



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

November 29, 2011

CBCA 2511-TRAV

In the Matter of EMILY J. RYPMA

Emily J. Rypma, Arlington, VA, Claimant.

Sheila Melton, Director, Travel Functional Area, Standards and Compliance, Defense Finance and Accounting Service, Indianapolis, IN, appearing for Department of Defense.

VERGILIO, Board Judge.

A civilian employee of the Department of Defense may receive payment for reimbursable lodging and related costs incurred on a temporary duty assignment when supported by an itemized receipt from the hotel and/or an on-line booking service.

The claimant, Emily J. Rypma, a civilian employee of the Department of Defense, requests reimbursement for her lodging expenses incurred while on an approved temporary duty assignment. The claimant used an on-line service to book a room in a hotel, with an arrival on January 19, 2011, and a departure on February 9. The claimant also booked directly with the hotel for two nights (February 9 and 10, 2011). For the initial, twenty-one day period the claimant seeks \$2365.86 (\$1995 for lodging at the daily rate of \$95, and \$370.86 for taxes and fees at the daily rate of \$17.66). For the final two days the claimant seeks \$273.20 (lodging at the daily rate of \$117, and taxes at the daily rate of \$19.60).

Because the claimant provided no itemized hotel receipt, the agency denied the claim, referencing applicable Joint Travel Regulations (JTR) C4555-B.5 ("Lodging reimbursement is not authorized for hotel lodging obtained through online booking agents unless an itemized receipt from the hotel is provided"). The agency concluded that it could find no authorization for reimbursement of the lodging expenses based upon current regulations.

The claimant has provided an itemized receipt from the on-line booking service indicating a per night lodging charge of \$95, totaling \$1995, and taxes and fees totaling

\$370.86 for the twenty-one nights. The taxes and fees are not further itemized. The claimant has provided an email statement from the hotel confirming occupancy for the twenty-three nights, and a reference to a copy of room charges for the final two nights. That hotel receipt is not in the present record.

Upon considering comments of the Per Diem, Travel and Transportation Allowance Committee supplied in this case, this Board has determined (subsequent to filings in this case) that an itemized receipt from an on-line booking service permits reimbursement of lodging and related costs. *Scott R. Wilson*, CBCA 2563-TRAV (Nov. 17, 2011); *Scott M. Torrice*, CBCA 2431-TRAV, 11-2 BCA ¶ 34,839. Although there is no absolute right to recover all lodging costs, and implementing regulations are controlling, the proof of costs through means other than the hotel receipt permits recovery. As an aside, JTR C4555-B.5 was amended with an effective date of November 1, 2011, in light of *Torrice*, to read:

Lodging reimbursement is authorized for hotel lodging obtained through an online booking agent when the traveler can provide a documented itemized receipt for room costs from the hotel or online booking agent showing the following charges:

- (1) Daily hotel room costs;
- (2) Daily hotel taxes; and,
- (3) Daily miscellaneous fees, if applicable.

JTR, Rev. 3 (Oct. 26, 2011) (citation omitted).

The agency is to reimburse lodging costs of \$1995, for the period booked through the on-line service. Upon proof that taxes and fees charged by the on-line service are reimbursable, the agency may reimburse those amounts; that is, there is no indication that the on-line service treated the taxes as true hotel taxes. If the agency has, or when it obtains, the actual hotel receipt for February 9 and 10, the claimant may be reimbursed in accordance with regulations (the daily lodging maximum was \$106).

The Board grants the claim as explained above.

JOSEPH A. VERGILIO
Board Judge