



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

July 22, 2025

CBCA 8337-RELO

In the Matter of TERRA M.

Terra M., Claimant.

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

VOLK, Board Judge.

Claimant seeks review of a decision by the Department of the Air Force denying claimant's request for a time extension to incur reimbursable real estate expenses in connection with a permanent change of station (PCS). We find that the Air Force reasonably exercised its discretion in denying claimant's requested extension.

Background

In 2020, claimant transferred from a civilian Air Force position with a duty station in Washington State to a new civilian Air Force position at the Pentagon. In travel orders issued on June 11, 2020, the Air Force authorized reimbursement of real estate expenses. The remarks section of the travel orders noted that, to qualify for the allowance, a real estate purchase transaction had to be completed within one year of the date that claimant reported for duty at her new duty station. Claimant reported for duty at her new duty station on August 2, 2020.

Upon moving to the Washington, D.C., area in late July 2020, claimant occupied short-term rental housing with her family while she searched for a home to purchase. In January 2021, claimant began working remotely full time, and, around this time, she stopped

searching for a home to purchase in the Washington, D.C., area. In February 2021, claimant signed a contract to purchase a new-construction home in Texas. Claimant states that, at that time, the builder assured her that the home would be complete at the beginning of August 2021.

On October 4, 2021, claimant requested that the Air Force grant an extension of the one-year period for real estate allowances under her PCS orders. She explained that there had been construction delays from material shortages relating to the COVID-19 pandemic and natural disasters, and she had not yet been able to close on the purchase of her new home in Texas because of the construction delays.

In a November 22, 2021, memorandum, the Air Force denied her request for an extension. The Air Force explained that her extension request was untimely because it was not submitted within one year from when claimant reported for duty at her new duty station. *See* Joint Travel Regulations (JTR) 054501-B (Aug. 2020) (“The civilian employee should submit a written request for a time extension . . . within the initial 1-year period. The commanding officer . . . may, but is not required to, take action on a request submitted more than 30 calendar days after the initial 1-year expiration date.”); *see also* 41 CFR 302-11.23 (2020) (Federal Travel Regulation (FTR) 302-11.23). Despite its untimeliness, the Air Force considered the extension request and denied it on the merits, stating:

In your case, you are not seeking the extension to complete the purchase of a home at the designated [permanent duty station (PDS)]. Your request is to complete the purchase of a home at a telework location in [Texas]. The move to [Texas] was not directed by the Agency. The request for an extension is not granted.

Agency Decision (Nov. 22, 2021) at 2.

On February 3, 2025, claimant sought review by the Board.

Discussion

Under the JTR, an extension of the one-year period to complete a real estate purchase transaction “may be granted only if [1] extenuating circumstances prevented the civilian employee from completing the residence transactions within the initial 1-year period and . . . [2] the delayed transactions are reasonably related to the PCS.” JTR 054501-B; *accord* FTR 302-11.421. The JTR provides that a delay resulting from construction or renovation of a residence at the employee’s new duty station is not a reason that justifies an extension.

JTR 053712-A (“Reasons that do not justify authorizing or approving an extension include . . . residence construction or renovation delays at the new PDS.”).

Agencies possess broad discretion to decide whether to grant an extension of the one-year period for incurring real estate transaction costs. *Frisner J.*, CBCA 8215-RELO, 25-1 BCA ¶ 38,754, at 188,383. The Board will not disturb an agency’s decision denying an extension request unless the agency’s decision is arbitrary, capricious, or clearly erroneous. *Id.*

In this case, the Air Force reasonably exercised its discretion in denying claimant’s extension request. As the Air Force explained, claimant’s decision to move to Texas was not directed by the Air Force. The Air Force’s decision not to grant an extension on the basis of delays in claimant’s purchase of a home in Texas was reasonable and within its discretion.¹

Decision

The claim is denied.

Daniel B. Volk
DANIEL B. VOLK
Board Judge

¹ Because we uphold the Air Force’s decision to deny claimant’s requested extension, we need not decide whether the Air Force would have had discretion to grant the requested extension based on the circumstances presented by claimant in this case.