



PER DIEM, TRAVEL AND TRANSPORTATION ALLOWANCE COMMITTEE

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PDTATAC/dlw

12 September 2012

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CTD for CAP 108-12(I) -- Add CBCA Decision for Reduced Time
Limitation of PCS/Real Estate Transaction Expenses

1. **SYNOPSIS:** Adds updated CBCA decision highlighting the reduced time limitation for reimbursement of PCS/real estate transaction expenses.
2. The attached revision is forwarded for information purposes only. No coordination or comments are required.
3. This revision was initiated by Staff.
4. These changes are scheduled to appear in JTR change 565, dated 1 November 2012.
5. Revisions in this information item are *effective 12 September 2012*.

//Approved//

W. B. TIRRELL, SR.

Chief, Policy and Regulations Branch

Attachment:

Rev 1

Civilian E-Mail Distribution:

CAP Members T&T Branch PMO-DTS GSA-3FT GSA-OGP(MTT) DTMO CBCA Judges

JTR REVISIONS

C5750-C:

C. Time Limit for Residence/Lease Termination Transactions

1. Settlement for the sale, purchase, or lease termination transactions should be not later than 1 year after the employee's transfer effective date (see APP A).
2. For an employee eligible under par. C5750-D, the new PDS is the PDS to which the employee reports for duty when reassigned/transferred from a foreign area.
3. The 1-year period begins on the employee's transfer effective date and ends on the first anniversary of that date. For example: If an employee's transfer effective date was 20 October 2011, settlement must occur no later than 20 October 2012.)
4. The 1-year period may be extended for up to an additional year by the funding activity's commanding officer/designee. See par. C5750-C10 for extension limits.
5. The employee should submit a written time extension request to the appropriate authority within the initial 1-year period.
6. Action on a request, submitted more than 30 calendar days after the initial 1-year expiration date, is at the option of the commanding officer of the activity bearing the cost.
7. An extension may be granted only if extenuating circumstances prevented the employee from completing the sale, purchase and/or lease termination transactions within the initial 1-year period and that the delayed transactions are reasonably related to the PCS. ([CBCA 2092-RELO, 13 October 2010](#))
8. Costs for transactions completed after the 2-year period may not be reimbursed. ([CBCA 2793-RELO, 23 August 2012](#); [B-191018, 26 December 1978](#)).
9. The 1-year extension is effective for an employee whose transfer effective date (APP A) is on or after 1 August 2011.
10. ***There is no authority to waive the 2-year time limitation under any circumstances. The time limitation is imposed in FTR §302-2.8 and 302-2.11 which have the force and effect of law.*** ([CBCA 985-RELO, 21 May 2008](#); [B-245281, 20 February 1992](#); [GSBCA 16889-RELO](#), 2 October 2006 at <http://www.gsbca.gsa.gov/relo/r1688902.txt>; and [GSBCA 16790-RELO](#), 13 February 2006 at <http://www.gsbca.gsa.gov/relo/r1679013.txt>).