

## SUBCHAPTER E—RESIDENCE TRANSACTION ALLOWANCES

### PART 302-11—ALLOWANCES FOR EXPENSES INCURRED IN CONNECTION WITH RESIDENCE TRANSACTIONS

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SOURCE: FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, unless otherwise noted.

### Subpart A—General Rules

NOTE TO SUBPART A: Use of pronouns “I”, “you”, and their variants throughout this subpart refers to the employee, unless otherwise noted.

#### § 302-11.1 What is the purpose of an allowance for expenses incurred in connection with residence transactions?

The purpose of an allowance for expenses incurred in connection with residence transaction is to reimburse you when you transfer from an old official station to a new official station for expenses that you incur due to:

(a) The sale of one residence at your old official station, and/or the purchase of a residence at your new official station; or

(b) The settlement expenses for a lease which has not expired on your residence or mobile home lot which is used as your permanent residence at your old official station.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2010-07, 75 FR 72968, Nov. 29, 2010]

#### § 302-11.2 Am I eligible to receive an allowance for expenses incurred in connection with my residence transactions?

(a) You must meet four basic conditions to be eligible to receive an allowance for expenses incurred in connection with your residence transactions:

(1) You must be transferring from one official station to another;

(2) Your relocation must be incidental to the transfer (*i.e.*, not for the convenience of the employee);

(3) Your relocation must meet the distance test conditions of § 302-2.6; and

(4) Your new official station must be within the United States.

(b) If you previously transferred from an official station in the United States to a foreign area and you are now transferring back to the United States, then, in addition to the requirements of paragraph (a) of this section, you must have completed the time period specified in your service agreement for your overseas tour of duty.

[FTR Amdt. 2011-01, 76 FR 18343, Apr. 1, 2011]

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#### **§ 302-11.3 Must I sign a service agreement before receiving residence transaction allowances?**

Yes, you must sign a service agreement before receiving residence transaction allowances.

#### **§ 302-11.4 Who is not eligible to receive an allowance for expenses incurred in connection with residence transactions?**

You are not eligible to receive an allowance for expenses incurred in connection with residence transactions under this subpart if you are:

- (a) A new appointee; or
- (b) An employee assigned under the Government Employees Training Act (5 U.S.C. 4109).

#### **§ 302-11.5 To be reimbursed for expenses incurred in my residence transactions, must I occupy the residence at the time I am notified of my transfer?**

Yes, to be reimbursed for expenses incurred in your residence transactions, you must occupy the residence at the time you are notified of your transfer, unless your transfer is from a foreign area to an official station within the United States other than the one you left when you transferred out of the United States, as specified in § 302-11.2(b).

#### **§ 302-11.6 For which expenses will I be reimbursed if I qualify for a residence transaction expense allowance?**

If you qualify for a residence transaction expense allowance, you may be reimbursed for the:

- (a) Expenses of selling your old residence and purchasing a new residence in the United States; or
- (b) Settlement of an unexpired lease at your old official station in the United States from which transferred to another official station in the United States or when assigned to a foreign post of duty; and
- (c) Expenses of purchasing a new residence in the United States upon return to the United States upon completion of the foreign tour of duty and the return is to a different official station, and is 50 miles distance from the official station which you transferred from.

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#### **§ 302-11.7 When are expenses for my settlement of an unexpired lease reimbursable?**

When your unexpired lease (including month to month) is for residence quarters at your old official station, you may be reimbursed for settlement expenses for an unexpired lease, including but not limited to broker's fees for obtaining a sublease or charges for advertising if:

- (a) Applicable laws or the terms of the lease provide for payment of settlement expenses; or
- (b) Such expenses cannot be avoided by sublease or other arrangement; or
- (c) You have not contributed to the expenses by failing to give appropriate lease termination notice promptly after you have definite knowledge of your transfer; or
- (d) The broker's fees or advertising charges are not in excess of those customarily charged for comparable services in that locality.

#### **§ 302-11.8 Must I sell a residence at the old official station to be eligible to purchase a residence at the new official station?**

No, you do not have to sell the residence at your old official station to be eligible for residence purchase transactions at your new official station.

#### TIME LIMITATIONS

#### **§ 302-11.21 How long do I have to submit my claim for reimbursement of expenses incurred in connection with my residence transactions?**

Your claim for reimbursement should be submitted to your agency as soon as possible after the transaction occurred. However, the settlement dates for the sale and purchase or lease termination transactions for which reimbursement is requested must occur not later than 1 year after the day you report for duty at your new official station. (See § 302-11.23.)

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18343, Apr. 1, 2011]

#### **§ 302-11.22 May the 1-year time limitation be extended by my agency?**

Yes, your agency may extend the 1-year limitation for up to one additional

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year for reasons beyond your control and acceptable to your agency.

[FTR Amdt. 2011-01, 76 FR 18343, Apr. 1, 2011]

### § 302-11.23 When must I request to have my initial time period extended?

To have your initial time period extended, you must submit a request to your agency not later than 30 calendar days after the expiration date unless this 30-day period is specifically extended by your agency.

## Subpart B—Title Requirements

### § 302-11.100 For which residence may I receive reimbursement for under this subpart?

You may receive reimbursement for the one residence from which you regularly commute to and from work on a daily basis and which was your residence at the time you were officially notified by competent authority to transfer to a new official station.

### § 302-11.101 Must the title to the property for which I am requesting an allowance for residence transactions be in my name?

The title to the property for which you are requesting an allowance for residence transaction must be:

- (a) Solely in your name; or
- (b) Solely in the name of one or more of your immediate family members; or
- (c) Jointly in your name and in the name of one or more of your immediate family members.

### § 302-11.102 How will the Government determine who holds title to my property?

The Government will determine who holds title to your property based on:

- (a) Whose name(s) actually appears on your title document (e.g., the deed); or
- (b) Who holds equitable title interest in your property as specified in § 302-11.105.

### § 302-11.103 How will I be reimbursed if I or a member of my immediate family do not hold full title to the property for which I am requesting reimbursement?

If you or a member of your immediate family do not hold full title to

the property for which you are requesting reimbursement, you will be reimbursed on a pro rata basis to the extent of your actual title interest plus your equitable title interest in the residence.

### § 302-11.104 When must I and/or a member(s) of my immediate family have acquired title interest in my residence to be eligible for the allowance for expenses incurred in connection with the sale of my residence?

To be eligible for the allowance for expenses incurred in connection with the sale of your residence, you and/or a member(s) of your immediate family must have acquired title or equitable title interest in the residence as illustrated in the following table:

Type of transfer	Date
1. Between official stations in the United States.	1. Prior to the date first notified of the transfer.
2. Returning from completion of any foreign tour of duty to a different official station in the United States, which is 50 miles distance from the official station from which transferred to the foreign official station.	2. Prior to the date notified that you would be transferred to a different location in the United States, which is 50 miles distance from the official station you transferred from the foreign area.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001; 67 FR 7219, Feb. 15, 2002]

### § 302-11.105 How is it determined if I hold “equitable title interest” in my residence?

“Equitable title interest” in your residence is determined by your agency if:

- (a) The title is held in trust, and:
  - (1) The property is your residence;
  - (2) You and/or a member(s) of your immediate family are the only beneficiary(ies) of the trust during either of your lifetimes;
  - (3) You and/or a member(s) of your immediate family retain the right to distribute the property during your lifetimes;
  - (4) You and/or a member(s) of your immediate family retain the right to manage the property;
  - (5) You and/or a member(s) of your immediate family are the only grantor/settlor of the trust, or retain the right to direct distribution of the property upon dissolution of the trust or death; and

(6) You provide your agency with a copy of the trust document; or

(b) The title is held in the name of a financial institution, and:

(1) The property is your residence;

(2) You and/or a member(s) of your immediate family executed a financing agreement (e.g., mortgage) with the financial institution;

(3) State or local law requires that lending parties take title to perfect (*i.e.*, protect) a security interest in the property, or the financial institution requires that it take possession of title as a condition of the financing agreement; and

(4) You provide your agency with a copy of the financing document; or

(c) The title is held both in the names of:

(1) You solely, or jointly with one or more members of your immediate family, or one or more members of your immediate family;

(2) An individual accommodation party as defined in §302-11.106 who is not a member of your immediate family; and

(3) The conditions apply:

(i) The property is your residence.

(ii) You and/or a member(s) of your immediate family have the right to use the property and to direct conveyance of the property.

(iii) The lender requires signature of the accommodation party on the financing document.

(iv) You and/or a member of your immediate family, are liable for payments under the financing arrangement (e.g., mortgage).

(v) The accommodation party's name is on the title.

(vi) The accommodation party does not have a financial interest in the property unless the employee and/or a member(s) of the immediate family default on the financing arrangement.

(vii) You must provide documentation of the accommodation that is acceptable by your agency; or

(d) The title is held by the seller of the property and the following conditions are met:

(1) The property is your residence;

(2) You and/or member(s) of your immediate family has the right to use the property and to direct conveyance of the property;

(3) You and/or member(s) of your immediate family must have signed a financing agreement with the seller of the property (e.g., a land contract) providing for fixed periodic payments and transfer of title to the employee and/or a member(s) of the immediate family upon completion of the payment schedule; and

(4) You provide your agency with a copy of the financing agreement; or

(e) Another equitable title situation exists where title is held in your name only or jointly with you and one or more members of your immediate family or with you and an individual who is not an immediate family member, and the following conditions are met:

(1) The property is your residence.

(2) You and/or a member(s) of your immediate family has the right to use the property and to direct conveyance of the property.

(3) Only you and/or a member(s) of your immediate family has made payments on the property.

(4) You and/or a member(s) of your immediate family received all proceeds from the sale of the property.

(5) You must provide suitable documentation to your agency that all conditions in paragraphs (e)(1) through (e)(4) of this section are met.

#### **§302-11.106 What is an accommodation party?**

An accommodation party is an individual who signs an employee's financing agreement (e.g., a mortgage) to lend his/her name (*i.e.*, credit) to the arrangement.

### **Subpart C—Reimbursable Expenses**

#### **§302-11.200 What residence transaction expenses will my agency pay?**

Provided the residence transaction expenses are customarily charged to the seller of a residence in the locality of the old official station or paid by the purchaser at the new official station, your agency will, with appropriate supporting documentation provided by you, reimburse you for the following residence transaction expenses when they are incurred by you incident to your relocation:

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(a) Your broker's fee or real estate commission that you pay in the sale of your residence at the last official station, not to exceed the rates that are generally charged in the locality of your old official station;

(b) The customary cost for an appraisal;

(c) The costs of newspaper, bulletin board, multiple-listing services, and other advertising for sale of the residence at your old official station that is not included in the broker's fee or the real estate agent's commission;

(d) The cost of a title insurance policy, costs of preparing conveyances, other instruments, and contracts and related notary fees and recording fees; cost of making surveys, preparing drawings or plats when required for legal or financing purposes; and similar expenses incurred for selling your residence to the extent such costs:

(1) Have not been included in other residence transaction fees (*i.e.*, brokers' fees or real estate agent fees);

(2) Do not exceed the charges, for such expenses, that are normally charged in the locality of your residence;

(3) Are usually furnished by the seller;

(e) The costs of searching title, preparing abstracts, and the legal fees for a title opinion to the extent such costs:

(1) Have not been included in other related transaction costs (*i.e.*, broker's fees or real estate agency fees); and

(2) Do not exceed the charges, for such expenses, that are customarily charged in the locality of your residence

(f) The following "other" miscellaneous expenses in connection with the sale and/or purchase of your residence, provided they are normally paid by the seller or the purchaser in the locality of the residence, to the extent that they do not exceed specifically stated limitations, or if not specifically stated, the amounts customarily paid in the locality of the residence:

(1) Federal Housing Administration (FHA) or VA fees for the loan application;

(2) Loan origination fees and similar charges such as loan assumption fees, loan transfer fees or other similar charges not to exceed 1 percent of the

loan amount without itemization of the lender's administrative charges (unless requirements in §302-11.201 are met), if the charges are assessed in lieu of a loan origination fee and reflects charges for services similar to those covered by a loan origination fee;

(3) Cost of preparing credit reports;

(4) Mortgage and transfer taxes;

(5) State revenue stamps;

(6) Other fees and charges similar in nature to those listed in paragraphs (f)(1) through (f)(5) of this section, unless specifically prohibited in §302-11.202;

(7) Charge for prepayment of a mortgage or other security instrument in connection with the sale of the residence at the old official station to the extent the terms in the mortgage or other security instrument provide for this charge. This prepayment penalty is also reimbursable when the mortgage or other security instrument does not specifically provide for prepayment, provided this penalty is customarily charged by the lender, but in that case the reimbursement may not exceed 3 months' interest on the loan balance;

(8) Mortgage title insurance policy, paid by you, on a residence you purchased for the protection of, and required by, the lender;

(9) Owner's title insurance policy, provided it is a prerequisite to financing or the transfer of the property; or if the cost of the owner's title insurance policy is inseparable from the cost of other insurance which is a prerequisite;

(10) Expenses in connection with construction of a residence, which are comparable to expenses that are reimbursable in connection with the purchase of an existing residence;

(11) Expenses in connection with environmental testing and property inspection fees when required by Federal, State, or local law; or by the lender as a precondition to sale or purchase; and

(12) Other expenses of sale and purchase made for required services that are customarily paid by the seller of a residence at the old official station or

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if customarily paid by the purchaser of a residence at the new official station.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011–01, 76 FR 18343, Apr. 1, 2011; FTR Amdt. 2018–01, 83 FR 30079, June 27, 2018]

### **§ 302–11.201 When may my reimbursement for loan assumption fees or other similar fees exceed the 1 percent as specified in § 302–11.200(f)(2)?**

Reimbursement may exceed 1 percent (as specified in § 302–11.200(f)(2) only when you provide evidence that the higher rate:

- (a) Does not include prepaid interest, points, or a mortgage discount; and
- (b) Is customarily charged in the locality where the residence is located.

### **§ 302–11.202 What residence transaction expenses will my agency not pay?**

Your agency will not pay:

- (a) Any fees that have been inflated or are higher than normally imposed for similar services in the locality;
- (b) Broker fees or commissions paid in connection with the purchase of a home at the new official station;
- (c) Owner's title insurance policy, "record title" insurance policy, mortgage insurance or insurance against loss or damage of property and optional insurance paid for by you in connection with the purchase of a residence for your protection;
- (d) Interest on loans, points, and mortgage discounts;
- (e) Property taxes;
- (f) Operating or maintenance costs;
- (g) Any fee, cost, charge, or expense determined to be part of the finance charge under the Truth in Lending Act, Title I, Pub. L. 90–321, as amended, and Regulation Z issued by the Board of Governors of the Federal Reserve System (12 CFR part 226), unless specifically authorized in § 302–11.200;
- (h) Expenses that result from construction of a residence, except as provided in § 302–11.200(e)(10); and

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- (i) Losses, see § 302–11.304.

### **Subpart D—Request for Reimbursement**

#### **§ 302–11.300 Is there a limit on how much my agency will reimburse me for residence transactions?**

Yes, your agency will reimburse you no more than:

- (a) Ten percent of the actual sales price for the sale of your residence at the old official station; and
- (b) Five percent of the actual purchase price of the residence for the purchase of a residence at the new official station.

#### **§ 302–11.301 How must I request reimbursement for the expenses I incur for my residence transactions?**

To request reimbursement for the expenses you incur for your residence transaction, you must:

- (a) Send your claim for reimbursement and documentation of expenses to your old official station for review and approval unless otherwise specified by your agency, and
- (b) Follow your agency's procedures and submit appropriate voucher(s) along with any claim applications that your agency may require with appropriate documents specified in § 302–11.302.

#### **§ 302–11.302 What documentation must I submit to my agency to request reimbursement for the sale of a former residence or the purchase of a new one?**

To request reimbursement for the sale of a former residence or the purchase of a new one, you must submit to your agency:

- (a) Copies of your sales agreement when selling a residence;
- (b) Your purchase agreement when a purchasing a residence;
- (c) Property settlement documents;
- (d) Loan closing statements; and
- (e) Invoices or receipts for other bills paid.

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## § 302-11.321

### **§ 302-11.303 Will the Government reimburse me for expenses incurred in connection with my residence transactions that are paid by someone other than me or a member of my immediate family?**

No, the Government will not reimburse you for expenses incurred in connection with your residence transactions if they are paid by someone other than you or a member of your immediate family.

### **§ 302-11.304 Will my agency reimburse me for losses due to market conditions or prices at the old and new official station?**

No, losses incurred due to market conditions or prices at your old and new duty station are not reimbursable when incurred by you due to:

- (a) Failure to sell a residence at the old official station at the price asked, or at its current appraised value, or at its original cost; or
- (b) Failure to buy a dwelling at the new official station at a price comparable to the selling price of the residence at the old official station; or
- (c) Any losses that are similar in nature to (a) or (b).

### **§ 302-11.305 Will I receive reimbursement for any residence transaction expenses incurred prior to being officially notified of my transfer?**

No, reimbursement of any residence transaction expenses (or settlement of an unexpired lease) that occurs prior to being officially notified (generally in the form a change of station travel authorization) is prohibited.

### **§ 302-11.306 How can I know if my expenses are reasonable and will be reimbursed by the Government?**

You are responsible for the determination of reasonableness for your claimed expenses. To determine if your expenses are reasonable, you should, in coordination with your agency, contact the local real estate association, or, if not available, at least three different realtors in the locality in which your expenses will be incurred and request:

- (a) The current schedule of closing costs which applies to the area in which you are buying or selling;
- (b) Information concerning local custom and practices with respect to

charging of closing costs which relate to either your sale or purchase and whether such costs are customarily paid by the seller or purchaser; and

(c) Information on the local terminology used to describe the costs specified in paragraph (b) of this section.

### **§ 302-11.307 May I receive an advance of funds for my residence transaction expenses?**

No, you may not receive an advance of funds for your residence transaction expenses.

### **§ 302-11.308 How much will I receive for reimbursement when I purchase or sell land in excess of what reasonably relates to the residence site?**

When you purchase or sell land in excess of what reasonably relates to the residence site, your reimbursement will be limited to a pro rata reimbursement of the land reasonably related to the residence site.

### **§ 302-11.309 What residence transaction expense are reimbursable if an employee violates the terms of his/her service agreement?**

If the employee violates his/her service agreement, no residence transaction expenses will be paid, and any amounts paid prior to such violation shall be a debt due the United States until they are paid by the employee.

#### SETTLEMENT OF UNEXPIRED LEASE

### **§ 302-11.320 How must I request reimbursement for settlement of an unexpired lease?**

To request reimbursement for settlement of an unexpired lease, you must itemize expenses (list all expenses separately) on a travel voucher and submit the voucher to your agency.

### **§ 302-11.321 How will I be reimbursed when I share a lease with someone else?**

When you share a lease with someone else you will be reimbursed on a pro rata basis for that portion of the lease that you are responsible for.



### Subpart E—Agency Responsibilities

NOTE TO SUBPART E: Use of pronouns “we”, “you”, and their variants throughout this subpart refers to the agency.

#### § 302–11.400 What policies and procedures must we establish?

You must establish internal policies and procedures to implement this part.

#### § 302–11.401 Under what conditions may we authorize or approve a residence transaction expense allowance?

You may authorize or approve a residence transaction expense allowance when an employee is performing a permanent change of station in the interest of the Government and has signed a service agreement (other than a new appointee or an employee assigned under the Government Employees Training Act (5 U.S.C. 4109.)); and

- (a) The old and new official stations are located in the United States; or
- (b) The employee has completed an agreed upon tour of duty overseas and is returning to the United States to an official station that is at least 50 miles away from the employee's last official station in the United States; or
- (c) When the employee has been permanently assigned to a temporary official station.

#### § 302–11.402 Who is not eligible to receive residence transaction expense allowances?

The following are not eligible to receive residence transaction expense allowances:

- (a) New appointees; and
- (b) Employees assigned under the Government Employee's Training Act (5 U.S.C. 4109).

#### § 302–11.403 What policies must we establish before accepting documentation from an employee for reimbursement of residence transaction expenses?

You must establish policies that will define what documentation is acceptable from an employee when requesting reimbursement of residence transaction expenses.

#### § 302–11.404 What controls must we establish for paying allowances for expenses incurred in connection with residence transactions?

When paying allowances for expenses incurred in connection with residence transactions, you must:

- (a) Determine who will authorize and approve residence transactions expenses on the employee's travel authorization;
- (b) Determine who will review applications for reimbursement of residence transaction expenses;
- (c) Determine who will authorize extensions beyond the 1-year limitation for completing sales and purchase or lease termination transactions, under §§ 302–11.420 and 302–11.421;
- (d) Prescribe a claim application form which meets your internal administrative requirements;
- (e) Require employees to submit a travel claim with appropriate documentation to support his/her payment of the expenses claimed, which must include as a minimum:
  - (1) The sales agreement,
  - (2) The purchase agreement,
  - (3) Property settlement documents,
  - (4) Loan closing statements, and
  - (5) Invoices or receipts for other bills paid; and
- (f) Require employees to submit travel claims to his/her old official station for review and approval of the claim unless agency review and approval functions are performed elsewhere except as provided in § 302–11.405.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011–01, 76 FR 18343, Apr. 1, 2011]

#### § 302–11.405 Which agency must review and approve the employee's application when the employee transfers between agencies?

The hiring agency in the locality of the employee's old official station must review and approve the employee's application when the employee transfers between agencies, unless the hiring agency does not have an appropriate installation there. In that case, the losing agency at the old official station must review and approve the expenses.

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## § 302-11.431

### § 302-11.406 How must we administer an employee's claim?

To administer an employee's claim:

(a) You must:

(1) Review the employee's claim to determine whether the expenses claimed are reasonable in amount and customarily paid by the buyer/seller in the locality where the property is located;

(2) Disallow any portion of the employee's claim that is inflated or are higher than normal for similar services in the locality;

(3) Execute final administrative approval of payment of a claim by an appropriate agency approving official; and

(4) Return disapproved applications to the employee with a memorandum of explanation.

(b) The approving official must determine if:

(1) The aggregate amount of expenses claimed in connection with a sale or purchase of a residence is within the prescribed limitation for either;

(2) All conditions and requirements under which allowances may be paid have been met; and

(3) The expenses themselves are those which are reimbursable.

NOTE TO § 302-11.406: You must not pay the expenses listed in § 302-11.202 or § 302-11.304.

### § 302-11.407 What documentation must we require the employee to submit before paying residence transaction expenses?

Before paying residence transaction expenses, you must require the employee to submit:

(a) A copy of his/her financial documents which prove that only the employee and or a member(s) of the immediate family made payments on the property;

(b) A copy of his/her financial documents which prove that he/she and/or a member(s) of the immediate family received all proceeds from the sale of the property;

(c) Documentation that is acceptable by you in verifying any interest that the employee has in the property; and

(d) Any additional documents that you need to verify payments.

## TIME LIMITATIONS

### § 302-11.420 How long can we authorize an extension for completion of the sale and purchase or lease termination transactions?

You may authorize an additional period of time, not to exceed 1 year, for completion of the sale and purchase or lease termination transactions.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18343, Apr. 1, 2011]

### § 302-11.421 What must we consider when authorizing an extension of time limitation?

When authorizing an extension of time limitation, you must determine that the:

(a) Employee has extenuating circumstances which have prevented him/her from completing his/her sale and purchase or lease termination transactions in the initial authorized time frame of one year; and

(b) Employee's residence transactions are reasonably related to his/her transfer of official station.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18343, Apr. 1, 2011]

## UNEXPIRED LEASE

### § 302-11.430 When must we reimburse an employee for expenses incurred due to settlement of an unexpired lease?

You must reimburse an employee in lieu of residence transaction expenses when the employee meets the requirements of § 302-11.10 for expenses incurred due to settlement of an unexpired lease.

### § 302-11.431 How must we require an employee to request reimbursement for expenses of an unexpired lease settlement?

You must require that the employee submit an appropriate travel claim requesting reimbursement for expenses of an unexpired lease settlement with:

(a) An itemization of all expenses claimed supported by documentation showing that the employee indeed paid all lease settlement fees; and

(b) A total amount for all expenses claimed.

## § 302–11.440

### TITLE REQUIREMENTS

#### § 302–11.440 How must we determine who holds title to property for reimbursement purposes?

To determine who holds title to property for reimbursement purposes, you must verify:

(a) Whose name(s) actually appears on the title document (e.g., the deed); or

(b) Who holds equitable title interest in the property.

#### § 302–11.441 How must we determine if an employee holds equitable title interest in his/her property?

To determine if an employee holds equitable title interest in his/her property, you must follow the guidelines in § 302–11.405.

### REQUEST FOR REIMBURSEMENTS

#### § 302–11.450 May we advance an employee funds for expenses incurred in connection with residence transactions?

No, you may not advance an employee funds for expenses incurred in connection with residence transactions.

#### § 302–11.451 What is the maximum amount that we may reimburse for the sale or purchase of an employee's residence?

The maximum amount that you may reimburse for the sale or purchase of an employee's residence is:

(a) Ten percent of the actual sale price for the sale of the employee's residence at the old official station; and

(b) Five percent of the actual purchase price of the residence for the purchase of a residence at the new official station.

## PART 302–12—USE OF A RELOCATION SERVICES COMPANY

### Subpart A—Employee's Use of a Relocation Services Company

Sec.

302–12.1 Who determines if I may use a RSC?

302–12.2 Under what conditions may I participate in my agency's homesale program?

302–12.3 Am I required to participate in homesale counseling?

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302–12.4 To what terms of the RSC contract am I required to agree?

302–12.5 For what relocation services expenses will my agency pay?

302–12.6 If I use a contracted-for relocation service that is a substitute for reimbursable relocation allowance, will I be reimbursed for the relocation allowance as well?

302–12.7 What expenses will my agency pay if I use a relocation services company to ship household goods in excess of the maximum weight allowance?

302–12.8 What expenses will my agency pay if I use a relocation services company to sell or purchase a residence for which I and/or a member(s) of my immediate family do not have full title?

302–12.9 If my agency authorizes me to enter a homesale program, must I accept a buyout offer from the relocation services company?

302–12.10 What are the income tax consequences if I use a relocation services company?

### Subpart B—Agency's Use of a Relocation Services Company

302–12.100 What are "relocation services"?

302–12.101 May we enter into a contract with a relocation services company for the company to provide relocation services?

302–12.102 What contracted relocation services may we provide at Government expense?

302–12.103 May we separately contract for each type of relocation service?

302–12.104 What is the purpose of contracting for relocation services?

302–12.105 Must we have a contract with a RSC that includes a comprehensive homesale program?

302–12.106 What rules must we follow when contracting for a comprehensive homesale program?

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302–12.109 May we require employees to participate in counseling before listing their homes?

302–12.110 [Reserved]

302–12.111 May we require an employee to use a real estate broker specified by the RSC?

302–12.112 May we require an employee to use a mortgage service provider specified by the RSC?

302–12.113 What must we do when planning, establishing, and administering a RSC contract?

302–12.114 What policies must we establish when offering our employees the services of a RSC?

302–12.115 What are the income tax consequences that we must consider when offering relocation services?