



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 29, 2025

CBCA 8229-RELO

In the Matter of HEATHER B.

Heather B., Claimant.

Maili L. Peters, Chief, Talent Management Division, Headquarters, Air Force Personnel Center, Department of the Air Force, Randolph Air Force Base, TX, appearing for Department of the Air Force.

CHADWICK, Board Judge.

The agency relocated claimant, a civilian employee of the military, within the continental United States in March 2023. In August 2024, approximately seventeen months after entering on duty at the new location, claimant requested an extension of time to claim her real estate allowances. The agency denied the extension request. Claimant sought our review. We also deny the claim.

The Federal Travel Regulation allows employees one year after relocation to complete reimbursable real estate transactions. 41 CFR 302-11.21 (2023). An “agency may extend the 1-year limitation for up to one additional year for reasons beyond [the employee’s] control and acceptable to [the] agency.” *Id.* 302-11.22. An employee seeking an extension “must submit a request to [the] agency not later than 30 calendar days after the expiration” of the one-year limit “unless this 30-day period is specifically extended by [the] agency.” *Id.* 302-11.23. The Joint Travel Regulations (JTR), also applicable here, provide that “the commanding officer of the activity bearing the cost may, but is not required to, take action on a request submitted more than 30 calendar days after the initial 1-year expiration date,” as claimant’s extension request was. JTR 054501-B (Mar. 2023). Upon inquiry by the Board, the agency submitted evidence that, in 2017, the agency formally delegated the

authority of the commander of the Air Force Personnel Center (the relevant “commanding officer”) under this JTR provision to the office that processed the claim at issue here.

The Board considers agency decisions denying extensions “to be matters of agency discretion and will not disturb them unless it finds that the agency’s decision was arbitrary, capricious, or clearly erroneous.” *Jennifer A. Miller*, CBCA 5625-RELO, 17-1 BCA ¶ 36,806, at 179,389; *see also Arthur Hubbard*, CBCA 1932-RELO, 10-2 BCA ¶ 34,540, at 170,348 (“We will not question [an] exercise of . . . discretion so long as it has a reasonable basis.” (citing *Jeanne Hehr*, GSBCA 16936-RELO, 06-2 BCA ¶33,431, at 165,741)).

When claimant belatedly requested the extension of the deadline of one year plus thirty days in August 2024, she wrote that she had not previously “realize[d]” that an extension “was an option” and was submitting the request “past the deadline” because a co-worker had “just mentioned” the idea. Later, claimant added that, “as this was my first civilian [relocation], I was not familiar with that process” until she “began researching” it shortly before seeking the extension.

The agency concluded that claimant’s “cited reasons for the delayed submission are not sufficient,” given that claimant received relocation counseling in late 2022 and was advised in her relocation orders that she was responsible for understanding her entitlements. Claimant argues that the agency erroneously failed to take into account “emotionally and time-consuming events” that, she argues, explain why she “forgot a detail of the extensive [relocation] paperwork” until after the thirteen months to request an extension had expired. Claimant cites a contentious divorce and “battling cancer,” as well as issues that relocated employees typically face, such as “scheduling movers and selling my house.”

The agency continues to maintain that “[t]he reason” claimant did not timely seek an extension was not her “personal challenges,” which the agency acknowledges are regrettable, but that “she did not realize she had the option” to do so. The agency’s denial of the untimely extension request based on claimant’s admitted lack of knowledge of the deadline has a reasonable basis in the record and reflects no abuse of the agency’s broad discretion.

In a supplemental filing, claimant asks that her extension request “be elevated to” the commanding general of the personnel center. We view this idea as a new claim that is not properly before us because the agency has not adjudicated it. *See Board Rule 401(c) (48 CFR 6104.401(c) (2024))*.

Decision

The claim is denied.

Kyle Chadwick
KYLE CHADWICK
Board Judge