

## Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

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February 15, 2006

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GSBCA 16789-RELO

In the Matter of HOUSTON P. ANDERSON

Houston P. Anderson, River Ridge, LA, Claimant.

Linda L. Labure, Chief Real Estate Division, United States Army Corps of Engineers, New Orleans, LA, appearing for Department of the Army.

**BORWICK**, Board Judge.

Claimant, Houston P. Anderson, is not entitled to reimbursement for sale of his house in Las Vegas, Nevada, incident to his permanent change of station from Saudi Arabia to New Orleans, Louisiana. Claimant did not transfer to Saudi Arabia from a permanent duty station (PDS) in Las Vegas; thus his house in Las Vegas did not qualify for reimbursement of incurred sales expenses under the Joint Travel Regulations (JTR). In denying the claim, the United States Army, agency, correctly applied the JTR.

### Background

In 1994, the agency sent claimant on a permanent change of station transfer from Colorado Springs, Colorado, to Riyadh, Saudi Arabia. Claimant owned a house in Colorado Springs. In 1999, while still in Saudi Arabia, claimant lost his re-employment rights to a position in Colorado Springs. Claimant explains that no longer having any ties to Colorado Springs, he purchased a home in Las Vegas, Nevada, in 2001.

Claimant successfully served five consecutive two-year tours of duty in Saudi Arabia. In September 2004, the agency sent claimant on a permanent change of station transfer from Saudi Arabia to New Orleans, Louisiana. Claimant began work in New Orleans on October 18, 2004.

In March 2005, claimant sold his home in Las Vegas, Nevada, and incurred real estate transaction expenses of \$33,044.92. Claimant sought reimbursement of those expenses. The agency denied reimbursement because the residence in Las Vegas was not the residence at the PDS from which he had transferred when assigned to a foreign area.

#### Discussion

The JTR provide that when transferring back from a foreign area to a non-foreign area, employees are entitled to real estate transaction sale expenses of the “residence sale (or the settlement of an unexpired lease) at the PDS from which the employee was transferred when assigned to a foreign area PDS.” JTR C14000-C.3.a. Since Las Vegas, Nevada, was not the location of claimant’s PDS when he was assigned abroad, claimant may not be reimbursed the real estate transaction expenses incurred when selling his house there incident to his transfer to New Orleans. We sympathize with claimant’s particular circumstances, but there is no authority for reimbursement. The Board must deny the claim.

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ANTHONY S. BORWICK  
Board Judge