



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

September 18, 2008

CBCA 1254-RELO

In the Matter of DANIEL R. ELLIOTT

Daniel R. Elliot, Quincy, CA, Claimant.

Donna Carmical, Director Budget and Finance, Albuquerque Service Center, Forest Service, Albuquerque, NM, appearing for Department of Agriculture.

VERGILIO, Board Judge.

On July 7, 2008, the Board received a claim from Daniel R. Elliott regarding a relocation arising from a permanent change of duty station. The Government made a submission to this Board, to which the claimant responded. The claimant disputes the determination by the Government that his modular home did not qualify for sale by a relocation services contractor with the Government. The Government relied upon agency regulations specifying that the agency cannot authorize modular homes to be sold through a relocation services company (Agriculture Relocation Allowance Regulation 2300-002 (§ 7.v)) and a provision in the contracts for relocation services (mobile/manufactured homes are not eligible for home sale services). The claimant's objections to the definitions, regulations, and relocation contract limitations, and his stated reliance upon assurances that his home could be sold through the relocation services program do not alter the outcome. Relocation services were not available for the sale of the modular home. *William C. Gentile*, CBCA 1091-RELO, 08-2 BCA ¶ 33,904.

The Board upholds the determination by the agency and denies the claim.

JOSEPH A. VERGILIO
Board Judge