certified Dependency Application/Record of Emergency Data (NAVPERS 1070/602) listing the following address: [REDACTED] [REDACTED].

p. On 30 January 2025, [REDACTED] notified the Board that "I am not seeing anything since 2021."

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that on 19 July 2023, Petitioner transferred from [REDACTED] and arrived to his new [REDACTED] on 28 July 2023. On 16 April 2024, Petitioner was issued BUPERS order: 1074, detaching [REDACTED] in July 2024 and arriving at the new [REDACTED] [REDACTED] in July 2024. On 23 May 2024, Petitioner was issued official modification to BUPERS order: 1074 detaching [REDACTED] with an effective date

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of departure of May 2024. The Board determined that due to the orders modification changing Petitioner's detachment from July to May 2024 being issued only days prior to detachment, Petitioner did not complete the steps required in reference (b) prior to the execution of his orders. However, in accordance with his mortgage statement, Petitioner established a residence in [REDACTED] prior to the issuance of BUPERS order: 1074, his gaining command approved his request after the fact, and NAVSUP confirmed that Petitioner did not move at Government expense. Therefore, the Board agreed that Petitioner is entitled to receive BAH based on the old PDS.

#### RECOMMENDATION

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

Petitioner's request for a close proximity move was approved by cognizant authority prior to executing orders (BUPERS order: 1074).

Petitioner was authorized "BAH at the without dependents rate for [REDACTED]" vice "BAH at the without dependents rate for [REDACTED]" effective 31 May 2024 to present. Note: If Petitioner moves from his residence, he will no longer be authorized BAH at the old PDS.

Note: The Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine amounts due, if any.

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 titled 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.

2/8/2025

