



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD SUITE 1001  
ARLINGTON VA 22204-2490

BAN  
Docket No. 11978-11  
6 November 2012

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Office of the Chief of Naval Personnel (CNP) memo 7220  
Ser N130C/11U1040 of 15 Dec 11  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that she was authorized Basic Allowance for Housing (BAH) at dependent's location from 23 November 2010 to 5 October 2011, the date that her dependent arrived at the ultimate duty station.

2. The Board, consisting of Messrs. Ruskin, Exnicios, and George reviewed Petitioner's allegations of error and injustice on 5 November 2012, and, pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that Petitioner's request warrants partial relief as described below.

#### CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following partial corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, as follows:

- a. Petitioner is authorized BAH at dependent's location in

[REDACTED]

Note: Petitioner detached her old permanent duty station on 9 November 2010, but received BAH at dependent's location until 13 November 2010.

b. That so much of Petitioner's request for corrective action as exceeds the foregoing be denied for the following reason: Petitioner was receiving Overseas Housing Allowance (OHA) in Italy at the "with-dependent" rate from 15 January 2011 to the time her child arrived in Italy on 5 October 2011 and forward. Petitioner is not entitled to dual allowances after she arrived at her ultimate duty station.

c. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

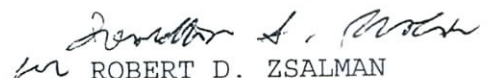
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

JONATHAN S. RUSKIN  
Recorder

  
DAVID J. CASH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

6 November 2012

  
for ROBERT D. ZSALMAN  
Acting Executive Director