

§ 302-11.305

(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.

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§ 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

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official station that is at least 50 miles away from the employees 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 2-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.

§ 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.

§ 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.