GAO

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Office of the General Counsel

B-265933

February 23, 1996

Ronald D. Larsen
Acting Director of Administration
Forest Service
U.S. Department of Agriculture
P.O. Box 96090
Washington, DC 20090

Dear Mr. Larsen:

This is in response to your request (reference 6540) concerning the entitlement of Mr. Philip J. Janik, to reimbursement for certain residence transaction expenses in connection with his transfer from Washington, D.C., to Juneau, Alaska, in June 1994. For the reasons discussed below, Mr. Janik may not be reimbursed for the fee of a facilitator incurred in purchasing a residence at his new duty station.

Mr. Philip J. Janik, an employee of the Forest Service, was issued travel orders on May 18, 1994, authorizing his transfer from Washington, D.C., to Juneau, Alaska. Incident to that transfer, Mr. Janik purchased a residence at his new station and sought reimbursement for the expenses of the purchase. The following expense items were allowed: fees for appraisal ($624.00), loan origination ($2,671.22), document preparation ($150.00), closing ($457.60), title insurance ($326.70), credit report ($95.00), recording ($60.00), and inspection ($297.44).

The agency did not allow his claim for $750.00, paid to a realtor, for the services of a facilitator in assisting the seller and buyer in handling the numerous procedural aspects of the transaction.

A letter from the realtor described the services covered by the fee as follows:

> "Services of a Facilitator in assisting seller and buyer with industry standard earnest money agreement forms, inspection forms and procedures, and standard mortgage loan required documentation. Provided State required Disclosure Form and assisted in transferring

> to buyer in compliance with State Statute. Provided general information to seller and buyer regarding customary market and mortgage conditions, options and practices. Assisted seller and buyer in coordinating the many aspects of a real estate transaction: closing dates, moving dates, insurance, loan pay off, settlement statement review, closing details, and sale of personal property being transferred in this transaction. Assisted mortgage company as necessary with transaction related matters. Assisted appraiser and engineer as necessary with inspections and reinspections."

The total fee charged for the professional services rendered was $1,500.00 which was split equally between buyer and seller. None of the services described in the realtor's letter appears to be reimbursable as one of the specific expenses allowable under the Federal Travel Regulation 41 C.F.R. § 302-6.2. While the services may have been necessitated by the employee's need to return to his old duty station, there is no provision under 41 C.F.R. § 302-6.2, for reimbursement for the fees of a facilitator in residence transactions. Consequently, Mr. Janik's claim may not be paid.

/s/Seymour Efros
for Robert P. Murphy
General Counsel

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DIGEST

There is no provision in the Federal Travel Regulation, 41 C.F.R. § 302-6.2, to allow reimbursement of the fees of a facilitator in a residence transaction, where the facilitator merely assists the parties in coordinating the many aspects of their transaction.