

118624

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-204644

DATE: June 8, 1982

MATTER OF: Robert T. Greene--Real estate expenses

DIGEST: An employee claims \$180 representing the cost of termite extermination, which was a precondition to issuance of the termite-free certificate required by purchaser in contract for sale of employee's residence at old duty station. Claim may not be allowed under paragraph 2-6.2d of the Federal Travel Regulations since the cost of extermination is an item associated with house maintenance and, therefore, is not reimbursable.

Miss V. G. Leist, an authorized certifying officer of the Internal Revenue Service, requests a decision on the reclaim voucher of Mr. Robert T. Greene for certain real estate expenses incurred in connection with the sale of a residence in Metairie, Louisiana, incident to a permanent change of station. Specifically, Mr. Greene requests reimbursement in the amount of \$180 for the cost of obtaining a "termite-free" certificate required by the contract of sale. We hold that the reclaimed amount may not be reimbursed since it represents costs of termite extermination and such costs are maintenance expenses which are not reimbursable under the applicable regulations.

Mr. Greene argues that the extermination expenses involved in his claim are not related to house maintenance since there was no ascertainable infestation at the time that the work was performed. Instead, the expenses were incurred incident to the extermination company's policy not to issue a termite certificate until the subject property is treated for infestation.

Allowances for expenses incurred in connection with residence transactions incident to a permanent change of station are authorized by 5 U.S.C. § 5724a (1976) and by the Federal Travel Regulations (FPMR 101-7, May 1973) (FTR). Chapter 2, Part 6, of the FTR sets forth the conditions and requirements under which expenses are allowable with respect to the purchase or sale of a residence.

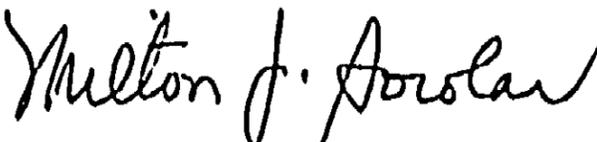
FTR paragraph 2-6.2f provides as follows:

"* * * Incidental charges made for required services in selling and purchasing residences may be reimbursable if they are customarily paid by the seller of a residence at the old official station or if customarily paid by the purchaser of a residence at the new official station, to the extent they do not exceed amounts customarily charged in the locality of the residence."

However, FTR paragraph 2-6.2d expressly provides that operating or maintenance costs are not reimbursable.

In applying these two paragraphs to particular claims, we have allowed reimbursement for termite inspection fees as a required service customarily paid by the seller or buyer of a residence, but we have denied reimbursement for termite extermination since this is a cost of house maintenance. B-172151, May 18, 1971, sustained on September 7, 1971; and B-163801, May 1, 1968. We do not believe that the nature of the work involved in extermination changes simply because the extermination is a prerequisite to the issuance of a termite certificate or because there is no visible infestation at the time the work is performed. See B-172151, above. Consequently, the costs claimed by Mr. Greene are properly characterized as maintenance expenses which are not reimbursable under FTR para. 2-6.2d.

In view of the above, the reclaim voucher may not be certified for payment.

for 
Comptroller General
of the United States