



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

██████████  
Docket No. 506-25  
Ref: Signature Date

██████████  
████████████████████  
████████████████████  
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 27 May 2025. 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 Commanding Officer, Navy Pay and Personnel Support Center memorandum 7220 N1 of 12 March 2025 and your response to the opinion.

In accordance with OPNAVINST 7220.12 published on 24 December 2005, this enclosure includes policy concerning BAH entitlements for single shipboard members in the paygrades of E5 and below. 2. Background. Except as otherwise prescribed in law, local base housing authority dictates the eligibility requirements for E-6 and below members requesting to live in off-base private sector housing... 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. a. 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.

Sailors who are married to another Sailor, both of whom are E-5 and below and on sea duty are entitled to an off-base housing allowance at the without dependent rate. To receive this benefit sailors must meet the following criteria: a. Have no other dependents. This includes members who claim dependents solely for the purpose of child support payments. b. Do not

reside in government quarters. c. Are permanently assigned to a ship or afloat squadron. Members assigned to a ship for deployment rotational purposes only (e.g. shore-based aviation squadrons, LCAC, ACU units, and embarked Marine detachments) do not qualify for the purposes of this entitlement. d. For the purpose of this entitlement, each member of a dual military couple, having no other dependents, is considered a single member for BAH/OHA entitlement purposes. Therefore, when one member of a dual military couple transfers from sea duty to shore duty, the Navy policy for E-4s with less than four years of service and E5 single sailors comes into effect.

On 12 February 2023, you married an active duty service member.

On 27 February 2023, you transferred from S ██████████ and arrived to ██████████ on 16 March 2023 for duty.

On 20 July 2023, ██████████ a ██████████ Limited Liability company (Signature Management Corp) issued you and your spouse a Lease Agreement with an effect date of 19 August 2023 for 12 months with monthly rent of \$1,795.00.

On 6 December 2023, Unaccompanied Housing Program Director, Naval Station Norfolk notified ██████████ that “[t]his memorandum is intended to provide verification of subject member's status of occupancy within the Naval Station Norfolk Unaccompanied Housing Program.

As of today, the subject service member IS NOT currently residing in Unaccompanied Housing.”

On 6 December 2023, USS STOUT (DDG 55) issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: “MIL to MIL (not living in GQ): I am MIL to MIL with no dependents. I ELECT to receive Single-BAH.” Furthermore, “I certify that the address below is the primary residence of: (check one or both): Myself (I reside at this address, and it is listed on the Command Recall Bill) .. ██████████, ██████████.”

On 11 December 2023, you submitted a Special Request/Authorization (NAVPERS 1336/3) listing the following: “Respectfully request to receive BAH for MIL to MIL marriage and to live in non-barracks.” Furthermore, it was certified on 19 December 2023 by cognizant authority.

Your Master Military Pay Account (MMPA) shows the following (BAH): “ENTRY-OPEN -DT 240106 05 01 1 EN T RY - CLSD - DT 240106 05 01 1 CNTRL-CODE 2 ACTN 01 START 231206 STOP 231231 ENTLMT-MM 1,249.75 ENTLMT 1,249.75 ENTLMT-NM 0.00 MNTLY-RATE 1,499.70 ACCOM 0 ZIP-CODE ██████████ RENT 9,999.00 SHARE-NR 1 RENT-STAT R PRCNTGE .00 PRO TECTED - RATE 0.00 CLOST-DEPN.”

Your Master Military Pay Account (MMPA) shows the following (BAH): “ENTRY-OPEN -DT 240106 05 01 1 EN TRY - CLSD-DT 240516 16 05 2 CNTRL-CODE 2 ACTN V2 START 240101 STOP 240426 ENTLMT-MM 772.35 ENTLMT -205.96 ENTLMT-NM 0.00 MNTLY-RATE 1,544.70 ACCOM 0 ZIP-CODE ██████████ RENT 9 , 999.00 SHARE-NR 1 RENT-STAT R PRCNTGE .00 P RO TECTED-RATE 0.00 CLOST-DEPN.”

You were discharged with an Honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 20 July 2022 to 26 April 2024 due to condition, not a disability.

On 5 May 2025, Unaccompanied Housing Program Deputy Director, Naval Station [REDACTED] notified [REDACTED] [REDACTED] that "[t]his memorandum is intended to provide verification of service member's status of occupancy within the Naval Station Norfolk Unaccompanied Housing Program.

As of today, the subject service members NOT currently residing in Unaccompanied Housing. Our records also indicate that this member has never occupied barracks onboard Naval Station Norfolk."

You requested to receive the correct amount of BAH backpay after being honorably discharged from the Navy, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that you were not collecting BAH after getting an apartment with your husband in August 2023. However, the Board concluded that in accordance with OPNAVINST 7220.12, for a member who is married to another military member to be eligible to receive BAH at the without dependents rate, they must not be living in government quarters. On 6 December 2023, Unaccompanied Housing confirmed that you were not living in barracks. Furthermore, on 11 December 2023, you submitted a Special Request/Authorization (NAVPERS 1336/3) requesting to receive BAH for MIL to MIL marriage and to live in non-barracks. This request was signed by cognizant authority on 19 December 2023 and in January 2024, BAH at the without dependents rate was started effective 6 December 2023. The Board determined that the effective date of your BAH entitlement was 6 December 2023 and that a change to your record is not warranted. In this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

6/5/2025  
[REDACTED]