

§ 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?

41 CFR Ch. 302 (7-1-23 Edition)

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?

302-12.107–302-12.108 [Reserved]

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?

Relocation Allowances

§ 302-12.5

302-12.116 What must we consider in deciding whether to use the fixed-fee or cost-reimbursable contracting method?

302-12.117 May we take title to an employee's residence?

302-12.118 Under a homesale program, may we establish a maximum home value above which we will not pay for homesale services?

302-12.119 Under a homesale program, may we pay an employee for losses he/she incurs on the sale of a residence?

302-12.120 Under a homesale program, may we direct the relocation services company to pay an employee more than the fair market value of his/her residence?

302-12.121 May we use a relocation services contract for services which we are contractually bound to obtain under another travel services contract?

AUTHORITY: 5 U.S.C. 5738 and 20 U.S.C. 905(c).

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

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

NOTE TO SUBPART A: Use of pronouns "I", "you", and their variants throughout this subpart refers to the employee.

§ 302-12.1 Who determines if I may use a RSC?

Your agency determines whether you may use a RSC and chooses which RSC you may use.

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

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

You may participate in your agency's homesale program, through its RSC contract, blanket purchase agreement, task order, or other formal arrangement (for the remainder of this part, all of these will be referred to as the contract with the RSC) provided you meet all of the following conditions:

- (a) You are authorized to relocate;
- (b) Your relocation includes at least one residence transaction;
- (c) You have signed a relocation service agreement;
- (d) Your agency authorizes you to use a RSC with which your agency has a contract;
- (e) Your residence is within RSC contract scope for type, size, condition, and other contractual requirements;

(f) You meet all conditions established by this Chapter for the services that the RSC will provide to you; and

(g) You have signed an agreement with your agency to enter the agency's homesale program and to abide by all terms of the agency's contract with the RSC (*see* § 302-12.4 for contract term examples).

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

§ 302-12.3 Am I required to participate in homesale counseling?

Yes, you are required to participate in homesale counseling if you are going to use the RSC. The RSC and/or your agency must provide counseling to help you understand the process, select a broker, prepare your home for sale, identify an appropriate selling price, set realistic expectations, etc. This counseling may be in person or via an electronic medium, at your agency's discretion. Your agency should also provide you with relocation information/counseling prior to you making any decisions to relocate.

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

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

Your agency determines the contract terms to which you will be required to agree. Examples of these contract terms may include, but are not limited to, the following:

- (a) You will participate in counseling provided by the RSC;
- (b) You will seriously consider any bona fide offer that you receive during the minimum marketing period;
- (c) As a precondition of using its relocation services, you will complete and submit a disclosure form to the RSC to provide thorough information about the age and condition of your home and its systems.

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

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

Your agency will pay the relocation services company's fees/expenses for the services you are authorized to use. If your agency pays the relocation services company for actual expenses the company incurs on your behalf, payment to the company is limited to