



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Lieutenant Commander John C. Veselenak, USN (Retired)

File: B-261774

Date: November 27, 1995

DIGEST

Retired member who listed mother's address in Ohio as home of selection but intended to retire to Florida is only entitled to moving expenses to Ohio, where he resided for more than one year because shipment may not be made for the convenience of the member to some other place for reshipment later to ultimate destination.

DECISION

Lieutenant Commander John C. Veselenak, USN (Retired) has appealed the settlement of our Claims Group which denied his claim of \$1,294.23 for household goods (HHG) moving expenses incident to his retirement.

Lieutenant Commander Veselenak retired from the Navy effective July 1, 1992, while stationed in San Diego, California, where he resided with his mother who was undergoing medical treatment. He states that it was his intention to retire to the Gulf coast of Florida after accompanying his mother to her home in Pleasant City, Ohio, and conducting a job search in Florida.

On the DD Form 1299, Application for Shipment and/or Storage of Personal Property, dated July 8, 1992, he listed Pleasant City, Ohio, as the destination of his HHG. Lieutenant Commander Veselenak states that he intended the HHGs to remain in storage there until later shipment to Florida and that personnel in the personal property office in San Diego had approved the plan. The HHGs were placed in storage in nearby Columbus, Ohio, at government expense for 1 year after which the officer paid for the additional storage expense until they were shipped to Bradenton, Florida, in late October 1993 and were delivered on November 2, 1993, at a cost of \$1,889.73.

The Navy reimbursed only \$595.70 of the claim, the cost of delivering the HHGs from storage to a Columbus, Ohio, address. Lieutenant Commander Veselenak appealed the remaining \$1,294.23 to our Claims Group which denied the claim based

on the provisions of the Joint Federal Travel Regulations (JFTR) and decisions of our Office which limit the time for reimbursement of expenses to 1 year after retirement and only to the ultimate destination selected by the member.

A member at retirement is entitled to have his HHG moved at government expense to the home selected by the member and the HHG must be turned over for shipment within 1 year following retirement. 1 JFTR U5365-A. The authority for shipment of HHG extends only to the through shipment to the authorized ultimate destination. 1 JFTR U5318. Shipment may not be made for the convenience of the member to some other place for reshipment later to the authorized ultimate destination. 44 Comp. Gen. 826 (1965).

Lieutenant Commander Veselenak, in his appeal, argues that the settlement of the Claims Group ignored an extension to the 1 year time period until November 30, 1993, he was granted by the Navy for the shipment of his HHG to his home of selection.

Our review of the record shows that Lieutenant Commander Veselenak was granted the above noted extension, but such extension does not change the result of the settlement. The extension allowed further storage of the HHG at the member's expense and then, as noted above, shipment to his home of selection. It did not affect his listing of Pleasant City on DD Form 1299 as his home of selection. Without the extension, the \$595.70 shipping costs would not have been payable because the 1 year time limitation would have expired.

While Lieutenant Commander Veselenak contends that government transportation personnel at San Diego assured him that his plan was acceptable before he commenced the move, the government is not bound by the erroneous advice of its officers or employees, when such advice contravenes existing regulations. 58 Comp. Gen. 539 (1979).

We affirm the settlement of the Claims Group.

/s/Seymour Efros
for Robert P. Murphy
General Counsel