

VOLUME 7A, CHAPTER 26: “HOUSING ALLOWANCES”**SUMMARY OF MAJOR CHANGES**

Changes are identified in this table and also denoted by [blue font](#).

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by [bold, italic, blue, and underlined font](#).

The previous version dated [August 2021](#) is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
All	Revised the chapter content for accuracy and clarity.	Revision
3.0	Revised the “Determining Dependency” section to include adding new language to govern the Secondary Dependents claims in accordance with the Internal Revenue Service regulation 26 C.F.R. § 1.152-1(a).	Revision
References	Updated the statutes and supporting references.	Revision

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CHAPTER 26

HOUSING ALLOWANCES

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to housing allowances. Housing allowances include Basic Allowance for Housing (BAH), Overseas Housing Allowance (OHA), and Family Separation Housing (FSH) Allowance. Entitlement eligibility is subject to the conditions set forth in this chapter.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Titles 10 and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*2.0 INTRODUCTION

A Service member on Active Duty (AD) entitled to basic pay is authorized **only one basic** housing allowance (**BAH or OHA**) based on **their** grade, rank, location, and whether **the Service member** has any dependents. A housing allowance generally is not authorized for a Service member who is assigned to appropriate and adequate Government quarters (see section 8.0 for Government quarters). If a **Service member** is on excess leave, housing allowances do not accrue during the excess-leave period. If a Service member is absent without leave which is not excused as unavoidable, housing allowances are not authorized.

2.1 Definitions for Housing Allowances

2.1.1. Sharer. A sharer includes **the following individuals residing with** a Service member, **excluding any dependent of the Service member**:

2.1.1.1. **Another Service member authorized an OHA or FSH, OHA based location (FSH-O).**

2.1.1.2. A civilian employee, including any dependents **of the civilian employee, who is also** authorized a Living Quarters Allowance (LQA). Department of State Standardized Regulations (DSSR), section 130 (**DSSR § 130**) or cost of living allowance (COLA) in a non-foreign location Outside Continental United States (OCONUS) (see **OCONUS COLA**).

2.1.1.3. Any other person, who contributes money toward the payment of rent, mortgage, or utilities.

2.1.2. Owner-Owned Multiple Occupancy Dwelling. The dwelling is a duplex, triplex, or other type of multiple occupancy dwelling that is designed for separate private-sector housing units for more than one household. The units within the dwelling ordinarily have separate addresses or entrances. For OHA or FSH-O purposes, it would include a dwelling where the Service member and any dependents occupy a single separate unit within the dwelling and the other units are rented out.

2.1.3. Permanent Duty Station (PDS) Vicinity.

2.1.3.1. Member Assigned to PDS OCONUS. The PDS vicinity is the U.S. territory or possession, state when in Alaska or Hawaii, or the entire country (excluding the United States), where the Service member's PDS, as defined in the Definitions Chapter, is located. A dependent is considered to be residing in the PDS vicinity if residing in that same territory or possession, state, or country, even if not residing with the member. However, if the Service member is authorized or approved through the Secretarial Process to maintain separate households (one for the member and one for a dependent) and is maintaining a separate household in that same territory or possession, state, or country, then the dependent is not residing in the PDS vicinity for FSH purposes. A commander may submit a request for determination through the appropriate channels to the applicable Service Manpower and Reserve Affairs (M&RA).

2.1.3.2. Member Assigned to PDS in the Continental United States (CONUS). The PDS vicinity is the local commuting area of the PDS.

2.1.3.3. Member commutes to OCONUS/CONUS PDS. When a Service member resides with a dependent outside the applicable PDS vicinity as defined in paragraph 2.1.3.1. or 2.1.3.2, and commutes to the PDS, the dependent is considered to be residing at or near the vicinity of the PDS.

Example 1: Member's PDS is in Germany. Member resides with dependents in France and commutes to the PDS. Member's dependents are considered to be residing in the PDS vicinity even though they are living outside of Germany. Member is not entitled to FSH-O even if other FSH criteria is met.

Example 2: Member's PDS is in San Antonio, Texas. Member resides with dependents in Houston, Texas, and commutes to the PDS. Member's dependents are considered to be residing in the PDS vicinity even though Houston is outside the San Antonio local commuting area. Member is not entitled to FSH, BAH-based locations (FSH-B) even if other FSH criteria is met.

2.1.4. Government Quarters

2.1.4.1. Government quarters include:

2.1.4.1.1. U.S. Government owned or leased sleeping accommodations or family-type housing;

2.1.4.1.2. Lodging or other quarters obtained by U.S. Government contract;

2.1.4.1.3. Dormitories or similar facilities operated by a cost-plus-a-fixed-fee contract;

2.1.4.1.4. Sleeping or housing facilities furnished by a foreign government on the Government's behalf; or

2.1.4.1.5. Quarters in a state-owned National Guard camp.

2.1.4.2. For [housing allowance](#) purposes, the term does not include privatized housing or transient facilities, such as temporary lodging facilities, guesthouses, hostess houses', or hotel-type accommodations built or operated by non-appropriated fund activities. Government quarters converted to privatized housing are no longer Government quarters.

2.1.5. Rental Charge. A rental charge is a fee for occupancy and does not include service charges for linens, cleaning, maintenance, or similar costs.

2.2 Housing-Allowance Applicable Dates

2.2.1. Housing Allowance Start and Stop Dates. The authorizing document for OHA and FSH-O is the DoD [DD Form 2367](#), OHA Report. [Table 26-1](#) specifies the date to start BAH or OHA for a Service member with a dependent. [Table 26-2](#) specifies the date to stop housing allowances based on changes in the status of a sole dependent. [Table 26-3](#) specifies the date to stop BAH or OHA for reasons other than a change in the status of a dependent. Situations not covered in these tables are contained elsewhere in this chapter.

2.2.1.1. Start. Unless specifically authorized elsewhere in this chapter, PDS housing allowance eligibility starts on a Service member's reporting day to a new PDS. OHA and FSH-O start on the day a Service member [incurs a financial obligation](#) for private-sector housing (e.g., [the lease start date](#)), [assuming all other criteria for OHA or FSH-O is met](#). If the Service member is authorized a monetary allowance in lieu of transportation ([MALT](#)) plus per diem (MALT Plus) on the reporting day, OHA eligibility starts on the day after the Service member's reporting day. When a home port change is involved, ordinarily a housing allowance based on the rate for the new home port starts on the effective date of the home port change.

2.2.1.2. Stop. Unless an extension is authorized or approved under paragraph 10.2, or the PCS move is a close proximity move as specified in paragraphs 10.1 and 10.2, the OHA, FSH-B and FSH-O allowances stop on any of the following:

2.2.1.2.1. The day the Service member's OHA, FSH-O, or FSH-B lease ends.

2.2.1.2.2. The day before the Service member departs due to a PCS order.

2.2.1.2.3. The day before the effective date a Service member's assigned ship or unit changes its home port from OCONUS. However, a Service member without a dependent is authorized a housing allowance based on the old home port until the day the Service member moves back aboard the ship under all of the following conditions:

2.2.1.2.3.1. The Service member is undergoing a home port change;

2.2.1.2.3.2. The ship does not depart from the old home port before or on the home port change effective date; and

2.2.1.2.3.3. Quarters on board the ship are not available (for example, because the ship is dry-docked).

2.2.1.2.4. Upon assignment to Government quarters.

*3.0 DETERMINING DEPENDENCY

3.1 Dependent

3.1.1. Eligibility. In order to be eligible a housing allowance at the with-dependent rate, a Service member must have an eligible dependent. The term "dependent" has the same meaning as defined in the Definitions chapter and is further defined in subparagraphs 3.1.1.1 through 3.1.1.2.3.

3.1.1.1. Primary Dependents. The following are considered a Service member's primary dependent:

3.1.1.1.1. Spouse. As defined in the Definitions chapter, except for a spouse who is a Service member entitled to basic pay as provided in section 4.0.

3.1.1.1.2. Child. As defined in the Definitions chapter, "Dependent," definitions 2, 3, and 4.

3.1.1.2. Secondary Dependents. An individual is a secondary dependent only in that a Service member's support of these individuals is never assumed. A Service member must provide evidence that a secondary dependent, as that term is defined below, is dependent upon

the Service member for over one-half of the individual's support. Support has the meaning given in paragraph 3.3.1. The following individuals may be considered a Service member's secondary dependent only if all requirements of relationship, age, marital status, educational status (if applicable), mental and/or physical incapacitation (if applicable), and support are proven:

3.1.1.2.1. College-Age Student. As dependent as defined in the Definitions chapter, "Dependent," definition 5.

3.1.1.2.2. Incapacitated Adult Child. A dependent as defined in the Definitions chapter, "Dependent," definition 6.

3.1.1.2.3. Parent, Including Stepparent. As dependent as defined in the Definitions chapter, "Dependent," definition 7.

3.1.1.2.3.1. A stepparent relationship ends upon divorce of the stepparent from the Service member's biological parent, but not necessarily upon the death of the Service member's biological parent. A stepparent may qualify as a secondary dependent after the death of the Service member's biological parent.

3.1.1.2.3.2. A person who has stood in loco parentis is an eligible secondary dependent.

3.1.1.2.4. Legal Ward. A dependent as defined in the Definitions chapter, definition 8.

3.2 Relationship Determinations and Certification Requirements

Dependency must be determined before a housing allowance or Uniformed Services Identification Privileges (USIP) card is authorized. After initial approval, the Services must maintain adequate levels of internal audit to assure the legality, propriety, and correctness of all housing allowance payments. See individual Service regulations for procedures.

3.2.1. Primary Dependent Relationship. In determining relationship or dependency for housing allowance eligibility, the appropriate officials must apply the rules in this section. The Service Secretary or designee makes all determinations of relationships or dependency for a primary dependent. The designee may re-delegate.

3.2.1.1. Spousal Relationship Determination. Table 26-8 specifies who determines a dependency relationship for the purposes of a housing allowance when the dependent claimed is a spouse and there is no evidence of a doubtful marriage. *Any case in which the validity of a Service member's marriage is questionable is a case of a doubtful relationship.* When the relationship status of a claimed dependent spouse is doubtful, submit a request for determination to the applicable office indicated on Table 26-9.

3.2.1.2. Parent-Child Relationship Determination. Tables 26-4 to 26-7 specify the rules for determining a dependency relationship for purposes of a housing allowance between

an unmarried child and a Service member in the Army, Navy, Air Force, Space Force, or Marine Corps, respectively. Questionable claims that require legal review should be referred to the applicable office noted in Table 26-9.

3.2.1.3. Proof of Parentage. A Service member who claims a housing allowance for an adopted child, stepchild, or a child born out of wedlock must provide proof of parentage as follows:

3.2.1.3.1. For an adopted child, documentation showing the Service member is the child's legal parent;

3.2.1.3.2. For a stepchild, a marriage license showing the Service member is married to the child's legal parent and documentation showing that the Service member's spouse is the child's parent; or

3.2.1.3.3. For a child born out of wedlock, a birth certificate with the Service member's name cited is required. If the Service member's name is not stated on the birth certificate or on a court order, obtain a signed **notarized** affidavit of parentage from the Service member. If the child is not in the custody of the Service member parent, the case is treated as specified in the rules for **BAH-Differential (BAH-Diff)**.

3.2.2. Secondary Dependency Relationship. Tables 26-10 to 26-13 specify who determines dependency for secondary dependents. Determinations of relationships or dependency for non-DoD Services is per Service regulations.

3.2.2.1. Parent Dependency Determination. A parent's dependency is determined based on an affidavit submitted by the parent and any other evidence required under applicable regulations. A legal guardian may complete the form for a mentally incapacitated parent.

3.2.2.1.1. A parent's residence in a charitable institution, public or private, does not alone prohibit the Service member from receiving a housing allowance for the parent when all other conditions are met. Failure to reside with the Service member does preclude a parent from a USIP card.

3.2.2.1.2. Table 26-11 specifies who determines a dependency relationship for the purposes of a housing allowance when the dependent claimed is a parent, including a person acting in loco parentis.

3.2.2.1.3. If there is a question as to whether the parent is or is not a dependent, then the authority in Table 26-11 submits a request through the appropriate chain of command to the authority in Table 26-9 for a dependency determination.

3.2.3. Dependent Status Certification. A Service member is required to provide information concerning the status of a dependent when certain conditions occur.

3.2.3.1. Change in PDS. Upon arrival at a new PDS, each Service member authorized a housing allowance for a dependent must recertify the status of the dependent to the Secretary concerned to support a housing allowance on the dependent's behalf. If a Service member fails to provide the certification, the housing allowance on the dependent's behalf stops at the end of the month in which the certification is due. A housing allowance at the appropriate partial or without-dependent rate is paid unless the Service member is not authorized that allowance for some other reason. A housing allowance at the with-dependent rate is authorized effective the date the Service member provides proper certification. The higher rate is not retroactive unless the Service member's commander certifies that the failure to recertify promptly was for reasons beyond the Service member's control.

3.2.3.2. Change in Dependent Status. A Service member must report any change in dependency status, including, but not limited to: death, divorce, legal separation, change in custody arrangements, or any change in support obligations for either a primary or secondary dependent. If a Service member fails to report a change in dependency status that makes them no longer entitled to a with-dependent housing allowance, the member will be indebted for any amount of with-dependent housing allowance received after the dependency relationship ended or in the case of failure to support, from the date in which the Service member cannot show evidence of required support.

3.2.3.3. Secondary Dependency Annual Certification. Annual certification of financial and relationship status is required for a Service member who claims a housing allowance for a secondary dependent, as defined in paragraph 3.1.1.2.

3.2.3.4. Reserve Component (RC) Member. An RC member must recertify each dependent's status at least every third year from the previous certification or when a dependent's status changes, whichever is sooner.

3.2.4. Fraudulent Claims. Any Service member who submits a claim for a housing allowance that contains a false statement is subject to court-martial or criminal prosecution. Fraudulent acceptance of benefits may cause a civilian recipient to be subject to criminal prosecution. The law provides for severe penalties of imprisonment and a fine. For military personnel, it may include a punitive separation, total forfeitures, and confinement. In the absence of criminal prosecution, administrative collection of amounts to which the Service member was not entitled may be initiated.

3.3 Support Requirement

In order for a Service member to receive BAH at the with-dependent rate or a USIP card, for a dependent, the Service member must be providing support to an individual claimed as primary or secondary dependent.

3.3.1. Support Defined. Support is defined as it is in 26 C.F.R. § 1.152-1(a)(2) except as otherwise noted in this paragraph. The term "support" includes food, shelter, clothing, medical and dental care, education, and the like. Generally, the amount of an item of support will be the amount of expense incurred by the one furnishing such item. If the item of support furnished is

in the form of property or lodging, it is necessary to measure the amount of such item of support in terms of its fair market value.

3.3.2. Primary Dependents. A Service member is authorized a housing allowance on behalf of a primary dependent if the Service member contributes to the dependent's support in an amount that is at least equal to the applicable BAH-Diff rate. See subparagraph 3.4.1. for specific rules concerning computing support of a child. When BAH-Diff rates increase, the minimum amount of support required increases to the new rate. A Service member receiving a housing allowance on behalf of a dependent must, as applicable, increase the amount of support within 60 days of the rate increase to continue receiving the housing allowance.

3.3.2.1. Proof of Support. Proof of support of a primary dependent is generally not required. However, proof of support may be required by the Service in circumstances including but not limited to:

3.3.2.1.1. When the Service becomes aware of facts or evidence which suggest nonsupport or inadequate support; or

3.3.2.1.2. When an appropriate office receives a complaint from a dependent of nonsupport or inadequate support.

3.3.2.2. Interlocutory Decree of Divorce. If a Service member is divorcing a spouse, and an interlocutory decree of divorce does not require the Service member to pay support to the soon to be former spouse in an amount meeting the required level of support, the Service member is not authorized a housing allowance for the former spouse after the date of the interlocutory decree unless the Service member provides proof of support.

3.3.2.3. Legal Separation From Spouse. If a Service member is legally separated from a spouse, but not yet divorced, and a separation agreement or court order does not require the member to pay support to the spouse in an amount meeting the required level of support, the Service member must provide proof of support at the required level to continue to receive a housing allowance for the spouse.

3.3.2.4. Child Support. When a non-custodial parent Service member has a court-ordered child support obligation in an amount that is less than the required level of support and the Service member is not residing in, or assigned to, Government quarters, the Service member is authorized a with-dependent housing allowance for the child only if the Service member provides proof of support to the child at the required level. See section 4.0 for applicable rules when the Service member has a child with another Service member.

3.3.2.5. Additional Support Requirement. The support amount required to retain or receive a housing allowance for a dependent is not necessarily adequate to meet Service policies. The Service concerned may have additional requirements for support in the absence of a legal separation agreement or court order.

3.3.3. Secondary Dependents

3.3.3.1. Required Level of Support. To receive a housing allowance on behalf of an individual claimed as a secondary dependent or a USIP card for a secondary dependent, the individual must be dependent upon the Service member for at least one half of the individual's support in a calendar year.

3.3.3.2. Proving Financial Dependency. A Service member must prove the financial dependency of an individual claimed as a secondary dependent in one of the following ways:

3.3.3.2.1. Tax Return and DD Form 137. Complete and submit the DD Form 137, Secondary Dependency Application, including a tax return demonstrating the individual was claimed on the Service member's tax return as a dependent. The tax return may be for the tax year prior to the year for which the Service member is now claiming the dependency status. If a tax return is provided, the portion of the DD Form 137 containing the "Worksheet for Determining Support" is not required.

For example: If the Service member completes the DD Form 137 in November of 2023 and claimed the individual as a dependent on the Service member's 2022 calendar year tax return, this will be sufficient evidence of financial support in 2023. All other requirements of dependency must still be met for the duration of the calendar year of 2023 for the dependency to be approved.

3.3.3.2.2. Worksheet for Determining Support and DD Form 137. A tax return is not required. In any case in which the Service member chooses to not provide a tax return, is unable to provide a tax return, or was unable to claim a dependent on a tax return because the initiation of dependency did not occur early enough in the tax year to be claimed, the Service member must then complete and submit the entirety of the DD Form 137, including the section of the form that contains the "Worksheet for Determining Support" (Worksheet) in its entirety. See Paragraph 3.4.2 for how support will be computed.

3.3.3.2.2.1. A Service may request supporting documentation on a case-by-case basis to validate items on the Worksheet.

3.3.3.2.2.2. Failure to complete any of the required forms will result in a denial of the secondary dependency status for the individual claimed.

3.3.3.2.3. Claiming Dependent When Tax Return Not Yet Filed. There may be circumstances in which the Service member is filing a claim for an individual but due to timing, there has been no tax return filed claiming that individual on the tax return. In that situation, the Service member must complete the DD Form 137 in its entirety to include the Worksheet. The pay office will then compute the support as defined by this chapter, provided on a pro-rated basis for the months in which the individual being claimed resided with the Service member.

3.3.4. Non-Support

3.3.4.1. A Service member who fails to support a dependent on whose behalf a housing allowance is received is not authorized a housing allowance on that dependent's behalf.

3.3.4.2. A Service member does not avoid the legal responsibility to comply with a court order for support by forfeiting a housing allowance.

3.3.4.3. Any housing allowance paid for any period in which a Service member failed to support or inadequately supported a dependent must be recouped. The Service member will be subject to debt collection as set out in Volume 16.

3.4 Computing Support

3.4.1. Primary Dependents

3.4.1.1. Timing of Child Support Payments. For purposes of determining the amount of support furnished for a child (or children) by a Service member for a given calendar year:

3.4.1.1.1. An arrearage support payment made in a year after the calendar year when it was required to be made must not be treated as a payment of support for the year it was paid if there was no support obligation for that year.

3.4.1.1.2. An arrearage support payment may be counted toward a support obligation in the year in which it was paid, but only to the extent of the support obligation for that year; and

3.4.1.1.3. Payments made prior to any calendar year (whether or not made in the form of a lump sum payment in settlement of the parent's liability for support) shall not be treated as made during such calendar year. However, payments made during any calendar year from amounts set aside in trust by the Service member in a prior year, shall be treated as made during the calendar year in which paid from the trust.

3.4.1.1.4. Subsequent payment of support arrears may be counted toward a support obligation for the period the support was required to make if the delay in the support in payment(s) was caused by one of the following:

3.4.1.1.4.1. The Service's mission requirements; or

3.4.1.1.4.2. Outside agencies' actions determined by Service regulations to be beyond the Service member's control.

3.4.1.2. Settlement Agreements.

3.4.1.2.1. Property settlements made under a court order or written agreement are not considered support for housing allowance purposes.

3.4.1.2.2. Payments made under a settlement in place of support are considered support only for the periods specified in the written agreement or court order.

3.4.1.2.3. A lump-sum settlement in place of support made under written agreement or court order is support for the period the lump sum would reasonably cover the dependent's support.

3.4.2. Secondary Dependents. An individual claimed as a secondary dependent must receive over one half of their financial support from the Service member. When a Service member has not provided a tax return showing the individual claimed as a dependent upon the tax return, then for purposes of determining whether or not an individual received over half of their support from the Service member for a given calendar year, determine the amount of support the individual received from the Service member as compared to the entire amount of support which the individual received from all sources, including support of the individual themselves.

3.4.2.1. Source of Income and Support.

3.4.2.1.1. Income. In computing the amount, which is contributed for the support of an individual, there must be included any amount which is contributed by the individual for their own support, including income which is ordinarily excludable from gross income, such as benefits received under the Social Security Act (42 U.S.C. Chapter 7). Other items of income may include, but are not limited to, proceeds derived from the liquidation of capital assets and pensions received by the parent. Refer to DD Form 137 Worksheet for Determining Support.

Example. A father receives \$800 social security benefits, \$400 interest, and \$1,000 from his son during a calendar year, all of which sums represent his sole support during that year. The fact that the social security benefits of \$800 are not includible in the father's gross income does not prevent such amount from entering into the computation of the total amount contributed for the father's support. Consequently, since the son's contribution of \$1,000 was less than one-half of the father's support (\$2,200) he may not claim his father as a dependent.

3.4.2.1.2. Support. Just because an item is included in an individual's income, does not mean it must be used for support. Only include items in the support computation which were used for the individual support. A person is not required to expend all their income for their own support.

Example: Your mother received \$2,400 in social security benefits and \$300 in interest. She paid \$2,000 for lodging and \$400 for recreation. She put \$300 in a savings account. Even though your mother received a total of \$2,700 (\$2,400 + \$300), she spent only \$2,400 (\$2,000 + \$400) for her own support. If you spent more than \$2,400 for her support and no other support was received, you have provided more than half of her support.

3.4.2.1.3. Unliquidated. Capital assets are not income, and an individual claimed is not required to deplete their capital assets to establish dependency on a Service member for housing allowance purposes.

3.4.3. Expenses. In computing support, the amount the Service member and individual claimed as a secondary dependent contributed to support must both be considered. When the DD Form 137 “Worksheet for Computing Support” is used, expenses for the following may be included in determining support:

3.4.3.1. Food, shelter, and clothing.

3.4.3.2. Medical and dental care, which includes medical, vision, and dental expenses not paid for or reimbursed by insurance paid for the year.

3.4.3.2.1. This expense may include personal/supplemental insurance premiums paid for the individual’s support and premiums paid for supplementary Medicare coverage or TRICARE premiums, if any.

3.4.3.2.2. This amount does not include the value of medical insurance benefits and does not include the value of the USIP card.

3.4.3.3. Education, including school expenses, such as tuition, books, special fees (lab fees, distance education fees, internship fees, parking, etc.), room and board for off-campus lodging, school supplies, or tutoring.

3.4.3.4. Extracurricular activities, including lessons fees (e.g., sports, dance, music).

3.4.3.5. Travel and recreation expenses, including:

3.4.3.5.1. Public transportation/taxi fees (may also include ride share services);

3.4.3.5.2. Entertainment and recreation tickets (e.g., movies, sporting events, concerts, videos, theater, etc.), recreation/amateur sports/Special Olympics enrollment fees, and fitness or social club enrollment fees; or

3.4.3.5.3. Vehicle expenses, including total vehicle payments, license plate/registration fees, and driver’s license fees. The vehicle must be registered in the individual’s name, with the exception that purchase of a handicap accessible vehicle if the individual is a child. If the vehicle was used by others in household, the Service member can only include out-of-pocket expenses of operating the car for the individual’s benefit.

3.4.3.6. Other expenses, including but not limited to, fees for a checking account, savings account, or money orders, childcare expenses, including expenses paid for care of a disabled dependent, postage, court-ordered bankruptcy payments, or personal hygiene items.

3.4.4. Expenses do not include any federal, state, or local taxes paid by either the Service member or the individual claimed.

*4.0 IMPACT OF CERTAIN CHILD CUSTODY AND FAMILY ARRANGEMENTS ON HOUSING ALLOWANCE

4.1 Custodial Parent

A Service member who is awarded primary physical custody of a dependent child, or whose dependent child resides with the Service member for at least half of a calendar year, is considered a “custodial parent” for housing allowance purposes.

4.2 Non-Custodial Parent with Temporary Custody

4.2.1. When a non-custodial Service member resides in a private-sector residence and the Service member’s child visits for 90 consecutive days or fewer, the Service member must pay child support in an amount equal to or exceeding the applicable BAH-Diff rate to receive BAH at the with-dependent rate on account of the child. The cost of maintaining the residence is not a factor in determining authority for the with-dependent housing allowance rate and may not be used instead of, or in addition to, child support to qualify for increased allowances.

4.2.2. When a non-custodial Service member resides in a private-sector residence and the Service member’s child visits for 91 or more consecutive days, the Service member qualifies for BAH at the with-dependent rate on account of the child for the period of the visit.

4.3 Non-Service Member is Custodial Parent

4.3.1. Non-Custodial Status of Service Member. When the non-Service member parent is awarded primary physical custody of a child of a Service member, or the Service member’s dependent child resides with the non-Service member parent for more than half of the calendar year, then the Service member is a non-custodial parent for housing allowance purposes.

4.3.2. Service Member Not Assigned to Government Quarters Pays Support. Subject to other provisions in this Chapter, if a non-custodial Service member is not residing in or assigned to Government quarters and pays support for the child in an amount equal to or more than the applicable BAH-Diff rate, the Service member is authorized a housing allowance at the with-dependent rate based on the child. The support amount includes any court-ordered child support and any additional amount the Service member pays in addition to or in the absence of court-ordered child support. If the Service member pays support in an amount below the applicable BAH-Diff rate, the Service member is only authorized a housing allowance at the without-dependent rate.

4.3.3. Custodial Parent Married to Another Service Member. If the custodial parent and child live in Government quarters assigned to the custodial parent’s current spouse (Service member stepparent), the non-custodial Service member is not authorized a housing allowance for the child, regardless of support payments. However, if the Service member stepparent with whom the custodial parent and child reside is not assigned to Government quarters, a housing allowance

for the child may be paid to either the Service member parent or the Service member stepparent, but not both. The Service member parent has priority to a housing allowance for the child if providing adequate support.

4.3.4. Service Member Marries Non-Service Member. If a non-custodial Service member marries a non-Service member, the Service member:

4.3.4.1. Is authorized a with-dependent housing allowance based on the Service member's current spouse when not assigned Government quarters. The Service member is not authorized a housing allowance for the child.

4.3.4.2. Is not authorized a housing allowance for the child when the Service member is assigned to or occupies Government family type quarters for the Service member and current spouse.

4.4 Dependent Confined in Penal or Correctional Institution

4.4.1. Housing Allowance Payable. Confinement of a Service member's spouse or unmarried minor child in a penal or correctional institution does not affect the Service member's authority for a housing allowance on the dependent's behalf, unless any of the following conditions apply:

4.4.1.1. The Service member refuses to support the dependent;

4.4.1.2. The Service member has been relieved from supporting the dependent;

4.4.1.3. The period of confinement may extend beyond 5 years; or

4.4.1.4. The case is otherwise doubtful.

4.4.2. Doubtful Cases. Submit doubtful cases or cases involving a sentence extending beyond 5 years to the addresses specified in Table 26-9. Do not pay a housing allowance on behalf of the dependent pending a decision.

4.5 Service Member Married To Another Service Member

4.5.1. General Provisions

4.5.1.1. Dependent on AD in a Uniformed Service. In accordance with [37 U.S.C. § 421](#), a dependent who is on AD in a Uniformed Service and is entitled to basic pay cannot be considered a dependent for housing allowance purposes.

4.5.1.2. One Service Member Enters a Non-Pay Status. When one Service member enters a non-pay status, the other Service member may claim the Service member not entitled to pay and allowances as a dependent and be authorized to draw BAH or OHA at the with-dependent rate for the duration of the non-pay status, if otherwise authorized, unless a

dependent is confined in a penal or correctional institution (see paragraph 4.4). A Service member may claim as a dependent a Service member on inactive duty for training (Reserve drills).

4.5.1.3. Service Member Serving on Sea Duty. A Service member of any grade who is assigned to permanent sea duty who is married to another Service member in a pay grade below E-6 is authorized BAH or OHA.

4.5.1.4. Spouse in Foreign Military. Paragraph 4.5 does not apply when a Service member is married to a person in the military service of a government other than the United States. The Service member is authorized a housing allowance even if the foreign government furnishes a residence or pays a monetary allowance in lieu of a residence for the spouse.

4.5.1.5. Unmarried Service Members. Paragraph 4.5 does not apply to two Service members living together but not married. Two unmarried Service members living together are separately authorized a housing allowance based on each Service member's dependents and circumstances.

4.5.1.6. Other Housing Allowances. Other housing allowance paragraphs in this chapter (e.g., FSH, Service member on unaccompanied tour, BAH rate protection) also apply to a Service member married to another Service member.

4.5.2. Both Service Members Married to Each Other Entitled to Basic Pay

4.5.2.1. No Dependents. When both Service members have no dependents, each is treated as a Service member without a dependent for BAH or OHA. This applies whether the Service members are living together or separately if Government quarters are not provided.

4.5.2.2. Family-Type Quarters. When Service members married to each other jointly occupy family-type quarters, neither Service member is authorized BAH or OHA, even if no dependent resides in the quarters, unless a dependent is prevented by a military order from occupying quarters.

4.5.2.3. Not Assigned Government Quarters. Generally, only one Service member may receive BAH or OHA at the with-dependent rate (including BAH-Diff) if they collectively have one or more dependents as defined in section 3.0, including all children, parent(s), and wards.

4.5.2.3.1. With-Dependent Rate for Shared Dependent. When two Service members have a dependent child together and are not assigned Government quarters, the Service members must choose which one will receive BAH or OHA at the with-dependent rate. If they cannot agree, then the senior Service member receives the with-dependent rate. The Service members may subsequently elect to transfer BAH authorization from one Service member to the other for any reason. Changes are effective as of the election date and may not be applied retroactively.

4.5.2.3.2. Child From Previous Relationship. When two married Service members are not assigned Government quarters and have one or more child dependents living with them who are not shared children, but are children from one or both Service members' prior relationships, only one of the Service members may claim a with-dependent housing allowance based on the child(ren) collectively, as parent or stepparent, as applicable. The other Service member receives BAH or OHA at the without-dependent rate. The rule is the same if the Service members have a shared dependent child or children in addition to those who are not shared.

4.5.2.3.3. Separate Households. When both Service members maintain separate households at or in the vicinity of their PDS or PDSs, each is individually authorized BAH or OHA **if not provided Government quarters**. Only one Service member may receive BAH or OHA at the with-dependent rate. **If the Service members no longer share a common residence due to military orders, their authorization for increased allowances or assignment to Government quarters should be determined separately without regard to the general rule in subparagraph 4.5.2.3.** Each Service member may receive a housing allowance at the with-dependent rate **if a dependent child resides with that Service member**. See paragraphs 3.3 and 4.5.3 for BAH or OHA for divorced or legally separated Service members.

4.5.2.3.4. Same or Adjacent Military Installations. Both Service members are considered to be stationed at the same or adjacent bases, or shore installations, when they are not prevented by distance from living together or they actually commute on a regular basis regardless of distance. **The general rule of paragraph 4.5.2.3 applies.**

4.5.2.3.4.1. Each Service member is authorized BAH or OHA at the appropriate rate when family-type quarters are not assigned, notwithstanding the availability of adequate single quarters for either or both Service members **unless the commander requires the Service member to reside in single Government quarters.**

4.5.2.3.4.2. When both Service members are authorized BAH or OHA at the same or adjacent military installation and are then separated geographically by orders, the Service member remaining at the old PDS is authorized BAH or OHA continuation regardless of the availability of adequate single quarters **unless the commander requires the Service member to reside in single Government quarters.**

4.5.2.3.5. If one Service member elects to stop receiving a housing allowance at the with-dependent rate, then the other Service member may claim **their dependent(s) for housing allowance purposes**. A relationship determination is required, but ordinarily a dependency determination is not. In all instances of a Service member having a spouse on AD, full details must be given showing the spouse's full name, Social Security number, duty station, and branch of Service **in order to inform each of the Service members' commands of the actions of each spouse.**

4.5.3. Dependent Custody Effects on Housing Allowances

4.5.3.1. Divorce or Legal Separation – Neither Member in Government Quarters. The following rules apply when **two Service members divorce or legally separate or a divorce or**

legal separation decree is subsequently amended. These rules apply in addition to those in paragraph 3.3 and only when neither Service member is assigned to family-type Government quarters, unless otherwise specified:

4.5.3.1.1. Unless both Service members agree to the contrary, the parent with primary physical custody, if applicable, is authorized a housing allowance for the child, regardless of the child-support amount received by that Service member.

4.5.3.1.2. The Service members may agree that the parent who does not have primary physical custody of the child will receive the housing allowance on behalf of the child if the non-custodial Service member parent pays support in an amount meeting the BAH-Diff rate. In addition to the court order concerning custody, the Service members must submit an agreement that has been signed by both Service members and notarized which states that they agree that the non-custodial Service member parent will pay child support to the custodial Service member parent in an amount equal to or exceeding the applicable BAH-Diff rate and the custodial parent will allow the non-custodial parent to claim the child as a dependent for housing allowance purposes.

4.5.3.1.3. When the Service members have joint legal and physical custody, with physical custody alternating from one parent to another, and neither has primary physical custody, each parent is authorized a housing allowance for the child during those periods the child is actually in that parent's physical custody.

4.5.3.1.4. When each Service member has legal and primary physical custody of one or more of the children of the marriage, each Service member is authorized a housing allowance for the children in their individual physical custody, regardless of child-support payments from one Service member to the other.

4.5.3.1.5. When a child of the marriage is in a third party's custody, only one Service member is authorized a housing allowance for the child, even if both Service members are paying sufficient child support to qualify for the housing allowance. The senior Service member is authorized a housing allowance for the child when the two Service members do not agree on which person claims the authorization. If the Service members are of equal rank, date of rank determines which one receives a housing allowance for the child.

4.5.3.1.6. When a non-custodial Service member pays child support to a custodial Service member parent who also has another dependent for housing allowance purposes, there is a presumption that the custodial Service member parent authorization is based on the dependent other than the child shared with the non-custodial Service member parent. The non-custodial Service member parent may be authorized a with-dependent housing allowance based on the child if other requirements for the allowance are met. The housing allowance authorization for the custodial and non-custodial parents is determined individually.

4.5.3.1.7. Once the Service members are divorced or legally separated, each Service member's housing allowance for dependents who are not shared children is determined individually.

4.5.3.2. Child in Government Quarters With Service Member Custodial Parent

4.5.3.2.1. Child in Assigned Family Government Quarters. When a Service member has primary physical custody of a child of the Service member and another Service member and is assigned to, or occupies, adequate family-type Government quarters with the child, the non-custodial Service member parent is not authorized a housing allowance for the child, regardless of whether the non-custodial parent pays child support.

4.5.3.2.2. Child in Family Government Quarters Visits Other Service Member Parent. When a child who normally resides in family Government quarters with a custodial Service member parent visits a non-custodial Service member parent in a private residence for 91 or more days, the non-custodial parent is authorized a housing allowance for the child from the first day of the visit. If the visit is 90 or fewer days, a housing allowance for the child is not payable for any part of the visit.

4.6 No Authority on Dependent's Behalf. A Service member is not authorized a housing allowance for any of the following:

4.6.1. A minor child entitled to basic pay as a Uniformed Service member on AD. This includes a minor child attending a military Service academy when the United States furnishes quarters;

4.6.2. A spouse on AD in a Uniformed Service entitled to basic pay. See section 4.0 for housing allowances when two Service members married to each other are both entitled to basic pay;

4.6.3. A dependent for whom the Service member is no longer required to provide support; for example, a legally emancipated child;

4.6.4. A dependent for whom the Service member has not provided required proof of adequate support, when necessary as specified in paragraph 3.3;

4.6.5. A dependent whom the Service member fails to support (see paragraph 3.3);

4.6.6. A dependent whose whereabouts are unknown and whose absence and whereabouts remain unexplained;

4.6.7. A former spouse, regardless of whether the Service member is paying alimony;

4.6.8. A dependent who occupies Government quarters as a permanent residence without payment of a rental charge. See subparagraph 4.5.3.2.2 for an exception when a child is living with their other parent, who is also a Service member;

4.6.9. A child for whom the Service member pays child support and the following conditions exist:

4.6.9.1. The child is in another active-duty Service member's custody, including a former spouse, as specified in this section; and

4.6.9.2. The Service member with custody of the child is assigned to Government or Government-leased family quarters or receives a with-dependent housing allowance on behalf of the child. This does not include privatized housing.

4.6.10. A child after adoption by a third party and the final adoption order or decree has been entered. When the Service member supports the child pending a final decree, authority for a housing allowance continues after an interlocutory decree of adoption has been entered if the decree does not change the legal relationship between the child and the Service member.

*5.0 BASIC ALLOWANCE FOR HOUSING (BAH)

BAH is paid for housing within the United States. Assignment to Government quarters affects a Service member's eligibility for BAH. A housing allowance, other than BAH-Partial or BAH-Diff, is not authorized for a Service member who is assigned to Government quarters appropriate to the Service member's grade, rank, or rating and adequate for the Service member and dependents, if any. See section 8.0 for rules regarding assignment to Government quarters.

5.1 BAH Rate and Determination

5.1.1. The BAH rate is based on median housing costs in the Military Housing Area (MHA) and is paid independently of a Service member's actual housing costs.

5.1.2. The Office of the Under Secretary of Defense, Personnel and Readiness OUSD (P&R) determines adequate housing costs in an MHA for all Service members authorized BAH. OUSD (P&R) bases the determination for housing allowances upon the costs of adequate rental housing for civilians with comparable income levels in the same area.

5.1.3. An adjustment in the BAH rates due to an OUSD (P&R) redetermination of housing costs in an MHA takes effect with the pay raise each year.

5.1.4. An MHA is defined geographically by zip code within the United States. Major military population areas are further identified by a combination of two-digit code for the state and three-digit numerical designation within the state. For small military population areas, zip codes are aggregated into areas of similar housing cost and designated as county cost groups.

5.2 BAH Rate Protection

The monthly BAH amount paid to a Service member must not be reduced due to changes in housing costs in the MHA, changes in the national monthly housing cost, or a Service member's promotion. The BAH rate for an RC member is also protected, provided the RC member does not have a break in active service of 1 or more calendar days. This includes transitions in service status from Active Guard Reserve (AGR) duty to other AD and back to AGR duty, or beginning a new AD order or order extension without a break in active service. If the Service member is demoted or loses authority for BAH, then the Service member's BAH rate protection at the current amount stops when the eligibility to BAH for a given MHA or County Cost Group ends. The current BAH rate at the current duty location becomes the Service member's new protected BAH rate.

5.3 Temporary BAH Increase

The Secretary of Defense may prescribe a temporary increase in BAH rates in an area the President declared as a major disaster area or at an installation that experienced a sudden increase in the number of assigned Service members. Payment of the higher BAH is only effective for an MHA or specified zip codes within a county cost group. [Temporary BAH increases may not be paid after the statutory authority termination date.](#) See the [Duration of Authority](#) table for termination date.

5.3.1. [Eligibility.](#) A temporary increase in BAH rates results in two different BAH rates for Service members assigned to the same zip code. To receive the higher of the two BAH rates, a Service member must certify to the [office designated](#) by the Secretary concerned that [the member](#) incurred higher housing costs in an approved area due to a major disaster or sudden increase of military personnel assigned to an installation. The certification must be in a form acceptable to the approval authority. The Service member's certification must document rent, or mortgage expense in the case of a homeowner, and utility expenses.

5.3.2. [Effective Date.](#) If the Service member meets the eligibility requirements and is authorized the increased rate, it is effective the later of the approval date or the date the Service member started incurring the increased expenses.

5.3.3. [Effect of Changes.](#) A Service member receiving a temporary BAH rate increase must submit certification as described when the following events occur:

5.3.3.1. Promotion requires certification that housing costs exceed the standard BAH rate for the higher grade. Without certification, the standard BAH rate for the higher grade applies.

5.3.3.2. Demotion requires certification that housing costs exceed the standards BAH rate for the lower grade. Without certification, the standard BAH rate for the lower grade applies.

5.3.3.3. A change in dependents requires recertification of housing costs to compare applicable rates.

5.3.4. Termination. The increased allowance is paid through the day before the effective date of the next standard BAH rate change for the area. The new standard BAH rate applies on the effective date. There is no rate protection for temporarily increased rates.

5.4 BAH Advance

5.4.1. Authority. Each Service must set regulations for advance BAH payment administration, to include the preparation and disposition of vouchers and supporting papers. When allowed by Service regulations, a Service member's commanding officer, [their](#) designee, or another designated official may authorize an advance BAH payment to pay advance rent, security deposits, or initial expenses due to occupying other than Government housing. An advance may also be authorized at any time during a Service member's tour at the location concerned or when a Service member has relocated due to a PCS order. The Secretary concerned or the Secretary's designee may authorize an advance BAH payment in circumstances and conditions other than those specified in this paragraph. Service regulations must set repayment procedures [in accordance with subparagraph 5.4.5](#).

5.4.2. Timing. Ordinarily, the advance should not be disbursed more than [three](#) working days before the date payment under the lease or rental agreement must be made. In extenuating circumstances, the officials listed in this chapter may authorize disbursement more than [three](#) working days before the date payment must be made. The BAH advance may be paid before or after the expenses occur. A Service member must request the advance payment within 30 days after incurring the expense.

5.4.3. Requirements. Housing expenses must be documented. Required documentation includes copies of the lease, utility company statements, and any other pertinent documentation necessary to support the housing expenses.

5.4.4. Amount. The advance amount is determined by the Service member's current BAH rate, [their](#) ability to repay the advance, other advances of pay that may have been made, and any recurring pay deductions. The BAH advance is limited to a total of [three](#) months BAH that the Service member is expected to accrue. Expenses identified by a Service member used to purchase any real estate or living accommodations must not serve as a basis for authorizing or determining the amount of the advance.

5.4.5. Repayment. Repayment of the advance should be at a rate of at least one-twelfth of the amount advanced in equal monthly installments for the next 12 months. Collection action should begin on the [first](#) day of the month after the advance payment has been made.

5.4.5.1. When justified by the Service member and authorized by the Service member's commanding officer, [their](#) designee, or another Service-designated official, start of collection action may be postponed for up to [three](#) months after the advance is made. Repayment may be spread over a period of more than 12 months but must be limited to 24 months or the

Service member's scheduled tour at the location concerned, whichever is shorter.

5.4.5.2. Action must be taken immediately to recoup in a lump sum any BAH advance that the landlord has returned to the Service member upon receipt of information that the Service member has vacated the housing for which the advance was made. If the Service member chooses, [they](#) may repay in monthly installments any balance of an advance not returned by the landlord. The balance must be repaid during the months remaining on the existing [BAH advance](#) repayment schedule.

5.5 Partial Housing Allowance (BAH-Partial)

5.5.1. [Eligibility](#). BAH-Partial is paid to a Service member without a dependent who is assigned to single type Government quarters and is not authorized to receive BAH or OHA.

5.5.2. [Rate](#). The BAH-Partial rate is the partial rate of the basic allowance for quarters for the Service member's pay grade that was in effect under [37 U.S.C. § 1009\(c\)\(2\)](#) on December 31, 1997.

5.5.3. [Conditions](#)

5.5.3.1. BAH-Partial is authorized when a Service member:

5.5.3.1.1. Is married to another Service member has no other dependents, is assigned to single-type Government quarters and is not authorized BAH or OHA;

5.5.3.1.2. Occupies single-type Government quarters while a dependent resides in family-type quarters not assigned under the Service member's eligibility; or

5.5.3.1.3. Is married to another Service member, and neither has other dependents, is assigned to sea duty, and occupies Government family quarters assigned to the spouse when the ship is in port.

5.5.3.2. BAH-Partial is authorized when a Service member without a dependent is:

5.5.3.2.1. Confined in a guardhouse, brig, or correctional barracks and was assigned to single type Government quarters before confinement and remains assigned to such quarters during confinement, unless forfeiture of allowances was directed;

5.5.3.2.2. Assigned to single type Government quarters at the PDS and authorized BAH-Partial, and is subsequently in a hospital with no PCS involved;

5.5.3.2.3. Restrained in a status of arrest in assigned single-type quarters, unless forfeiture of allowances was directed;

5.5.3.2.4. Ordered to PCS to confinement in a guardhouse, brig, correctional barracks, or to additional training in a retraining or rehabilitation facility and is assigned to certain quarters therein, unless forfeiture of allowances was directed;

5.5.3.2.5. Permanently assigned to a hospital for treatment and is assigned quarters in the hospital;

5.5.3.2.6. Assigned to single-type Government quarters between PDSs and is not authorized BAH or OHA; or

5.5.3.2.7. In grade E-6 or below, is without a dependent, and is offered an assignment of adequate Government quarters or is assigned Government quarters but elects not to occupy such quarters and resides in private quarters at their own expense, except as otherwise provided in this chapter.

5.5.3.3. BAH-Partial is not authorized when a Service member:

5.5.3.3.1. Is married to another Service member, has no other dependent, and is assigned to family-type Government quarters;

5.5.3.3.2. Is without a dependent, is single, and is assigned to family-type Government quarters;

5.5.3.3.3. Is without a dependent and is assigned to Government single-type quarters (including Government-leased quarters) that exceed the minimum standards of single-quarters for the Service member's grade. This limitation does not apply to members on medical hold or holdover personnel receiving outpatient medical treatment who have been designated as requiring a live-in-non-medical attendant. The Service determines the housing standards for such personnel based on medical treatment, non-medical attendant, and other relevant factors; or

5.5.3.3.4. Is paying child support and receiving BAH-Diff. The Service member is not without dependent.

5.5.4. Navy Barracks Privatization Test. Under the authority in 10 U.S.C. § 2881a, the Navy is conducting a limited test of barracks privatization. The privatized barracks are defined as Government quarters for the purposes of the test. For a Service member occupying privatized barracks, a special BAH-Partial rate equal to a percentage of the PDS locality BAH at the without-dependent rate for the Service member's grade is established. Table 26-13 specifies the applicable locations and percentages.

5.6 BAH-Diff

5.6.1. Eligibility. Generally, a Service member assigned to single-type Government quarters or a single-type housing facility under a Uniformed Service jurisdiction is only authorized BAH-Partial. However, such Service member is entitled to BAH-Diff if the Service

member is paying support to a biological child, adopted child, or stepchild in an amount equal to or greater than the applicable BAH-Diff rate. If the Service member's child support payment is less than the applicable BAH-Diff rate, BAH-Diff is not authorized. See section 4.0 if child is in the custody of another AD Service member.

5.6.2. Rate. The BAH-Diff rate is a fixed, non-locality based rate and is the difference between the with-dependent Basic Allowance for Quarters (BAQ) rate and the without-dependent BAQ rate as of December 31, 1997, based on the Service member's grade and increased each year by the average pay raise percentage.

*6.0 OVERSEAS HOUSING ALLOWANCE (OHA)

6.1 OHA Overview

The OHA is paid monthly to help offset housing expenses for a Service member or dependent authorized to live in private-sector leased or owned housing at an assigned overseas location outside the United States. OHA is based on cost reimbursement. The amount of OHA paid considers factors, such as whether the housing is shared, the appropriate utilities, and whether the Service member owns or rents the housing. A Service member is reimbursed actual rental costs, limited to the maximum OHA rate for each locality and grade.

The OUSD (P&R) determines adequate housing costs in a locality for all Service members authorized by location. OHA is designed to cover actual rental costs for 80% of the assigned Service members in assigned location. OHA rate ceilings are calculated based on data provided by commanders OCONUS and actual rent data derived from pay systems. The PDS geographic location governs the OHA rate payable unless otherwise specified.

6.1.1. Requirements. A Service member authorized to live in private-sector leased or owned housing or a Service member who qualifies for OHA based upon the need for private-sector housing for a dependent, must complete and submit a DD 2367 for approval of OHA. Payment of OHA requires a lease agreement or a verifiable purchase price. The senior officer of the Uniformed Services in the country concerned, or the individuals or offices designated for that purpose by the senior officer has approval authority. For a Service member with dependents serving on an unaccompanied tour OCONUS who is not provided Government quarters and must obtain private-sector housing, FSH-O is the applicable housing allowance, not OHA; see section 7.0 and paragraph 10.4.

6.1.1.1. The reported housing must be the actual residence that the Service member occupies and from which the Service member commutes to and from work daily.

6.1.1.2. The reported housing must be the actual residence that the Service member's dependents occupies when:

6.1.1.2.1. The Service member is assigned on an unaccompanied tour and the Service member's dependents reside OCONUS outside the PDS vicinity; or

6.1.1.2.2. The Service member has a Secretarial waiver and is authorized

OHA for a dependent who lives separately.

6.1.1.3. When a Service member is required to pay monthly rent at a specified fixed-exchange rate (dollar equivalency contract) for the lease duration because it is required by law or local custom, the Service member's commanding officer, or designee, must enter the following statement in DD 2367, Part C Remarks: "Dollar equivalency contract required. No other housing option available to the Service member." The Service member must enter the monthly rent equivalent in U.S. dollars into DD 2367, block 7b.

6.1.1.4. OHA is not intended and must not be used for the personal enrichment of a Service member by including costs incurred for procuring or adapting a residence to accommodate renters or for vacation purposes. Disciplinary action may apply when housing allowances are used for other than the purpose intended.

6.1.2. Rate. OHA rates are based on a Service member's PDS except as otherwise indicated in this chapter. OHA is not payable on the arrival day when MALT Plus is paid. Unless a special determination jointly issued by the Secretary concerned and the OUSD (P&R) authorizes a different rate due to special circumstances, the amount of OHA payable is as specified in this chapter.

6.1.3. Responsibilities. Commanders OCONUS, or their designees, must periodically provide data required for authorizing, changing, and terminating OHA for each locality OCONUS within their jurisdictions as specified by the OUSD (P&R). For the responsibilities of the Overseas Command or Commander, Senior Officer, and Country Allowance Coordinator, see the [DoD Overseas Station and Housing Allowance Process Guide](#).

6.1.4. OHA Components. There are three housing-allowance components paid under OHA:

6.1.4.1. Monthly OHA Rental Allowance. This monthly allowance is paid as specified in paragraphs 6.2.

6.1.4.2. OHA Utility and Recurring Maintenance Allowance. This monthly allowance is paid as specified in paragraph 6.3.

6.1.4.3. Move in Housing Allowance (MIHA). The MIHA partially defrays move-in costs associated with occupying privately leased or owned quarters. There are five types of MIHA allowances, each with distinct eligibility criteria, as specified in paragraph 6.4.

6.2 OHA Monthly Rental Allowance

Monthly rent is the amount paid each month by a Service member for possession and use of private-sector housing, to include a mobile home or boat.

6.2.1. Determine Rent. The rent stated in the lease, or as otherwise agreed to by the landlord and the tenant in a written document, must be used in computing the OHA monthly rental

allowance. The cost of parking at the duty location is not included in rent. The following rules apply for determining rent:

6.2.1.1. A recurring condominium or homeowner association fee paid by the Service member is prorated to a monthly charge and incorporated into the Service member's rent;

6.2.1.2. A sharer's monthly rent is determined by dividing the total monthly rent by the number of sharers occupying the dwelling;

6.2.1.3. In an arrangement by which a Service member pays rent in advance and the landlord agrees to reimburse the Service member all or substantially all of the rental money at the end of the lease agreement, the amount of rent used in computing a Service member's OHA is zero;

6.2.1.4. If a Service member or dependent jointly occupy a dwelling with relatives or friends who own the dwelling, the rent amount is zero, even if there is a lease or written document. This restriction does not apply when the Service member or dependent leases lodging from a relative or friend with a bona fide, standard written lease, when the relative or friend concerned does not jointly occupy the leased dwelling and the relative or friend regularly rents the lodging involved. There is no authority to pay MIHA or the utility and recurring maintenance allowance when living with relatives or friends;

6.2.1.5. The cost of a separate lease for parking at or in the vicinity of the private-sector housing is added to the housing lease amount in determining the total rent; or

6.2.1.6. [When a dwelling is owned by a Service member](#), see subparagraph 6.2.5.

6.2.2. **Maximum Rental Allowance.** Use the OHA Calculator ([OHA Calculator](#)) to obtain the maximum amount of monthly rent considered. Maximum [OHA rental allowances](#) for each locality are based on reported actual rental cost data for Service member with-dependents residing in private-sector housing. If utilities are included in the rent, see paragraph 6.3. See the [OHA computation steps](#) for calculation examples.

6.2.2.1. For Service member with-dependent, [the maximum rental allowance](#) is the lesser of the Service member's reported rent or the maximum allowable rent for the Service member's grade at the PDS locality.

6.2.2.2. For Service member without a dependent, [the maximum rental allowance](#) is the lesser of the Service member's reported rent or 90% of the maximum allowable rent for the Service member's grade at the PDS locality.

6.2.3. **Rent Changes.** Re-compute OHA if and when the rent changes.

6.2.4. **Sharers.** A sharer is authorized up to the maximum rental allowance set for a Service member without a dependent unless accompanied by one or more dependents. A sharer accompanied by a dependent is authorized up to the maximum rental allowance set for a Service

member with-dependent.

6.2.4.1. Compute the authorized OHA for each sharer by adding the sharer's prorated share of the rent paid or the maximum rental established for the sharer's grade and locality, whichever is less, and the prorated monthly utility and recurring maintenance allowance.

6.2.4.2. A Service member authorized MIHA/Miscellaneous (see paragraph 6.4) receives a full rather than prorated allowance. Only one sharer may claim reimbursement for any individual rent, security, or infectious-disease related expense.

6.2.4.3. A renter living in a completely separate unit of an owner-occupied multiplex dwelling owned by another Service member is not a "sharer," and OHA is determined as if the renter occupied an unattached unit.

6.2.5. Private-Sector Housing Owned

6.2.5.1. Divide the actual purchase price—not an appraised value—of the private-sector housing by 120 to derive the monthly calculated "rent" for a private-sector dwelling owned by a Service member. Settlement costs, fees for title search, and other legal and related costs are not included in determining the actual purchase price.

6.2.5.2. The amount of any personal installment-type loans and real estate equity loans obtained for renovating or repairing the current dwelling place are added to the actual purchase price before determining the rent.

6.2.5.2.1. For this purpose, renovating means restoring to a previous condition, as by remodeling, and repairing means restoring to a sound condition after damage or injury, including fixing, setting right, renewing, or refreshing.

6.2.5.2.2. A loan used to furnish or decorate the home—including such items as the addition of a hot tub or pool to a home purchased without such an amenity—or a loan for personal reasons, including a credit card or line of credit loan must not be used.

6.2.5.2.3. To determine the monthly OHA rental equivalency when adding a loan described in this paragraph, add the loan amount to the original verifiable purchase price, divide the new total by 120, and the new "rental equivalency" starts from the loan start date.

6.2.5.2.4. The Service concerned must adjudicate loans. The Service member's command should submit the request with all documentation through the appropriate channel.

6.2.5.3. If a Service member or the Service member's dependent inherits a dwelling or residence or otherwise receives it without purchasing it, the dwelling or residence purchase price is \$0. In this case, the Service member is authorized to receive the utility and recurring maintenance allowance. If a Service member obtains a mortgage on the

inherited dwelling or residence specifically for home improvements or takes out a loan to pay inheritance taxes on the residence or dwelling, the mortgage or loan cost may be used as an OHA housing cost.

6.2.5.4. If the dwelling is a multiplex unit owned by a Service member, the allowance claimed is based on the percentage of the multiplex unit's square footage occupied by the Service member and dependent. The allowance equals the purchase price multiplied by that percentage and divided by 120. Renters of other units within the multiplex unit are not sharers.

6.2.5.5. If the Service member-owned dwelling place is a mobile home or boat, the monthly lot rental or berthing fee paid is added to this amount.

6.3 OHA Utility or Recurring Maintenance Allowance

6.3.1. Monthly Allowance. When rent does not include utilities or the Service member is a homeowner, the Service member is authorized the utility and recurring maintenance allowance. The utility and recurring maintenance allowance for each OHA locality is based on the with-dependent reported expenses for Service members who pay all or a majority of their utilities. It covers the utility costs for 80% of the Service members assigned to an area. It is paid to sharers on a prorated amount of the net allowance. It is paid to a Service member without a dependent, who is not a sharer, at 75% of the with-dependent rate.

6.3.2. Rent Includes All or Some Utilities. If any or all of the OHA utility component is included in the rent, then the **included** amount is withheld from the utility and recurring maintenance allowance and then added to the Rental Allowance component before comparison with the Service member's actual rent.

6.3.2.1. A Service member is not authorized the utility and recurring maintenance allowance when rent includes all utilities. However, when computing the OHA, the appropriate utility and recurring maintenance allowance is added to the Service member's rental allowance.

6.3.2.2. When rent includes some utilities, the utility and recurring maintenance allowance is paid on a percentage basis. The locality climate code and the utility point score determine the percentage of the utility and recurring maintenance allowance that the Service member is authorized. However, when computing OHA, the amount for which the Service member is not authorized is added to the appropriate rental allowance ceiling.

6.3.2.2.1. Locality climate codes are specified on each [OHA locality table](#). The three climate codes are:

6.3.2.2.1.1. Code 1 (Cold). Long-term mean temperature of 45 °F or colder;

6.3.2.2.1.2. Code 2 (Moderate). Neither Code 1 nor Code 3; and

6.3.2.2.1.3. Code 3 (Hot). Long-term mean temperature of 69 °F

or warmer, except when the long-term mean for one or more months of the year drops to 45 °F or colder. In such instances, a climate code of 2 is assigned.

6.3.2.2.2. [Table 26-14](#) specifies the correct climate code to credit the Service member with appropriate points for each utility or service that is not included in the rent. Add the numbers to get the Service member's total utility point score.

6.3.2.2.3. [Table 26-15](#) specifies the correct percentage of the utility and recurring maintenance allowance to be paid after determining the total utility point score.

6.4 MIHA Overview

6.4.1. General. MIHA exists to defray the move-in costs associated with occupying private-sector housing covered under the OHA program, whether leased or owned. MIHA is not payable to a Service member occupying Government or Government-leased housing. MIHA does not cover move-out costs.

6.4.2. MIHA Payment Types. There are five types of costs that may be payable as a MIHA, though not all Service members will incur all of these costs.

6.4.2.1. MIHA/Miscellaneous. This is a fixed, lump sum payment that reflects average expenditures to make dwellings habitable. The amount paid is based upon the OHA locality. All Service members, with or without dependents, receive the full allowance with their first OHA rental payment.

6.4.2.2. MIHA/Rent. This is a payment made on a reimbursable basis to a Service member who incurs certain one-time, nonrefundable charges related to renting a dwelling. The charge must be levied by a landlord, landlord's agent, or foreign government, the charge must be customary and reasonable, and the Service member must be required to pay the charge in order to occupy the dwelling.

6.4.2.3. MIHA/Security. This is a payment for reimbursement of reasonable expenses incurred by a Service member for security-related enhancements or modifications to the Service member's physical dwelling that are necessary to minimize exposure to terrorist or criminal threat. The Service member must be in a designated MIHA/Security location for payment to be authorized.

6.4.2.4. MIHA/Infectious Diseases. This is a payment for reimbursement of reasonable expenses incurred by a Service member to upgrade their physical dwelling for the purpose of preventing infectious disease (for example, window screens to reduce mosquito-transmitted disease). The Service member must be in a designated MIHA/Infectious Disease location for payment to be authorized.

6.4.2.5. MIHA/Safety. This is a payment for reimbursement of reasonable expenses incurred by a Service member for safety-related upgrades to a dwelling. The member must be assigned to an approved area where members must abide by safety requirements in the

State Department's 15 Foreign Affairs Manual 971.1. The member must be in a designated MIHA/Safety location for payment to be authorized.

6.4.2.6. See the [DoD MIHA Process Guide](#) for additional rules and approved locations, as applicable, for these payments.

6.4.3. Rules and Information

6.4.3.1. To be authorized a MIHA, a Service member must be eligible for OHA.

6.4.3.2. A Service member must submit a completed [DD Form 2556](#), MIHA Claim for payment of MIHA/Miscellaneous. A Service member must submit a completed DD Form 2556, along with proper documentation and detailed receipts, for approval and payment of expenses related to MIHA/Rent, MIHA/Security, MIHA/Infectious Disease, and/or MIHA/Safety.

6.4.3.3. An eligible Service member is authorized MIHA for one dwelling during a tour at a PDS unless a Government-funded local move occurs and the Service member occupies another dwelling covered by OHA.

6.4.3.4. There is no MIHA authorized under any of the following circumstances:

6.4.3.4.1. A local move would otherwise initiate a second or subsequent MIHA payment request unless that move is Government funded;

6.4.3.4.2. A Service member complies with a PCS order but remains in the same dwelling, including an RC member called or ordered to AD who is authorized OHA based on the primary residence at the time called or ordered to AD; or

6.4.3.4.3. A Service member moves from Government quarters to private-sector housing for separation or retirement (see [Joint Travel Regulations \(JTR\) Chapter 5, Section 0519](#)).

6.4.4. Sharer Eligibility. Each Service member classified as a sharer and authorized MIHA is authorized the full MIHA/Miscellaneous allowance. Only one sharer may claim the individual expense for MIHA/Rent, MIHA/Security, and MIHA/Infectious Disease, and MIHA/Safety.

6.5 OHA Computation Steps

[See the DTMO website for OHA computation examples.](#)

6.6 OHA Unique Expenses

In some locations outside the United States, a Service member or dependent incurs excessive housing expenses for items that a Service member based in the United States does not

normally incur. Since the expenses are not incurred by every Service member outside the United States, they cannot be a part of the ordinary OHA calculation. For these expenses, payment is a lump sum, dollar-for-dollar, reimbursement for a specifically authorized expense at designated authorized locations.

6.6.1. Authorization. All requests to authorize an OHA Unique Expense must be submitted from a major command to OUSD (P&R) through the applicable Service representative listed in the [Uniformed Services Contact Information](#). OUSD (P&R) specifically authorizes or approves the expense for reimbursement according to the DoD Overseas Station and Housing Allowances Process Guide. OUSD (P&R) does not accept requests from individual Service members to authorize an OHA Unique Expense. Current authorized unique expenses are located at the [OHA Unique Expenses-Approved Locations](#) table on the DTMO website.

6.6.2. Reimbursement. The Secretary concerned may reimburse an [authorized](#) OHA Unique Expense. At their discretion, Services may alternatively use the Secretarial Process to reimburse an authorized expense or expenses. Once an OHA Unique Expense has been authorized for a location, no further examination may be made to compare the spendable income of the claimant to the amount of the expense claimed. Any claim based on a valid receipt for an authorized OHA Unique Expense may be reimbursed in a lump sum, dollar-for-dollar, through Service payment procedures. The Service concerned is not required to recover any amount refunded to a Service member by any foreign government agency that may be involved.

6.7 OHA Advance Payment

For detailed information regarding areas with rental advance protection under OHA, see [Rental Advances](#). Rental payments should be made on a month-to-month basis whenever possible to avoid the need for rental advances.

6.7.1. Authority

6.7.1.1. Advance Rent of Fewer Than 4 Months, Security Deposits, or Initial Expenses. The Senior Officer in-country, or [their](#) designee, may authorize an advance OHA payment to pay advance rent, security deposits, or MIHA-related expenses due to occupying private-sector housing. The advance may be made at any time during the Service member's tour. It also may be authorized when a Service member has located housing due to a PCS order. Personal preference is not grounds for authorizing advance rent payment. Advance OHA is not authorized for lease arrangements in which the Service member lives rent free after making a one-time payment to the landlord with the anticipation that the rental amount is to be completely or substantially refunded at lease termination.

6.7.1.2. Advance Rent of 4 or More Months

6.7.1.2.1. Rental advances of at least 4 months, but no more than 12 months, may be made only for the locations authorized by OUSD (P&R). Once OUSD (P&R) authorizes and lists a location for Rental advances, the Senior Officer in-country, or [their](#) designee, may authorize individual requests. Requests for approval are considered if the

requirement for the advance rent exists for any of the following reasons:

6.7.1.2.1.1. Law;

6.7.1.2.1.2. Local custom for everyone, including local nationals; or

6.7.1.2.1.3. Economic or market conditions preclude availability of secure housing, as confirmed by the U.S. Embassy;

6.7.1.2.2. Requests to add locations must be submitted through the Country Senior Officer or Command as instructed in the DoD Overseas Station and Housing Allowance Process Guide.

6.7.2. Amount. The amount to be advanced must be determined based on housing expenses, including advance rent and a security deposit, and the authorized OHA. Housing expenses must be documented. Expenses identified by a Service member for purchase of real estate or living accommodations must not be considered. The Service member's ability to repay the advance must be considered in determining the advance amount. While the amount to be advanced should not exceed the estimated OHA total for 1 year, a larger amount may be authorized if needed to cover anticipated housing expenses. In no case may the advance payment exceed either of the following, whichever is less.

6.7.2.1. Anticipated housing expenses.

6.7.2.2. OHA anticipated to accrue for the Service member's tour at that PDS.

6.7.3. Repayment

6.7.3.1. Repayment Within 12 Months. Monthly repayment installments should be at a rate of one-twelfth of the amount advanced over 12 months. Collection action should begin on the 1st day of the month after payment of the advance.

6.7.3.2. Postpone Collection Start. When justified by the Service member and authorized by an official designated by the Service concerned, the collection start may be postponed for up to 3 months after the advance. Repayment may be spread over a period of more than 1 year, but must be limited to the Service member's tour at the PDS.

6.7.3.3. Advance Rent Repayment Postponement Until the Service Member Vacates Housing. An official designated by the Service concerned may postpone repayment of advance rent until the Service member vacates the housing for which the advance rent was paid if earlier repayment would create an excessive economic burden.

6.7.3.4. Security Deposit Repayment Postponement Until the Service Member Vacates Housing. An official designated by the Service concerned may postpone repayment of the entire amount of a security deposit of \$500 or more until the Service member vacates the

housing for which the security deposit was paid if earlier repayment would create an excessive economic burden.

6.7.3.5. Recouping Lump Sum Returned by Landlord. Action to recoup in a lump sum of any OHA advance that has been returned to the Service member by the landlord must be taken immediately upon receipt of information that the Service member has vacated the housing for which the advance was made. Any balance of an advance not returned by the landlord may be repaid in monthly installments, if desired by the Service member, over the balance of the months remaining on the Service member's existing loan repayment schedule.

6.7.3.6. Currency Fluctuation Effects. The Service concerned absorbs any loss due to currency fluctuations when liquidating advance security deposits. The Service member must pay to the Service any gains due to currency fluctuations. These currency protection procedures for security deposits apply without regard to the provisions for protection of rent advances in subparagraph 6.4.4.

6.7.3.7. Pay System Reporting of Monthly Rent. In countries in which rate protection for advance rent has not been implemented the monthly rent entered in the respective pay system should be entered in U.S. dollars when a Service member has taken an advance for rent.

6.7.4. Advance Rent Currency Rate Protection. Rate protection may be provided for certain countries that have undergone a significant currency fluctuation. Countries previously authorized OHA Rental Advance Protection continue to have rent protected locality codes in the OHA Calculator until all previously protected Service members either permanently change stations or change quarters. Currency rate protection for additional advances is calculated using the exchange rate in effect at the time the new advance is paid. In countries in which rate protection for advance rent has been implemented, monthly rents for an advance rent are processed in dollars. See Service regulations for currency fluctuation loss or gain procedures. Rate protection is accomplished by comparing the OHA rate with the exchange rate in effect at the time the Service member received the advance with the greater of either of the following:

6.7.4.1. The rental allowance in effect at the time of the advance; or

6.7.4.2. Any higher rental allowance implemented during the repayment period of the advance.

6.8 Service Member Occupying a Government Trailer or Rental Guarantee Housing and OHA

Unless otherwise specified in this chapter, no housing allowance is payable to a Service member occupying housing constructed under the Rental Guarantee Housing Program as authorized in Section 302 of the Act of July 14, 1952, (66 Stat. 622) or Government trailers purchased under Section 408 of the Act of September 1, 1954, (68 Stat. 1126), or any other statute.

6.9 OHA and Living Quarters Allowance (LQA) (DSSR § 130) Paid Concurrently

A Service member is entitled to OHA at the with-dependent rate even if the Service member's dependent spouse receives an LQA. Direct questions pertaining to LQA to the spouse's Civilian Personnel Office (CPO) or Civilian Personnel Advisory Center (CPAC). Volume 7A has no authority to determine or control eligibility or entitlement of LQA for a civilian employee. See DSSR § 130, and the DoD Instruction [\(DoDI\) 1400.25](#), Vol. 1250, Civilian Employee Overseas Allowances and Differentials.

6.10 Observer to a [United Nations \(UN\)](#) Peacekeeping Organization

A Service member permanently assigned as an observer to a UN peacekeeping organization who receives a UN mission subsistence allowance, known as mission per diem, is also authorized a housing allowance under this chapter. The housing allowance amount, when added to the UN mission subsistence allowance, cannot exceed the housing allowance of a Service member permanently assigned to other than a UN Peacekeeping Organization in the same area. This paragraph does not authorize a reduction in the UN mission subsistence allowance.

*7.0 FAMILY SEPARATION HOUSING (FSH) ALLOWANCE

7.1 FSH Overview

FSH is payable to a Service member [who is separated from dependents and incurs costs for housing at the PDS](#).

7.2 Eligibility

[To be eligible, the Service member must be separated from their dependents](#). The separation must be caused by a Service member's assignment on military or uniform orders to either a PDS OCONUS on an unaccompanied or dependent-restricted tour or a PDS [\(CONUS or OCONUS\)](#) to which concurrent dependent travel has been denied or deferred (see paragraph 10.6). For CONUS non-current travel application areas, refer to [DoDI 1315.18](#), Enclosure 5, Paragraph 2.

7.2.1. For FSH to be payable, all of the following conditions must be met:

7.2.1.1. Dependent transportation to the PDS is not authorized at Government expense;

7.2.1.2. Dependent does not reside in the PDS vicinity; and

7.2.1.3. Government quarters are not available for assignment to the Service member.

7.2.2. [See Table 26-22 for a summary of FSH eligibility](#).

7.3 Allowance Types and Rates

7.3.1. There are two types of FSH: FSH-B and FSH-O.

7.3.1.1. FSH-B is payable for an assignment at a [BAH location](#) to which concurrent travel has been [deferred or denied](#). FSH-B is payable in a monthly amount equal to the BAH without-dependent rate applicable to the Service member's grade and PDS. Payment starts upon submission of proof that Government quarters are not available and that the Service member has obtained private-sector housing.

7.3.1.2. FSH-O is payable for an assignment at a PDS outside the United States. FSH-O is payable in a monthly amount up to the without-dependent OHA rate applicable to the Service member's grade and PDS. OHA rules for determining [the monthly rental allowance](#), utility and recurring maintenance allowance, MIHA, and advances apply to FSH-O.

7.4 Limitation

7.4.1. A Service member [will](#) not be paid [FSH \(either FSH-B or FSH-O\)](#) in any of the following situations:

7.4.1.1. The Service member's only dependent is entitled to AD basic pay;

7.4.1.2. The Service member's [only dependent is a dependent](#) for whom [they are](#) paying child support but does not have primary physical custody and control of that child. A Service member who has a dependent solely due to child support is not eligible for transportation of that dependent under the [JTR, Chapter 5, paragraph 050405](#), because the Service member does not have physical custody and control. The ineligibility for transportation, as opposed to a tour or location denial, prevents payment of FSH;

7.4.1.3. The Service member is assigned to a PDS where concurrent dependent travel is authorized and has not been deferred by the Government;

7.4.1.4. The Service member elects not to occupy available assigned Government quarters and resides in a private-sector residence for personal convenience; or

7.4.1.5. [All](#) of the Service member's dependents reside in the PDS vicinity as defined in subparagraph 2.1.3. See paragraph 7.5 for specific details.

7.5 Dependent Visits

When a Service member is receiving FSH, a visit by all of the Service member's dependents to the PDS vicinity can affect the Service member's continued entitlements to FSH.

7.5.1. [When all of a Service member's dependents visit the PDS vicinity for a period of more than 90 days, the dependents are deemed to be residing at the PDS, and the Service member is no longer entitled to FSH beginning on the 91st day.](#)

7.5.2. A visit by all dependents of 90 days or less will not be deemed to be a change in the dependents residence and FSH is still authorized, if the circumstances clearly show that the dependents arrived at the PDS not intending to change residence and that the visit is a bona fide social visit intended to be temporary and not intended to exceed 90 days.

7.5.3. A simple break within a 90-day period or between 90-day periods does not overcome the presumption of residence. When facts indicate a dependent's intent to reside in the PDS vicinity, successive periods in the PDS vicinity will count toward the 90 days.

7.5.4. When a Service member's FSH entitlement stops because of the dependents' residence in the PDS vicinity, FSH is authorized again on the day the dependents depart from the PDS vicinity to reside elsewhere.

7.5.5. If one or more, but not all, dependents visit or reside in the PDS vicinity for more than 90 days and the Service member is authorized a with-dependent housing allowance on behalf of the dependents who are not visiting or do not reside in the PDS vicinity, then they are authorized FSH if otherwise meeting criteria for the allowance.

7.5.6. See Table 26-23 for a summary of the effect of dependents visits on FSH.

8.0 GOVERNMENT QUARTERS

8.1 Responsibility for Assignment or Termination

8.1.1. Assignment or Termination of Government Quarters. The commander responsible for the Government quarters has the authority to assign and terminate the assignment of Government quarters. The commander also determines when quarters are adequate and suitable for assignment based on appropriate directives. Government quarters or housing facilities under the Uniformed Services' control are considered assigned, suitable, and adequate whenever occupied by a Service member at the PDS without payment of rental charges. This includes any of the following conditions:

8.1.1.1. When an organization or institution furnishes quarters to a Service member without charge on behalf of the United States;

8.1.1.2. When a foreign government furnishes quarters to a Service member without charge for the Service member's official use; or

8.1.1.3. When quarters are, furnished to a Service member without charge, and are jointly assigned to one or more Service members without a dependent.

8.1.2. Voluntarily Vacating Assigned Quarters. A Service member is still considered assigned to Government quarters when they voluntarily vacate assigned quarters without the installation commander's approval. A Service member without-dependent in pay grade E-7 or above may elect not to occupy assigned quarters unless denied permission by the Secretary concerned.

8.1.3. Family Type Quarters – Married Service Members

8.1.3.1. When a Service member is married to another Service member, both Service members are considered to be assigned to Government quarters when all of the following apply:

8.1.3.1.1. Both are stationed at the same or adjacent installations;

8.1.3.1.2. Both are able to reside in Government family quarters; and

8.1.3.1.3. Government family quarters are assigned to one of the Service members.

8.1.3.2. When there is a separation agreement, pending divorce, or marital discord that requires one Service member to obtain alternative private-sector housing, the Service member not occupying family quarters must obtain a statement from the installation housing officer that Government housing is not assigned to that Service member in order to be authorized payment of a housing allowance.

8.1.4. Quarters Assignment Date for Housing Allowance. A housing allowance continues to accrue through the day before a Service member is assigned Government quarters or begins to occupy Government quarters at the PDS.

8.1.5. Quarters Termination Date for Housing Allowance. A housing allowance accrues from the date the assignment to Government quarters ends or the date that quarters are vacated if vacating of the quarters is approved or authorized.

8.2 Government Quarters Assigned or Occupied

8.2.1. Service Member Not in Quarters/Dependent in Quarters Not Designated as Family-Type. A Service member who is not assigned to and does not occupy Government quarters is authorized a housing allowance for a dependent who occupies Government quarters that are not designated as family-type quarters. Examples of such quarters include:

8.2.1.1. Dormitory quarters occupied by a Service member's child at a school for dependents of military personnel;

8.2.1.2. A hospital room occupied by a dependent under 10 U.S.C. § 1077, Dependents Medical Care Act. However, a Service member is not authorized a housing allowance when the dependent is hospitalized under the Dependent's Medical Care Act and the Service member is assigned to and occupies Government quarters while the dependent is hospitalized even though private quarters are retained; or

8.2.1.3. Off-base housing or private-sector housing provided or funded (in whole or part) by the Government and occupied by the Service member's civilian spouse due to

employment overseas with the DoD Education Activity (DoDEA) as a schoolteacher. The Service member must be separated from the spouse by official orders.

8.2.2. Family Quarters Furnished on Behalf of the United States. A Service member is not authorized a housing allowance for a dependent if the Service member and dependent are furnished adequate family-type quarters without rental charge by a non-Government entity on behalf of the Government. Examples of such family-type quarters include:

8.2.2.1. Quarters furnished to a Service member in an official capacity by a foreign government;

8.2.2.2. Quarters furnished by a state, county, municipal, or privately owned hospital to an officer serving on AD as an intern or resident physician; or

8.2.2.3. Quarters furnished by a college, university, or a research facility as part of a fellowship, scholarship, or grant.

8.2.3. Service Member in Single Quarters/Dependent in Quarters. A Service member furnished single-type quarters is not authorized a housing allowance for any of the following:

8.2.3.1. A spouse who is a sole dependent and is furnished quarters in kind as a civilian employee at a Government hospital;

8.2.3.2. A spouse who is a sole dependent and is furnished Government quarters while serving with the American Red Cross overseas;

8.2.3.3. A sole dependent who is a student nurse in training at a Government hospital. However, a housing allowance is payable on behalf of a dependent who is a student nurse in training at a civilian hospital;

8.2.3.4. A civilian spouse who is a sole dependent and is furnished Government quarters while assigned overseas with DoDEA as a schoolteacher;

8.2.3.5. A dependent who occupies Government housing facilities while evacuated to a safe haven. See subparagraph 8.2.5 for an exception when the Service member must continue to pay for private-sector housing; or

8.2.3.6. Any dependent, if one or more of the Service member's dependents occupy the quarters with the Service member on a permanent basis for more than 90 days, unless another dependent is officially prevented from residing with the Service member (for example, where the dependent is barred from the military installation).

8.2.4. Rental Quarters (Other Than Inadequate Quarters). A Service member and a dependent who occupy the following facilities on a rental basis are authorized a housing allowance.

8.2.4.1. Any housing facility, including a trailer, under the Government's jurisdiction other than Government quarters constructed or designated for occupancy without charge. The Service member may sublease such quarters with or without charge to a temporary sublessee and neither the sublessor nor a Service member sublessee loses the right to a housing allowance;

8.2.4.2. A hotel on the grounds of a Service Academy. A Service member is authorized BAH while renting quarters in a hotel on the grounds of a Service Academy; or

8.2.4.3. Quarters furnished to a Service member for service in a capacity other than that of a Service member.

8.2.5. Quarters at Safe Haven Temporarily Occupied by Dependents

8.2.5.1. A Service member is authorized a housing allowance for a dependent when both of the following occur:

8.2.5.1.1. The Service member's dependent occupies Government provided housing at a safe haven area after emergency evacuation from private-sector housing at the PDS; and

8.2.5.1.2. Due to conditions beyond the Service member's control, the Service member is required to continue rent payment for the private-sector housing to keep the furnishings and belongings in the private-sector housing and to have housing available upon the dependent's return.

8.2.5.2. This authority continues until a dependent is authorized to return to the Service member's PDS or the dependent arrives at a designated place, [as defined in the Definitions Chapter](#), and as specified in the [JTR, Chapter 6](#).

8.2.6. Lease on Private-Sector Rental or Leased Housing. When a Service member makes a local move from private-sector rented or leased housing to Government housing, a housing allowance is not payable for the remainder of the lease on the private-sector housing even though the Service member is required to honor the lease.

8.2.7. Limitation on Quarters Occupied by Service Member. [Generally](#), a Service member's dependent, is not authorized BAH or OHA if the Service member occupies Government quarters that exceed the minimum standards for [their](#) grade "without-dependent." This applies [to both a Service member with a dependent or without a dependent and at either the PDS or TDY location as applicable](#). [However, this limitation in the following circumstances](#):

8.2.7.1. [The quarters occupied are the only quarters available and either](#):

8.2.7.1.1. The quarters [occupied](#) are not suitable for joint occupancy; or

8.2.7.1.2. If suitable for joint occupancy, the quarters are jointly occupied

with another Service member permanently assigned to the PDS.

8.2.7.2. A Service member is on medical hold or holdover personnel receiving outpatient medical treatment who have been designated as requiring a live-in non-medical attendant. The Service determines the housing standards for such personnel based on medical condition, treatment, non-medical attendant, and other relevant factors.

8.2.7.3. An additional room is assigned to a chaplain for spiritual purposes. This does not affect the Service member's authority for BAH or OHA if the chaplain uses the room for official duties and not as living quarters.

9.0 PRIVATIZED HOUSING

"Privatized housing" is defined as housing units on or near a military facility in the United States or its territories and possessions that are acquired by or constructed by private persons under the authority of [10 U.S.C. §§ 2871-2885](#). The Service Secretary determines which privatized housing is suitable for use as military family housing. Each Service member occupying privatized housing is authorized a housing allowance in the same manner as a Service member not assigned to Government quarters. See subparagraph 5.5.4 for the Navy Barracks Privatization Test.

*10.0 ASSIGNMENT SITUATIONS

10.1 Service Member Without-Dependent

A Service member without a dependent entitled to basic pay is authorized BAH or OHA in the situations specified in [Table 26-18](#) and as otherwise specified in this paragraph. Ordinarily BAH or OHA is based on the Service member's PDS and paid when adequate Government quarters are not provided at the PDS.

10.1.1. Service Member TDY. A Service member on TDY (including permissive travel) when no PCS is involved, is authorized to continue to receive BAH or OHA for the PDS if authorized prior to the TDY, **except for:**

10.1.1.1. A Service member occupying Government quarters at the TDY location which exceed minimum standards, as set forth in subparagraph 8.2.7; or

10.1.1.2. A Service member below grade E-7 if quarters are assigned or furnished at the PDS, even if the Service member vacates the quarters at the beginning of the TDY. BAH or OHA does not accrue if assigned quarters at the PDS.

10.1.2. PCS Between PDSs in Proximity. Ordinarily, a housing allowance is paid based on the Service member's PDS or the home port for a Service member assigned to a ship or afloat unit.

10.1.2.1. The Service may instead pay a housing allowance based on the old PDS rate in a situation involving a low or no-cost move. The determination of whether to base the housing allowance on the old PDS because it is inequitable to base it on the new PDS is made by the Secretary concerned or through the Secretarial Process.

10.1.2.2. When a Service member is ordered on a PCS between PDSs located in proximity to each other, the housing allowance **based on the old PDS** continues when the Service member commutes **to the new PDS** from the residence occupied while at the old PDS. The housing allowance continues from the time between the Service member's detachment from the old PDS and reporting **for duty** to the new PDS, unless otherwise prohibited in this Chapter.

10.1.2.3. If a Service member is reassigned under the conditions of a low-cost or no-cost PCS and is not authorized a household goods (HHG) move, the housing allowance is based on the old PDS under the following conditions:

10.1.2.3.1. The Service member requested the old PDS housing allowance; and

10.1.2.3.2. The Service-selected decision process determines that it would be inequitable to base the Service member's allowances on the housing cost in the Service member's new PDS area.

10.1.3. Service Member in Grade E-7 or Above Not on Sea Duty. A Service member without a dependent in grade E-7 or above may elect at any time not to occupy Government quarters at the PDS and is authorized BAH or OHA unless the Secretary concerned, or **their** designee has determined that the Service member's exercise of this option would adversely affect a training mission, military discipline, or readiness.

10.1.4. Service Member in Grade E-6 Not on Sea Duty. A Service member without a dependent in grade E-6 assigned to inadequate Government quarters or to a housing facility under the jurisdiction of a Uniformed Service that does not meet DoD adequacy standards, may elect to not occupy such quarters and receive BAH or OHA instead. The Secretary concerned, or the designee, may deny BAH or OHA **if they** determine that the Service member's exercise of this option would adversely affect a training mission, military discipline, or readiness.

10.1.5. Service Member on Sea Duty. A Service member assigned on permanent duty to a ship ordinarily has Government Quarters available aboard that ship. The Secretary concerned may determine that a ship or class of ships is inadequate for berthing a **Service** member in home port, in which case the ship or class of ships is not available as Government quarters for housing allowance purposes. When quarters aboard a ship, deemed adequate for berthing, become temporarily unavailable due to maintenance or damage, Government Quarters are no longer available onboard the ship. The Service concerned provides guidance on payment of housing allowances or alternate berthing procedure for ships that become temporarily unavailable for berthing.

10.1.5.1. A Service member without a dependent in grade E-6 or above assigned to permanent sea duty aboard a ship may elect not to occupy assigned shipboard Government quarters and receive BAH or OHA. A Service member in pay grade E-6 or above is authorized to receive BAH or OHA after reporting to a deployed ship or afloat unit.

10.1.5.2. A Service member without a dependent in grade E-5 assigned to permanent sea duty aboard a ship cannot elect not to occupy assigned shipboard Government quarters and receive BAH or OHA. Under Service regulations, the Secretary concerned may authorize BAH or OHA to a Service member without a dependent who is serving in grade E-5 and is assigned to sea duty. When preparing regulations under this paragraph, the Secretary concerned must consider Government quarters availability for a Service member serving in grade E-5.

10.1.5.3. A Service member without a dependent in grade E-4 assigned to permanent sea duty aboard a ship cannot elect not to occupy assigned shipboard Government quarters and receive BAH or OHA. Under Service regulations, the Secretary concerned may authorize BAH or OHA to a Service member without a dependent who is serving in grade E-4 and is assigned to sea duty. When preparing regulations under this paragraph, the Secretary concerned must consider Government quarters availability for a Service member serving in grade E-4.

10.1.5.4. A Service member married to another Service member who is in a pay grade below E-6 is authorized BAH or OHA if assigned to permanent sea duty **if otherwise entitled**.

10.1.6. Service Member Assigned to a Unit that Undergoes a Change of Home Port or Permanent Station. A Service member without dependents who is assigned to a unit that undergoes a home port or permanent station change may be paid a BAH based on the old port or permanent station, if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, BAH on the new home port or permanent station.

10.1.6.1. In such cases, the Secretary concerned may:

10.1.6.1.1. Waive the requirement to base the Service member's entitlement to, and amount of, BAH on the new home port or PDS of the Service member; and

10.1.6.1.2. Treat that Service member for the purposes of this chapter as if the unit to which the Service member is assigned did not undergo a home port or permanent station change.

10.1.6.2. The number of waivers the Secretary concerned may grant under this paragraph in a calendar year may not exceed 100.

10.1.6.3. This authority may be administered by the Secretary concerned through the Secretarial Process.

10.1.6.4. Unless extended by the authority of the Congress, this authority expires on the termination date on the Duration of Authority table.

10.2 Service Member With-Dependent

10.2.1. Authorized BAH or OHA. Except for a Service member paying child support and assigned to Government quarters, a Service member with a dependent, who is entitled to basic pay is authorized BAH or OHA at the with-dependent rate when any of the following conditions are met:

10.2.1.1. Adequate Government quarters are not furnished for the Service member and dependent without a rental charge payment;

10.2.1.2. Adequate Government quarters are not furnished for the Service member's dependent, or not all of the Service member's dependents are authorized to occupy Government quarters assigned to the Service member;

10.2.1.3. A single or divorced Service member who maintains legal and physical custody of a child before receipt of a PCS authorization or order to an unaccompanied tour may continue to be paid BAH at the with-dependent rate for the last PDS, or designated place, as specified in this paragraph. The divorce decree [or custody order issued by a court of competent jurisdiction](#) must state the specific period during which the Service member has legal and physical custody. BAH at the with-dependent rate, is authorized only for [time periods](#) the Service member would have the [physical](#) custody of the child if not serving on the unaccompanied tour. For military necessity, the Service member must place the child in the physical custody of a relative or caregiver designated by the Service member to be authorized BAH or OHA at the with-dependent rate; or

10.2.1.4. A Service member [who is](#), classified as with-dependent for housing purposes solely because the Service member is paying child support ([i.e., does not have physical custody of the child and has no other dependents](#)) is not authorized a housing allowance other than BAH-Diff if [the Service member](#) is assigned to Government quarters or both of the following apply:

10.2.1.4.1. The Service member is assigned to sea duty in a grade above E-3; and

10.2.1.4.2. The Service member is authorized to and does not occupy the assigned, unaccompanied Government quarters by choice.

10.2.2. Location Rate. Ordinarily a housing allowance is based on the Service member's PDS, or the home port for a Service member assigned to a ship or afloat unit. However, the Service may determine that a Service member's assignment to a PDS, or the circumstances of that assignment, requires a dependent to reside separately. Authorization or approval of a housing allowance based on the dependent's location or old PDS [rather than the Service member's current PDS \(commonly referred to as BAH or OHA waiver\)](#) is through the Service Secretary or through

the Secretarial Process.

10.2.2.1. Treatment of Certain Moves as Not Being Reassignments. A Service member may pay a housing allowance based on the old PDS rate in situations involving low or no-cost moves and for situations in which the Service member and dependent reside separately **if it is determined that to base the housing allowance on the new PDS would be inequitable**. The determination of whether it is inequitable to pay BAH or OHA based on the new PDS **may be accomplished** through the Secretarial Process. When a Service member is ordered on a PCS between PDSs located in proximity to each other and continues to commute from the residence occupied while at the old PDS, BAH or OHA **based on the old PDS** continues from the time between the Service member's detachment from the old PDS and reporting to the new PDS, unless otherwise prohibited in this Chapter. A Service member ordered on PCS with TDY or leave **in route** is authorized a housing allowance based on the old PDS during that period. If a Service member is reassigned under the conditions of a low-cost or no-cost PCS and is not authorized an HHG move, a housing allowance may be based on the rate for the old PDS if both the following conditions are met:

10.2.2.1.1. It was requested by the Service member; and

10.2.2.1.2. The **Secretarial Process determines that** it would be inequitable to base the allowance on the housing cost in the new PDS area to which the Service member is reassigned.

10.2.2.2. Unaccompanied or Dependent-Restricted Assignment OCONUS. See paragraph 10.4 for applicable location rate.

10.2.2.3. Location Rate Changes. Location rate changes may be routinely authorized or approved when a Service member is:

10.2.2.3.1. Assigned to a PDS in an area at which sufficient housing quantities do not exist;

10.2.2.3.2. In receipt of a PCS order to a unit with a promulgated change of home port and dependents relocate to the announced home port (or authorized designated place in the United States) before the effective date of the home port change;

10.2.2.3.3. Assigned to "unusually arduous sea duty" and a dependent resides at or relocates to a designated place in the United States;

10.2.2.3.4. Assigned to or is in receipt of a PCS authorization or order to a ship entering overhaul involving a home port change and **their** dependent is not relocated due to the home port change;

10.2.2.3.5. Disadvantaged due to reassignment for reasons of improving mission capability and readiness of the unit, in receipt of a PCS authorization or order between PDSs located in the same proximity, and disallowed HHG movement. A determination must be

issued through the Secretarial Process that implementing this policy in the interest of correcting an inequity incurred due to movement of the Service member for purposes of improving mission capability and unit readiness;

10.2.2.3.6. Assigned to an intermittent TDY or a TDY pending further orders; or

10.2.2.3.7. Assigned to a Professional Military Education or training course that is scheduled for a duration of 1 year or less.

10.2.2.4. Multiple Dependent Locations. In instances when dependents are in multiple locations, the Service member must designate the dependent's primary residence. The housing allowance rate is based on this primary residence.

10.2.2.5. Ship or Home Port

10.2.2.5.1. A Service member assigned to duty aboard a ship or other afloat unit is authorized a with-dependent allowance when supported by a statement of the Service member's commanding officer, or an officer designated by the commanding officer. The statement must specify that the dependent has established a residence at or in the home port vicinity. The applicable with-dependent allowance is payable even though the Service member is quartered in kind aboard a ship with [their](#) afloat unit. The rate payable is the rate applicable to the ship's or afloat units' home port.

10.2.2.5.2. The housing allowance must change to the new home port rate on the effective date of the home port change if the Service member is currently assigned or is in receipt of a PCS order to a ship or another afloat unit with an announced home port change and their dependent is authorized travel to the new home port.

10.2.2.6. Other Circumstances. The Secretary concerned may determine that circumstances [other than those set forth above](#) require a dependent to reside separately from the Service member, and [they may](#) authorize or approve a housing allowance payment based on either the dependent's location or the old PDS. If the Secretary concerned determined that an additional reason for a BAH or OHA waiver [is](#) acceptable, the Secretarial Process may then be used to authorize or approve individual cases based on that determination.

10.2.3. During Leave, Travel Status, Separation, and Other Situations. [Table 26-18](#) and paragraph 10.10 specify BAH or OHA accrual for a Service member entitled to basic pay with a dependent. In [Table 26-19](#), the phrase "due to a PCS" refers to whether or not the Service member is en route to a new PDS under a PCS authorization or order.

[10.2.4. Temporary Continuation of Housing Allowance for Service Members Whose Sole Dependent Dies While Residing With the Member](#). BAH or OHA at the with-dependent rate continues to be paid for up to one year to a Service member on AD whose sole dependent dies on or after December 23, 2022.

10.2.4.1. Conditions. After the death of the dependent, continue to pay a with-dependent housing allowance at the rate that was being paid to the Service member on the sole dependent's date of death if:

10.2.4.1.1. The sole dependent dies while the Service member is on active duty; and

10.2.4.1.2. The sole dependent dies while physically residing with the Service member, unless separated by the necessity of military service or to receive institutional care as a result of disability or incapacitation or under such other circumstances as determined by the Secretary concerned; and

10.2.4.1.3. The Service member is not occupying Government quarters on the date of death of the sole dependent.

10.2.4.2. Termination. The continuation of the with-dependent rate of housing allowance will terminate upon the earlier of the following to occur:

10.2.4.2.1. The day that is one year after the date of the death of the sole dependent.

10.2.4.2.2. The permanent change of station, or permanent change of assignment with movement of personal property and household goods under 37 U.S.C. § 453(c), of the member as otherwise stated in this chapter.

10.2.4.2.3. The Service member subsequently occupies permanent Government quarters.

10.2.4.2.4. The Service member claims another dependent for housing allowance purposes.

10.3 Service Member **With** Acquired Dependent

When a Service member acquires a dependent, for example, through marriage, birth, or adoption, a with-dependent housing allowance is authorized as of the date the dependent is acquired.

10.3.1. PDS in the CONUS. When the Service member is assigned to a PDS in the CONUS, the housing allowance is authorized based on the PDS. **The Service member** may request through the Secretarial Process a housing allowance based on the dependent's residence location **instead**. **Table 26-20** specifies the changes in **housing allowance** when a Service member acquires a dependent while assigned in the CONUS.

10.3.2. PDS OCONUS. **Generally**, when a Service member is assigned to a PDS OCONUS and the dependent does not reside **in** the PDS **vicinity**, the housing allowance is based on the dependent's location. If the dependent does reside **in** the PDS **vicinity**, the housing

allowance is based on the PDS. Table 26-21 specifies the changes in housing allowance when a Service member acquires a dependent while assigned in the OCONUS. FSH eligibility is effective the date a dependent is acquired; refer to section 7.0 concerning FSH.

10.4 Service Member With-Dependent Serves Unaccompanied or Dependent Restricted Tour OCONUS or “Unusually Arduous Sea Duty” Outside the United States

10.4.1. Basic Allowance for Housing. A Service member with a dependent who serves an unaccompanied or dependent-restricted tour OCONUS or “unusually arduous sea duty” outside the United States is authorized a with-dependent housing allowance (BAH or OHA) when the dependents are not provided government quarters.

10.4.2. Location Rate. The applicable rate for the with-dependent housing allowance is generally as follows:

10.4.2.1. RC. In the case of an RC member, the housing allowance is generally based on the Service member’s primary residence, as defined in the Definitions Chapter. If the dependents relocate to another location outside the Service member’s PDS vicinity, the housing allowance continues to be based on the primary residence. Paragraph 10.5 contains specific provisions concerning RC members.

10.4.2.2. Regular Component.

10.4.2.2.1. When the dependent remains at the Service member’s old PDS, the housing allowance is paid based on the old PDS.

10.4.2.2.2. When the dependent is not at the Service member’s old PDS and is outside the Service member’s PDS vicinity and a Secretarial waiver had previously approved a housing allowance based on another location, the allowance continues at the rate approved by waiver.

10.4.2.2.3. If the dependent is not at the Service member’s old PDS and is outside the Service member’s PDS vicinity, and there is no applicable Secretarial waiver designating a particular location rate, the housing allowance is based on the dependent’s location on the date the Service member arrives at the new PDS.

10.4.2.2.4. If during the unaccompanied tour, the dependent relocates the residence at their own expense to a location outside the Service member’s PDS vicinity, the housing allowance is then based on:

10.4.2.2.4.1. The dependent’s new residence if located in an OHA area (so long as not in the vicinity of the PDS);

10.4.2.2.4.2. The previously authorized location (old PDS or dependent’s location at the time of the Service member’s departure) if the dependents relocate between BAH locations; or

10.4.2.2.4.3. The dependent's new residence location if the dependent relocates from an OHA area to BAH area.

10.4.2.3. If all of the Service member's dependents relocate at their own expense to reside in the vicinity of the Service member's PDS, the Service member with-dependent basic allowance for housing is then based on the PDS. The rules stated in section 7.0 for when dependents are deemed to be residing at the PDS vicinity for purposes of FSH apply to the with-dependent housing allowance determination. To be approved for and paid OHA at the PDS, the Service member must not be provided adequate family-type Government quarters and must submit the required documentation for OHA approval, as described in section 6.0.

10.4.2.4. See Table 26-23 for summary of the effect of dependent visits on the with-dependent housing allowance.

10.4.2.5. See Tables 26-24 and 26-25 for a summary of applicable housing allowances and location rates in various scenarios. A housing allowance must not be paid if a Service member is assigned adequate family-type Government quarters at the PDS. Do not start the housing allowance until the Service member terminates the family-type Government quarters assignment.

10.4.3. Initial Tour of Duty. When a Service member serves an unaccompanied or dependent-restricted tour at the first PDS (i.e., the initial PDS when coming on AD) payment of a with-dependent housing allowance is based on one of the designated locations specified in the JTR, Chapter 5, paragraph 050814 if the dependent has been authorized or approved to reside at one of those locations.

10.4.4. Transfer Between Unaccompanied or Dependent-Restricted Tours. A Service member transferred between unaccompanied or dependent-restricted tours (i.e., "back-to-back" unaccompanied or dependent-restricted tours) may be authorized to move dependents at Government expense to a designated place or from one designated place to another. The Service member:

10.4.4.1. Continues to be authorized a with-dependent rate as described in subparagraph 10.4.1 when the dependent does not move.

10.4.4.2. Is authorized a with-dependent rate based on the dependent's new location when the dependent moves from either:

10.4.4.2.1. The Service member's old PDS (the PDS before the Service member was assigned on the first unaccompanied or dependent-restricted tour) to a designated place; or

10.4.4.2.2. A designated place to another designated place if the move is authorized or approved.

10.4.5. TDY Upon Completion of Unaccompanied or Dependent Restricted Tour

10.4.5.1. If a Service member is assigned to an unaccompanied or dependent-restricted tour at a PDS OCONUS and they are required to perform a TDY anywhere in the world in connection with a transfer to another unaccompanied or dependent-restricted tour, and the dependent continues to reside at the same location they resided during the first tour, there is no change to the with-dependent housing allowance.

10.4.5.2. If a Service member is assigned to an unaccompanied or dependent-restricted tour at a PDS OCONUS and the Service member is required to perform a TDY in connection with a PCS transfer to the United States, and the dependent continues to reside at the same location then there is no change in the with-dependent housing allowance until the Service member's reporting day to the new PDS. Start with-dependent BAH or OHA based on the new PDS the day the Service member reports at that PDS.

10.5 RC Member

An RC member is entitled to BAH-RC, BAH, or OHA as discussed below. They may also be entitled to FSH if the criteria of section 7.0 is met. See paragraph 10.10 for the rate payable to an RC Service member in the accession pipeline.

10.5.1. BAH-RC

10.5.1.1. Applicability. BAH-RC is authorized for an RC member called or ordered to AD, except as provided in subparagraph 10.5.2.

10.5.1.2. Rate. The rate is fixed at the BAQ amount on December 31, 1997, incremented by the average housing allowance increase each year.

10.5.2. BAH/OHA

10.5.2.1. Applicability. The following RC members are authorized BAH or OHA:

10.5.2.1.1. A member called or ordered to AD in support of a contingency operation for a time period of any duration.

10.5.2.1.2. A member called or ordered to AD for 31 or more days, except a Service member without a dependent during initial entry training.

10.5.2.1.3. A member initially on a tour of 30 or fewer days who receives an order modification, assignment extension, or additional consecutive orders with a prospective, new active-duty period of 31 or more days ("extension").

10.5.2.1.3.1. BAH or OHA starts the date of the extension, and BAH-RC is no longer payable as of that date.

10.5.2.1.3.2. If there is a break in service, periods of AD previously served may not be added together to meet the requirement for BAH or OHA that AD exceeds 30 days under the authority of [37 U.S.C. § 403\(g\)\(6\)\(C\)\(iii\)](#).

10.5.2.1.3.3. See Table 26-42 for examples of housing allowance changes for an RC member when new, extended, or amended orders are issued.

10.5.2.1.4. AGR members.

10.5.2.2. Rate. The applicable location rate will generally be based either on the PDS or the member's primary residence. See subparagraph 10.5.3 for discussion of applicable allowances and rates for various assignment situations.

10.5.3. Allowance and Rates for Specific Assignments

The type and duration of orders will determine the applicable housing allowance and rate. When an RC member receives an order modification or amendment extending their assignment, the prospective new active-duty period determines the authority for housing allowances and any new entitlements begin as of the date of the modification. If the prospective period is 140 or more days for AD training or 181 or more days for AD for other than training and HHG are authorized for the PCS, then BAH-RC or BAH or OHA based on the primary residence stops the day before the modification or amendment and BAH or OHA based on the PDS begins on the modification date.

10.5.3.1. AD for 30 or Fewer Days

10.5.3.1.1. If the RC member is called or ordered to AD for 30 or fewer days and the duty is not in support of a contingency operation, then start BAH-RC on the first day of AD.

10.5.3.1.2. If the duty is in support of a contingency operation, then start BAH or OHA based on the primary residence at the time called or ordered to AD beginning on the first day of AD.

10.5.3.2. AD for Other Than Training or Active Duty for Training (ADT) for 31 or More Days

10.5.3.2.1. An RC member called or ordered to AD for other than training for a period lasting between 31 and 180 days is authorized BAH or OHA based on the primary residence beginning on the first day of AD. This rate continues for the tour duration except as otherwise specified in this chapter.

10.5.3.2.2. An RC member called or ordered to ADT for a period lasting between 31 and 139 days receives BAH or OHA based on the primary residence at the time called or ordered to ADT beginning on the first day of AD.

10.5.3.3. ADT for 140 or More Days and Authorized HHG Transportation. BAH or OHA based on the primary residence starts at the time RC member is called or ordered to AD for training for 140 or more days and is authorized HHG transportation for a PCS and continues through the day before arrival at the PDS. BAH or OHA based on the PDS location begins on the day the RC member reports at that location. The Service member is authorized BAH or OHA in the same manner as a Service member already on AD.

10.5.3.4. AD Other Than Training for 181 or More Days and Authorized HHG Transportation. BAH or OHA based on the primary residence starts at the time an RC member is called or ordered to AD for other than training for 181 or more days and authorized HHG transportation for a PCS and continues through the day before arrival at the PDS. BAH or OHA based on the PDS location begins on the day the RC member reports at that location. The member is authorized BAH or OHA in the same manner as a Service member already on AD.

10.5.3.5. Called or Ordered to ADT for 140 or More Days But Not Authorized HHG Transportation. Except as provided in subparagraphs 10.5.3.7 and 10.5.3.10, an RC member is not authorized HHG transportation for a PCS (e.g., when duty is not performed for 140 or more days at one location) receives BAH or OHA based on the primary residence at the time called or ordered to AD.

10.5.3.6. Called or Ordered to AD Other Than Training for 181 or More Days But Not Authorized HHG Transportation. Except as provided in subparagraphs 10.5.3.7 and 10.5.3.10, an RC member called or ordered to AD for other than training for 181 or more days and is not authorized HHG transportation for a PCS receives BAH or OHA based on the primary residence.

10.5.3.7. RC Member Without-Dependent OCONUS. An RC member without a dependent—or who has no dependents other than for whom they are paying child support—receives one housing allowance (BAH or OHA). When the member is provided Government quarters at the PDS, the housing allowance is based on the primary residence; however, the housing allowance may instead be based on the PDS when all the following conditions apply and it is approved under the Secretarial Process:

10.5.3.7.1. The RC member is authorized PCS allowances to a location OCONUS;

10.5.3.7.2. The RC member is not authorized PCS HHG transportation because the prospective period is less than 12 months. HHG transportation under a TDY order, as specified in the JTR, Chapter 2, does not affect this housing allowance authority;

10.5.3.7.3. Government quarters are not available at the PDS; and

10.5.3.7.4. The Service determines that it is inequitable to pay a housing allowance based on the primary residence.

10.5.3.8. Called or Ordered to AD for Contingency. An RC member called or ordered to AD in support of a contingency operation is authorized BAH or OHA based on the primary residence beginning on the first day of AD. This rate is authorized even for duty of 30 or fewer days. This rate continues for the duration of the tour unless the RC member is authorized PCS HHG transportation, in which case the rate for the PDS would apply on the day the RC member reports to the PDS.

10.5.3.9. Injured or Physically Disabled While on AD or on Inactive-Duty Training. An RC member who is injured in the line of duty and who is authorized incapacitation pay under 37 U.S.C. § 204 and DoDI 1241.01 (RC Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements) is authorized a housing allowance. BAH or OHA is based on the primary residence and is paid beginning on the date the RC member becomes entitled to incapacitation pay. BAH or OHA for an eligible RC member may not be paid for more than 6 months except when, in the interest of fairness and equity, the Secretary concerned or the Secretary's designee extends incapacitation pay. For offsets, see 37 U.S.C. § 204(g) and (h), and DoDI 1241.01 (RC Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements).

10.5.3.10. Unaccompanied Tours OCONUS. If an RC member with dependents is on an OCONUS unaccompanied tour and the dependents relocate at their own expense to reside in the vicinity of the member's PDS, the member's usual housing allowance entitlements set forth in this section will be affected. See sections 7.0 and subparagraph 10.4.2.3 for determination of applicable housing allowance and rate in that situation.

10.5.4. AGR Member. An AGR member's BAH or OHA is based on the PDS, even when the Service member is mobilized for AD other than for AGR duty, provided the Service member does not have a break in service. The rate based on the PDS applies for the duration of the tour. If the AGR member receives a PCS order authorizing HHG transportation, BAH or OHA is based on the new PDS. However, if the Service member is called or ordered to AD without a break in service and a PCS order authorizing HHG transportation is not issued, BAH or OHA is based and paid on the PDS location at the time called or ordered to AD. A break in service occurs when one or more calendar days between active-duty service periods do not qualify as active-duty service. If an AGR member has a break in service when called to AD for other than AGR duty, then the Service member is paid a housing allowance as for any other RC member (for example, the primary-residence rate).

10.5.5. RC Member Married to Service Member. Unless an RC member is assigned to a contingency operation or is an AGR member when they are called to AD for 30 or fewer days, the RC member is authorized the BAH-RC without-dependent rate if they are not assigned to Government quarters and is married to another Service member on AD without a dependent. For such an RC member on AD for 31 or more days, each Service member is authorized BAH or OHA at the without-dependent rate. If a Service member in this situation has a dependent, BAH or OHA is paid in accordance with paragraph 4.5.

10.6 Government Defers Dependent Travel (Non-Concurrent Travel)

10.6.1. When the Government defers dependent travel at Government expense to a Service member's new PDS, a with-dependent housing allowance continues to be paid at the old PDS rate, or at the rate for the dependent's location if the dependent relocated there at Government expense. In a case in which the Secretarial Process previously authorized a housing allowance based on the dependent's location, that rate continues.

10.6.2. If otherwise eligible, FSH-O or FSH-B for the Service member's location starts when the Service member obtains private-sector housing.

10.6.3. The payment of the with-dependent allowance and FSH-O or FSH-B continues for 60 days after dependent travel is authorized. If the 60-day time period expires, a dependent has not arrived at the Service member's PDS, and an extension to the 60-day period has not been granted through the Secretarial Process, a housing allowance is not authorized for the dependent's location. However, the Service member is authorized a with-dependent allowance based on the PDS location.

10.6.4. [Table 26-26](#) specifies changes to a housing allowance when the Government defers a dependent's travel to a duty station OCONUS.

10.6.5. [Tables 26-27](#) and [26-28](#) specify changes, based on location and expected travel delay, when the Government defers dependent travel to a duty station in the CONUS when the area has been declared a concurrent dependent travel application area (see JTR, Chapter 5, paragraph 051205).

10.7 Dependent Travels Before or After Service Member

When a PCS order has been issued, the Service member's [dependents](#) may perform PCS travel at a different time than the Service member.

10.7.1. Housing Allowance Based on Dependent's Location or Old PDS. Unless otherwise authorized or approved, a Service member's housing allowance is based on the PDS. If authorized or approved through the Secretarial Process, a Service member may be authorized a housing allowance based on the location at which a dependent maintains a permanent residence or the old PDS. Situations that are routinely authorized or approved at a lower level than the Service Secretary are listed in subparagraph 10.2.2. An example of advance travel is the member's family travels ahead to get settled before school starts. An example of delayed travel is the family remains at the old PDS until the school year ends.

10.7.2. Secretarial Determinations. The Secretary concerned may determine that other circumstances require a dependent to reside separately from the Service member and [may](#) authorize or approve a housing allowance payment based on either the dependent's location or the old PDS. If the Secretary concerned determined that an additional reason for a BAH or OHA waiver [is](#) acceptable, the Secretarial Process may then be used to authorize or approve individual cases based on that determination.

10.7.3. Rates Applicable

10.7.3.1. If a dependent relocates, the rate applicable to the dependent's new residence location is effective on the date the dependent arrives.

10.7.3.2. If the dependent does not relocate, the with-dependent allowance is based on the higher of the rates for the dependent's location or the Service member's old PDS and continues until the dependent departs the authorized or approved location.

10.7.3.3. A Service member is generally authorized BAH-Transit while on leave and travel between PDSs. However, in situations in which the Secretary concerned has authorized or approved an advance or delayed travel situation, the authorized or approved allowance at the with-dependent rate applies. In delayed travel situations, when the dependent departs the authorized or approved location, the allowance changes to the new PDS if the Service member has already arrived there or to the BAH-Transit if the Service member is still in transit.

10.7.4. Advance Travel. In all cases of advance travel, if the Service member is assigned Government quarters at the old PDS and a housing allowance has not been approved by the Secretarial Process for the dependent's location, do not start either BAH or OHA.

10.7.4.1. [Table 26-29](#) specifies changes to housing allowances when the old PDS and new PDS are in the BAH area.

10.7.4.2. [Table 26-30](#) specifies changes to housing allowances when the old PDS is in the BAH area and the new PDS is outside the OHA area.

10.7.4.3. [Table 26-31](#) specifies changes to housing allowances when the old PDS is outside the OHA area and the new PDS is in the BAH area.

10.7.4.4. [Table 26-32](#) specifies changes to housing allowances when both the old and new PDS are outside the OHA area.

10.7.5. Delayed Travel

10.7.5.1. [Table 26-33](#) specifies changes to housing allowances when the old PDS and new PDS are in the BAH area.

10.7.5.2. [Table 26-34](#) specifies changes to housing allowances when the old PDS is in the BAH area and the new PDS is outside the OHA area.

10.7.5.3. [Table 26-35](#) specifies changes to housing allowances when the old PDS is outside the OHA area and the new PDS is in the BAH area.

10.7.5.4. [Table 26-36](#) specifies changes to housing allowances when the old PDS and new PDS are outside the OHA area.

10.8 Early Return of Dependent (ERD)

10.8.1. Early Return at Government Expense

10.8.1.1. When all of a Service member's dependents return from a PDS OCONUS at Government expense not due to a PCS, regardless of the reason for the return, the Service member is authorized a housing allowance at the with-dependent rate based on the dependent's permanent residence location effective on the arrival [date](#) or the date the ERD order was issued, whichever is later. If the dependent's location is in an OHA area, start OHA on the date private-sector housing is acquired.

10.8.1.2. OHA, or BAH in Alaska or Hawaii, at the with-dependent rate for the Service member's PDS OCONUS stops on the day before the day the rate for the dependent's permanent residence starts. If the Service member resides in private-sector housing after the dependent's departure and single-type Government quarters are not available, FSH-O or FSH-B for the Service member's PDS location is authorized effective on the day the rate for the dependent's permanent residence location begins. If Government quarters are assigned or made available to the Service member following a dependent's departure, no housing allowance is payable for the Service member's PDS.

10.8.1.3. [The with-dependent housing allowance is paid as follows whether or not the Service member is assigned family Government quarters at the PDS:](#)

10.8.1.3.1. If the dependent's location is in a BAH area, start with-dependent BAH based on dependent residence location as of the dependent's arrival date or the date the ERD order was issued, whichever is later.

10.8.1.3.2. If the dependent's location is in an OHA area, start OHA on the date private-sector housing is acquired for the dependent ([established by required documentation for OHA](#)) or the date the ERD order was issued, whichever is later.

10.8.1.4. When a Service member assigned to Government family-type quarters, terminates the quarters assignment and single-type Government quarters are not available, start FSH effective on the termination date, the date private-sector housing for the Service member is acquired, or the date the ERD order was issued, whichever is later.

10.8.1.5. If a Service member is not assigned to Government family-type quarters then stop the with-dependent rate based on the PDS on the day before the rate based on the dependent's location starts. If single-type Government quarters are not available, start FSH-O or FSH-B the day the allowance based on the dependent's location starts.

10.8.2. Early Return at Personal Expense. When all of a Service member's dependents return early from a PDS OCONUS at personal expense, the Service member is not authorized a second housing allowance and the housing allowance at the with-dependent rate based on the Service member's PDS continues without change, unless there is an OHA-related paperwork change. If the Service member vacates family-type Government quarters that were occupied by

the dependent before the dependent's departure, the Service member is authorized an allowance at the with-dependent rate for the Service member's PDS. If a Service member assigned family Government quarters at the PDS OCONUS terminates a Government quarter assignment while:

10.8.2.1. In a BAH area, start with-dependent BAH based on the PDS as of the termination date; or

10.8.2.2. In an OHA area, start with-dependent OHA based on the PDS as of the date private-sector housing is acquired or the termination date, whichever is later.

10.9 Evacuation of a Service Member's PDS

10.9.1. PDS OCONUS-Command-Sponsored Dependent. See Chapter 67.

10.9.1.1. A Service member who was authorized a with-dependent housing allowance based on the OCONUS PDS on the date a command-dependent was evacuated continues to be paid the allowance while the dependent is receiving evacuation allowances when both of the following conditions apply:

10.9.1.1.1. The Service member's PDS remains unchanged; and

10.9.1.1.2. The Service member continues to maintain private-sector housing.

10.9.1.2. If a dependent is authorized to return to the PDS after being evacuated, no housing allowance actions are required. Whether the Service member is assigned Government quarters at the PDS is not a factor.

10.9.1.3. If an evacuated dependent's return to the PDS is not authorized or approved, then the dependent must select a designated place and will continue to receive evacuation allowances as specified in the JTR, Chapter 6. A Service member is authorized a with-dependent allowance based on the location of the designated place beginning the day after the evacuation allowance ends, even if the Service member is assigned Government quarters at the PDS.

10.9.1.3.1. If the Service member is not assigned Government quarters at the PDS, OHA or BAH based on the PDS OCONUS stops on the day before the allowance based on the designated place starts.

10.9.1.3.2. If Government quarters are not available for the Service member at a PDS OCONUS, start FSH-O or FSH-B based on the PDS on the same day as the with-dependent allowance based on the designated place starts.

10.9.2. PDS OCONUS-Non-Command Sponsored Dependent

10.9.2.1. If the evacuation occurs 89 or fewer days after a dependent arrived at

the Service member's PDS OCONUS and the Service member is still being paid a with-dependent allowance based on the dependent's permanent residence or designated place as well as FSH-O or FSH-B based on the PDS OCONUS rate, then no changes in housing allowances are required. Whether the Service member is assigned Government quarters at the PDS is not a factor.

10.9.2.2. If the evacuation occurs 90 or more days after a dependent arrived at the Service member's PDS OCONUS and the Service member is now being paid a with-dependent allowance based on the PDS, reinstate OHA or BAH based on the dependent's prior permanent residence or designated place on the dependent's departure day from the PDS. Stop the with-dependent OHA or BAH allowance based on the PDS the day before the dependent departs. If after the dependent departs and Government quarters are not available for the Service member, then start FSH based on the PDS on the day the dependent departs the PDS.

10.9.3. PDS CONUS With Dependent

10.9.3.1. A Service member who was authorized a with-dependent BAH on the date the dependent was evacuated continues to be paid BAH **while** the dependent is receiving evacuation allowances when both of the following conditions apply:

10.9.3.1.1. The Service member's PDS remains unchanged; and

10.9.3.1.2. The Service member continues to maintain private-sector housing.

10.9.3.2. If a dependent is authorized to return to the PDS after being evacuated, no housing allowance actions are required. Whether the Service member is assigned Government quarters at the PDS is not a factor.

10.9.3.3. If the return of a dependent to the PDS is not authorized or approved, the dependent is directed to select a designated place and continue to receive evacuation allowances as provided in the JTR, Chapter 6 until **the Service member** establishes a permanent residence. A Service member is authorized a with-dependent allowance based on the designated place beginning the day after evacuation allowances end. **If the Service member is not assigned Government quarters at the PDS, BAH based on the PDS stops on the day before the allowance based on the designated place starts. FSH-B starts the same day as the allowance based on the designated place, if otherwise authorized.**

10.9.4. Service Member Without-Dependent. A Service member without a dependent who was authorized OHA or BAH at the PDS on the date an evacuation is ordered or authorized and who continues to maintain a private-sector residence, continues to be authorized the allowance even though the Service member temporarily may be required to occupy Government quarters or be sent on a TDY. When the commanding officer believes the Service member will not be permitted to return to the private-sector housing in the foreseeable future, the commander must encourage the Service member to end the private-sector housing at the earliest practical date and end OHA or BAH concurrent with the private-sector housing termination.

10.10 Service Member in Transit

BAH-Transit is a temporary housing allowance paid while a Service member is in a travel or leave status between PDSs, provided the Service member is not assigned Government quarters while at the old or new PDS and no other housing allowance is payable as set forth in this paragraph. The default BAH-Transit rate is a fixed rate, which is the amount of BAQ on December 31, 1997, incremented by the average housing allowance increase each year.

10.10.1. TDY En Route to New PDS. If the Service member performs a TDY en route at the new PDS, BAH or OHA for the new PDS begins the day of arrival in a TDY status at the new PDS. If the Service member performs a TDY en route at a location near, but outside the limits of, the new PDS or to the home port of a ship, afloat staff, or afloat unit, per diem stops as specified in the JTR, Chapter 5. BAH or OHA for the new PDS begins the day per diem stops.

10.10.2. PCS Between PDSs

10.10.2.1. Old PDS in the United States. A Service member's old PDS is the PDS for BAH purposes from the day the Service member departs the old PDS through the day before the Service member reports to the new PDS in compliance with a PCS order. If the Service member had been residing in Government quarters at the old PDS, the Service member is authorized BAH as of the Government quarters termination date. If the Service member has a Secretarial waiver for payment of BAH based on a previous PDS or based on a dependent's location, then continue that rate until the Service member arrives at the new PDS.

10.10.2.2. Old PDS Outside the United States. When a Service member's old PDS is outside the United States, and the Service member is receiving OHA, OHA is authorized through the day before departing the old PDS. The day the Service member departs, OHA is no longer authorized and the Service member is authorized BAH-Transit if not otherwise receiving a housing allowance. If the Service member is being paid BAH at the with-dependent rate for a dependent residing separately, and FSH-B, that BAH rate continues until the Service member arrives at the new PDS, but FSH-O stops. If the dependent also performs PCS travel, BAH-Transit applies. If the Service member has a Secretarial waiver for payment of OHA at the with-dependent rate for a dependent residing separately in an OHA location, continue that OHA rate if the dependent remains at the OHA location.

10.10.2.3. See Table 26-37 for housing allowance when a Service member is in transit on a PCS.

10.10.3. New Accession. A Service member in the accession pipeline includes a Service member who is undergoing initial entry training, including an RC member, a student (including Reserve Officer Training Corps (ROTC) and Officer Candidate School) without prior military Service, or a Service academy graduate upon graduation, until arrival at the first PDS. The Service member remains in the accession pipeline until the Service member arrives at a PDS, including a training location of 20 or more weeks. An RC member remains in the accession pipeline until the RC member completes entry-level training or arrives at a PDS, whichever occurs first. See Table 26-38.

10.10.3.1. Service Member Without-Dependent. A Service member in the accession pipeline without a dependent is authorized BAH-Transit when in a travel, leave en route, or proceed time status while transferring from the initial entry training location, between training locations, and to the first PDS. For BAH authorization only (not locality rate), the training location is defined as a PDS except for an RC member without a dependent. A Service member without a dependent is not authorized BAH (except BAH-Partial) while at a training location since Government quarters are assigned at that PDS. An RC member without a dependent attending accession training is authorized BAH or OHA based on the primary residence location at the time called or ordered to AD if the Service member maintains a residence and continues to be responsible for rent or owns the residence.

10.10.3.2. Service Academy or ROTC Graduate Without-Dependent. A Service academy or ROTC graduate without a dependent is authorized a housing allowance at the without-dependent rate for the graduation or commissioning location through the day before departure en route to the training location, if they:

10.10.3.2.1. Remain on AD at the graduation or commissioning location following graduation and commissioning before proceeding to another duty station; and

10.10.3.2.2. Are not assigned Government quarters.

10.10.3.3. Service Member With a Dependent.

10.10.3.3.1. The BAH rate for a new accession with a dependent is based on the dependent's location if the location is in the United States. If the dependent is located outside the United States, BAH is based on the training location.

10.10.3.3.2. If an officer who was previously authorized a housing allowance at the without-dependent rate for the graduation or commissioning location specified in subparagraph 10.10.3.2 acquires a dependent, the officer's housing allowance at the with-dependent rate becomes based on the dependent's location effective the date the dependent is acquired.

10.10.3.3.3. A new accession Service member who pays child support but does not have physical custody of the child and has no other dependents is authorized payment of BAH-Diff if the child support meets or exceeds the BAH-Diff rate. BAH at the with-dependent rate is not authorized.

10.10.4. Retirement or Separation

10.10.4.1. From a PDS in the United States. A Service member's old PDS is the PDS for BAH purposes from the day the Service member departs the old PDS and remains on AD. If the Service member had been residing in Government quarters at the old PDS, the Service member is authorized BAH beginning the date Government quarters are terminated provided the Service member is still on AD. BAH continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2. From a PDS Outside the United States

10.10.4.2.1. Establishes Residence Outside the United States. A Service member at a PDS outside the United States who is processing for retirement or separation, or is on leave after processing, and who intends to establish a residence in an OHA-based area after retirement or separation, is eligible for OHA. To be paid OHA under any of the circumstances listed, the Service member must provide a lease and a completed and approved DD 2367.

10.10.4.2.1.1. If the Service member continues to occupy private-sector leased or owned housing at or in the PDS vicinity, OHA continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.1.2. If the Service member occupies private-sector leased or owned housing after vacating Government quarters or moves to different private-sector housing in the same country, OHA starts on the date the Service member obtains private-sector housing and continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.1.3. If a Service member at a PDS outside the United States moves to a different country that is an OHA area to establish a residence after separation or retirement, the Service member is eligible for a housing allowance based on the residence location. OHA starts on the day the Service member obtains private-sector housing. However, if the Service member is being paid a housing allowance at the with-dependent for dependents residing separately, the Service member instead continues to receive a housing allowance at the dependent location rate, provided the dependents remain at that separate location. Any housing allowance continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.2. Returns to a U.S. Processing Station. If not assigned Government quarters, a Service member separating or retiring at a PDS outside the United States, who returns to the United States for retirement or separation processing, is authorized OHA through the day before departing the PDS outside the United States. The day the Service member departs that PDS, OHA is no longer authorized. The Service member is authorized the BAH rate for the retirement or separation processing location if they are not receiving a with-dependent housing allowance for a dependent residing separately. However, if the Service member is being paid a with-dependent housing allowance for a dependent residing separately, the Service member instead continues to receive a housing allowance at the dependent location rate and does not receive a housing allowance based on the processing location. NOAA's Marine and Aviation Operations and Commissioned Personnel Centers are the processing stations for NOAA. Any housing allowance continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.3. Returns to the United States After Completing Separation or Retirement Processing Overseas. If not assigned Government quarters, a Service member retiring or separating at a PDS outside the United States who returns to the United States after completing retirement or separation processing at the overseas PDS, and who does not have a processing

location within the United States, is authorized OHA through the day before departing the PDS outside the United States. The day the Service member departs that PDS, OHA is no longer authorized. The Service member is authorized the BAH rate for the leave address provided as part of the final processing if they are not receiving a housing allowance at the with-dependent rate for a dependent residing separately. However, if the Service member is being paid a with-dependent housing allowance for a dependent residing separately, the Service member instead continues to receive housing allowance at the dependent location rate, provided the dependent remain at that separate location, and does not receive a housing allowance based on the leave address. Any housing allowance continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.3. Refer to Table 26-39 for summary of rules pertaining to housing allowance for Service member in transit for final discharge, separation, or retirement.

10.10.5. Educational Leave Program. When a Service member is participating in the Educational Leave Program Relating to Continuing Public and Community Services, and the Service member is authorized BAH or OHA, start BAH or OHA based on the designated unit of assignment during scheduled school breaks or leave periods.

10.10.6. Hospitalization. If a Service member receives an appropriate authorization or order associated with a prolonged hospitalization determination and is transferred from any PDS to a hospital in the United States for observation or treatment, pay BAH based on the hospital location if the Service member is authorized BAH.

10.11 Service Member in a Missing Status

If a Service member is declared missing pursuant to applicable law and regulation, payment of a housing allowance is authorized as follows:

10.11.1. Service Member Without-Dependent. A Service member without a dependent carried in a missing status is authorized without-dependent BAH. Pay BAH at the without-dependent rate based on the PDS for a Service member whose PDS is in the United States. If the Service member had a Secretarial waiver to receive BAH based on the former PDS due to a low-cost or no-cost PCS, then that BAH rate continues. Pay BAH at the without-dependent rate based on the home of record (HOR) location for a Service member whose PDS is outside the United States. If the Service member's HOR and PDS are outside the United States, then pay the without-dependent BAH-Transit rate. See Chapter 34 (Pay Entitlement of Members Missing, Missing in Action, Interned, and Payments to Dependents).

10.11.2. Service Member With-Dependent. A Service member with a dependent continues to receive the housing allowance authorized upon entering the missing status. If the dependent relocates, pay the housing allowance at the with-dependent rate based on the dependent's location.

10.12 Service Member in Confinement

Pretrial confinement, restraint other than confinement, or an adjudged sentence of restriction alone does not affect a Service member's BAH eligibility. [Nothing in this paragraph is intended to imply that a Service member not entitled to basic pay may receive a housing allowance.](#)

10.12.1. Transferred to a Confinement Facility. When a Service member who is serving a court-martial sentence to confinement is transferred to a confinement facility, then the BAH or OHA rate is based on the dependent's location if the Service member is authorized a housing allowance, other than BAH partial, while confined. A Service member is not authorized a housing allowance unless authorized basic pay. This rule does not address a Service member's authority for a housing allowance when civil or foreign authorities confine the Service member. All rules concerning whether a Service member in civil or foreign confinement, including pre-trial, is authorized basic pay are covered in Chapter 1 (Creditable Service).

10.12.2. In Confinement

10.12.2.1. BAH or OHA does not accrue while the Service member is confined pursuant to a court-martial and the sentence is effective or approved or when the Service member was not receiving BAH or OHA on the day before confinement and Government quarters assignment was not terminated before or during confinement. Service procedures must specify how and by whom Government quarters termination must be certified. Confinement imposed pursuant to a court-martial sentence begins the date the sentence is adjudged ([10 U.S.C. § 857\(a\), \(b\)](#)).

10.12.2.1.1. If a Service member is in confinement in a guardhouse, brig, or correctional barracks pursuant to a court-martial—not including pretrial confinement, restraint other than confinement, or an adjudged sentence of restriction alone—then the Service member's BAH or OHA accrues if the sentence is set aside or disapproved. The Service member must be otherwise authorized to receive BAH or OHA.

10.12.2.1.2. A Service member without-dependents who is confined in a guardhouse, brig, or correctional barracks, was assigned to single-type, Government quarters before confinement, and remains assigned to such quarters during confinement is authorized BAH-Partial unless allowances [were forfeited pursuant to court-martial sentence](#). If the [Service member](#) is restrained in a status of arrest in assigned single-type Government quarters, and therefore not authorized BAH or OHA, then the Service member is authorized BAH-Partial unless allowances [were forfeited pursuant to court-martial sentence](#).

10.12.2.2. A Service member in military confinement or otherwise restricted by military authority continues [to be authorized](#) FSH for 60 or fewer days without certificate from the Service member. The FSH may continue for more than 60 days, but payment must be supported by the Service member's certification that [they](#) maintained private-sector housing at the PDS.

10.13 [BAH Location Rate](#) Flexibility for Certain Armed Forces Members With-Dependents, who PCS Within the United States ([37 USC § 403a](#)).

10.13.1. [General](#). An eligible Armed Forces member with [one or more](#) dependents may be permitted certain housing flexibility [options](#) while under a PCS order within the United States during a covered relocation period, as defined in [subparagraph 10.13.3 \(DoDI 1315.18, Enclosure 3, paragraph 10\)](#). One option is the equitable basic allowance for housing.

10.13.2. [Eligibility](#). An Armed Forces member [described in 10.13.1](#) is eligible for housing flexibility options if the Service member:

10.13.2.1. [Has a](#) spouse who is gainfully employed or enrolled in a degree, certificate or license granting program at the beginning of the covered relocation period;

10.13.2.2. [Has one](#) or more dependents attending an elementary or secondary school at the beginning of the covered relocation period;

10.13.2.3. [Has one](#) or more dependents enrolled in the Exceptional Family Member Program; or

10.13.2.4. [Is caring for an](#) immediate family member with a chronic or long-term illness at the beginning of the covered relocation period.

10.13.3. [Covered Relocation Period](#). The covered relocation period begins 180 days before the date of the PCS, which is the date the Armed Forces member leaves the current PDS and ends 180 days after the date of the PCS. The Secretary concerned may lengthen or shorten the covered relocation period through the Secretarial [Process](#) based on the needs of the Armed Forces. See the [Housing Flexibility Decision Support Tools](#).

10.13.4. [Equitable Basic Allowance for Housing Location Rate](#). The dependents of an Armed Forces member may perform PCS travel at a different time than the [Service](#) member once the PCS order has been issued. Unless otherwise authorized or approved, the [Service](#) member's basic allowance for housing at any point in time is based on the [Service member's](#) PDS at that time. However, if authorized or approved through the Secretarial [Process](#), when dependents relocate in advance of or after the [Service](#) member, the housing allowance may be based on one of the following [instead](#):

10.13.4.1. The new PDS;

10.13.4.2. The location [where](#) the dependents reside when the [Service](#) member departs for the new PDS, [but](#) only for the time the dependents reside in that area; or

10.13.4.3. The area of the member's former PDS, but only if different than the area [where](#) the dependents reside.

10.13.5. Expiration. If the **Service** member's eligibility expires for any reason during the covered relocation period, that period is terminated and housing **allowances are** paid based on the PDS where the **Service** member is assigned at that time. If the **Service** member departs the old PDS, and the persons **who** are the basis of the eligibility do not arrive at the new PDS within the covered relocation period, housing allowances are paid at the new PDS location rate beginning the day after the relocation period ends.

*Table 26-1. Date to Start BAH or OHA for a Service Member With a Dependent

R U L E	If a Service member	then BAH or OHA at the with- dependent rate begins on the date
1	enlists, or is called to extended AD and is not assigned Government quarters for self and any dependents on that date,	of enlistment or entry on AD.
2	is appointed to commissioned or warrant officer status and is not assigned Government quarters for self and dependents on that date,	AD pay begins.
3	occupies Government quarters with a dependent and the quarters assignment ends,	the quarters assignment ends.
4	occupies Government quarters with a dependent and the Service member and dependent depart the PDS pursuant to a PCS order,	the PCS departure date.
5	acquires a dependent, while in a duty status or on authorized leave, and is not assigned Government quarters on that date,	the dependent is acquired.*
6	acquires a dependent while in an unauthorized absence status and is not assigned Government quarters for self and dependents on that date,	the Service member returns to a pay status after apprehension or surrender.
7	claims an individual who has not yet been determined to be a dependent,	determined or approved by authority specified in subparagraph 3.2, as applicable.

*Refer also to Table 26-20 and Table 26-21 for rules on when BAH and OHA start and stop when a Service member acquires a dependent.

*Table 26-2. Date to Stop Housing Allowances Based on Change in a Sole Dependent's Status

R U L E	If the sole dependent...	then stop the with-dependent housing allowance at midnight of the day...
1	and the member divorced,	of the final decree of divorce.
2	and the member are in a voidable, but not void marriage, which is dissolved by final annulment decree,	before the date of the decree. No BAH or OHA payment may be made on or after date of the decree, even amounts accrued and not paid. BAH or OHA paid before the date of decree may be retained.
3	and the member are in an invalid or void marriage,	before the member learns the marriage is invalid or void . No housing allowance payment may be made on or after that day , even amounts accrued and not paid. Retention of BAH or OHA paid before that date depends on validation specified under Chapter 12.
4	is a child who becomes of age, except if incapable of self-support due to mental or physical incapacity ,	before the dependent's 21 st birthday or 23 rd birthday if a full-time student. See paragraph 3.1.1.2 regarding children who are secondary dependents .
5	is a child who marries, regardless of age, or mental or physical incapacity ,	of the dependent's marriage. This applies even when a dependent's marriage is to a Service member who is also authorized BAH or OHA on the dependent's behalf for that date.
6	is adopted by a third party by interlocutory order or decree that changes the legal relationship,	before date of adoption.*
7	is adopted by a third party and a final order or decree has been entered,	before the date of adoption.
8	enters military service,	before the date of entry into military service.
9	stops being dependent on the Service member,	before the date that dependency ceases.
10	dies,	of death, except as provided by paragraph 10.2.4 .

*For determination as to whether the order or decree caused a changed legal relationship **between the member and dependents**, an Army, Air Force, or Space Force case must be sent to DFAS-IN, a Navy case to DFAS-CL, and a USMC case to Commandant of the Marine Corps. A case involving a USPHS member must be sent to the Director, Division of Commissioned Corps Personnel and Readiness, to the attention of "DEERS Determination."

*Table 26-3. Date to Stop BAH or OHA—Other Changes

R U L E	If a Service member	then stop BAH or OHA at midnight the day
1	is furnished Government quarters at the PDS, adequate for the Service member and any dependents,	before quarters are assigned or, if definite assignment was not made, the day before occupancy begins.*
2	is furnished quarters, whether by cash or in kind, on behalf of the United States, adequate for the Service member and any dependents,	before quarters are furnished.
3	and a dependent occupy rehabilitated Government quarters that were inadequate but are now designated as adequate,	before the effective date of re-designation as adequate Government quarters.
4	is discharged or released from AD,	of discharge or release.
5	retires,	before the retirement effective date.
6	dies,	of death.

*When a dependent is prevented from occupying the assigned quarters due to an order from an appropriate authority, BAH or OHA continues until transportation is arranged for Household Goods (HHG) and is available for the dependent (if prompt application is made) plus the normal travel time for a dependent to reach the Service member's station using a direct route. See subparagraph 10.2.2.1.

*Table 26-4. Army: Unmarried Child Claimed as Dependent

R U L E	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	the Disbursing officer or designee makes the determination. In the case of an Army Reserve Component member, the initial determination can be made by the Reserve Component unit commander or servicing Military Pay Office.
2	a child born out of wedlock,	not doubtful,	the Disbursing officer or designee makes the determination. In the case of an Army Reserve Component member, the initial determination can be made by the Reserve Component unit commander or servicing Military Pay Office.
3	a child born out of wedlock,	doubtful,	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160 makes the determination.
4	adopted,	doubtful,	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160 makes the determination.
5	a stepchild under age 21, and the Service member is a Reserve Component member,	not doubtful,	the initial determination can be made by the Reserve Component unit commander or servicing Military Personnel Officer.
6	a stepchild under age 21, and the Service member is not a Reserve Component member,	not doubtful,	the Disbursing Officer or designee makes a determination, and sends the claim electronically to DFAS through the Ask DFAS website.
7	a stepchild under age 21, and the Service member is a member of Reserve Component,	doubtful,	if the Reserve Component unit commander or servicing Military Personnel Office cannot make a determination, the claim is sent electronically to DFAS-IN, Military Pay Operations, (ATTN: JFLAKA), 8899 East 56th Street, Indianapolis, IN 46249-0855.
8	a stepchild under age 21, and the Service member is not a member of Reserve Component,	doubtful,	the Disbursing Officer or designee makes a determination, and sends the claim electronically to DFAS through the Ask DFAS website and go to the Secondary Dependency Claims (SDC) location. Only if electronic submission is unavailable may requests be submitted to the U.S mail address: DFAS-IN, Military Pay Operations (ATTN: JFLAKA), 8899 East 56th Street, Indianapolis, IN 46249- 0855.

*Table 26-5. Navy: Unmarried Child Claimed as Dependent

R U L E	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	the Disbursing Officer makes the determination.
2	a child born out of wedlock,	not doubtful,	the Disbursing Officer makes the determination.
3	a child born out of wedlock,	doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination. Submit questionable cases to the Navy CHNAVPERS N130, Military Pay and Compensation.
4	adopted,	doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination. Submit questionable cases to the Navy CHNAVPERS N130, Military Pay and Compensation.
5	a stepchild under age 21,	not doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination.
6	a stepchild under age 21,	doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination. Submit questionable cases to the Navy CHNAVPERS N130, Military Pay and Compensation.

*Table 26-6. Department of the Air Force (DAF): Unmarried Child Claimed as Dependent

R U L E	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	FSO or designee makes the determination.
2	a child born out of wedlock,	not doubtful,	FSO or designee or AF DEERS Project Office makes the determination.
3	a child born out of wedlock,	doubtful,	FSO or designee makes the determination, and the claim must be sent to Air Force Personnel Center-Operating Location (AFPC-OL)/DPP or AF DEERS Project Office for a decision.
4	adopted,	doubtful,	FSO or designee makes the determination, and the claim must be sent to AFPC-OL/DPP or the DOHA*, or AF DEERS Project Office for a decision.
5	a stepchild under age 21,	not doubtful,	FSO or their designee makes the determination, and the claim must be sent to AFPC-OL/DPP and sends the claim electronically to DFAS through the Ask DFAS website for a decision.
6	a stepchild under age 21,	doubtful,	FSO or their designee makes the determination, and the claim must be sent to AFPC-OL/DPP, and sends the claim electronically to DFAS through the Ask DFAS website for a decision.

*Table 26-7. USMC: Unmarried Child Claimed as Dependent

R U L E	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	the commanding officer of a battalion, squadron or separate detached command, or the Installation Personnel Administration Center Officer in Charge makes the determination.
2	a child born out of wedlock,	not doubtful,	the commanding officer of a battalion, squadron or separate detached command, or the Installation Personnel Administration Center Officer in Charge makes the determination.
3	a child born out of wedlock,	doubtful,	Submit questionable cases to the Commandant of the Marine Corps (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143.
4	adopted,	doubtful,	Submit questionable cases to the Commandant of the Marine Corps (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143.
5	a stepchild under age 21, and the Service member,	not doubtful,	either the commanding officer of a battalion, squadron or separate detached command, the Commandant of the Marine Corps, (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143, or the Installation Personnel Administration Center Officer in Charge makes the determination.
6	a stepchild under age 21, and the Service member,	doubtful,	Submit questionable cases to the Commandant of the Marine Corps (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143.

*Table 26-8. Spouse is the Dependent Claimed

R U L E	Service	If the marriage is	then
1	Army	lawful,	the Army disbursing officer or designee makes the determination. In the case of an Army RC member, the RC unit commander or servicing Military Personnel Officer can make the initial determination.
2	Navy	lawful,	the Disbursing Officer makes the determination.
3	DAF	lawful,	the USAF FSO or designee makes the determination.
4	USMC	contracted with states or territories by a legal, civil, or religious ceremony and neither has been previously married, or one spouse has been previously married and that prior marriage was dissolved by death, final decree of divorce, or by annulment that did not prohibit remarriage,	the commanding officer of a battalion squadron or separate detached command makes the determination.

*Table 26-9. Determination When Dependency Questionable

R U L E	Service or Agency	Determining Office
1	Army, Air Force, and Space Force	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160.
2	Navy	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160.
3	USMC	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160.
4	Coast Guard	Commanding Officer (LGL), Coast Guard Pay and Personnel Center, Federal Building, 444 S.E. Quincy Street, Topeka, KS 66683-3591.
5	NOAA	Director, Commissioned Personnel Center, 8403 Colesville Road, Suite 500, Silver Spring, MD 20910-6333.
6	USPHS	Office of Commissioned Corps Support Services, Attention: Compensation Branch, 5600 Fishers Lane, Room 4-50, Rockville, MD 20857-0001.

*Table 26-10. Unmarried Child Over 21 and has not Attained the Age of 23 Pursuing a Full-Time Course of Study

R U L E	If Service member is	then
1	Army,	the Personnel Officer makes the determination, if the dependent is a student.
2	Navy,	DFAS-CL makes the determination. Student determinations are made at the local Personnel Support Detachment or by the Personnel Officer for the Navy.
3	Air Force or Space Force,	AFPC-OL makes the determination for full-time student qualifying for BAH. Student determinations for the DEERS program are made at the local Military Personnel Flight or Personnel Activity for the Air Force and Space Force.
4	Marine Corps,	the Commandant of the Marine Corps makes the determination, including if the dependent is a student.

*Table 26-11. Dependent Claimed is a Parent

R U L E	Service	Authority Who Determines Dependency
1	Army	Army disbursing officer or designee
2	Navy	DFAS-CL
3	DAF	FSO or designee
4	USMC	Commandant of the Marine Corps

*Table 26-12. Legal Ward

R U L E	If Service member is	then
1	Army,	DFAS-IN, Secondary Dependent Claims Division makes the determination.
2	Navy,	DFAS-CL, Secondary Dependent Claims Division makes the determination.
3	Air Force or Space Force,	AFPC-OL, Secondary Dependent Claims Division makes the determination.
4	Marine Corps,	the Commandant of the Marine Corps makes the determination.

*Table 26-13. Incapacitated Child Over Age 21

R U L E	If Service member is	then
1	Army,	DFAS-IN, Secondary Dependent Claims Division makes the determination.
2	Navy,	Bureau of Naval Personnel (BUPERS) in Millington, TN makes the determination.
3	Air Force or Space Force,	AFPC-OL, Secondary Dependent Claims Division makes the determination.
4	Marine Corps,	the Commandant of the Marine Corps makes the determination.

*Table 26-14. Special BAH-Partial for Navy Barracks Privatization Test

R U L E	Starting Date	Location	Housing Type Occupied	Special BAH-Partial Percentage
1	October 1, 2006	San Diego, California	existing dormitory-style unaccompanied housing:	blank
			a. double occupancy	34
			b. single occupancy	68
2	October 1, 2013	San Diego, California	Pacific Beacon market-style housing:	blank
			a. double occupancy	41
			b. single occupancy	82
3	April 1, 2007	Hampton Roads, Virginia*	existing unaccompanied housing	66
			new construction, privatized housing (two bedroom, two bath market style)	74

*Including Hampton/Newport News and Norfolk/Portsmouth MHAs

*Table 26-15. Climate Code Utility Points

Utility	Code 3 – Hot	Code 2 – Moderate	Code 1 – Cold
Electricity	3	3	3
Heating	1	2	3
Air Conditioning	3	2	1
Water	1	1	1
Trash Disposal	1	1	1

*Table 26-16. Utility and Recurring Maintenance Allowance Payment Percentage

Total Utility Points	Applicable Percentage
0	0
1-2	25
3-4	65
5-9	100

*Table 26-17. MIHA/Miscellaneous Expense Items

R U L E	Expense Type	Description
1	Reportable MIHA/Miscellaneous Expense Item	<ul style="list-style-type: none"> a. Cabinets (for example, kitchen, medicine, bathroom). b. Plumbing and plumbing installation, hookups. c. Gas or electrical installation. d. Supplementary heating equipment. e. Painting, papering, and plastering (upon arrival only). f. Light fixtures, permanently installed. g. Wardrobes. h. Shelving. i. Telephone installation. j. Range, refrigerator, freezer, washer, or dryer. k. Air conditioners, dehumidifiers, fans. l. Screening. m. Transformers and voltage regulators. n. Commodes and sinks, when ordinarily not furnished. o. Burglar alarm, security bars, and supplementary door locks, when locally required. p. Water purification filters, when locally required. q. Pest fumigation, if required when housing is first occupied, otherwise include in r. Recurring maintenance expenses. s. Repair of drain pipes and gutters.
2	Non-Reportable MIHA/Miscellaneous Expense Items	<ul style="list-style-type: none"> a. Rugs, carpets, curtains, and drapes. b. Lawn and gardening maintenance expenses. c. Dishwashers, microwave ovens, and other small, personal appliances. d. Televisions, cable TV installation, antennas, and similar expenses. e. Any recoverable deposit, such as a security deposit. f. Lightbulbs. g. Taxes of any kind, unless specifically required by the lease. h. Fencing, yard-related items. i. Any personal labor costs.

*Table 26-18. Conditions Affecting FSH

R U L E	When an eligible Service member	Then FSH
1	arrives at a PDS outside the CONUS,	starts when private-sector housing is acquired.
2	departs upon reassignment from a PDS OCONUS,	continues through whichever day occurs first, the day: a. before the Service member departs on a PCS. b. the Service member's lease ends.
3	no longer has an eligible dependent,	continues through the day before the date that the Service member no longer has an eligible dependent.
4	is assigned Government quarters,	continues through the day before the day that Government quarters become available for assignment.
5	enters a non-pay status,	continues through the day before the date that the Service member enters the non-pay status.
6	is in one of the following statuses for 60 or fewer days: a. on a TDY away from the Service member's PDS, including a TDY in the United States, b. hospitalized at or away from PDS, including hospitalization in the United States, c. on authorized leave, whether accrued or advance, at or away from the PDS, including leave in the United States, d. military confinement or otherwise restricted by military authority,	continues for 60 or fewer days without a certificate from the Service member that they maintained private-sector housing at the PDS.
7	is in one of the following statuses for 61 or more days: a. on a TDY away from the Service member's PDS, including a TDY in the United States, b. hospitalized at or away from PDS, including hospitalization in the United States, c. on authorized leave, whether accrued or advance, at or away from the PDS, including leave in the United States, d. in military confinement or otherwise restricted by military authority,	continues if payment is supported by the Service member's certification that the Service member maintained private-sector housing at the PDS.

*Table 26-19. BAH or OHA Accrual for Service Member Without-Dependent Entitled to Basic Pay

R U L E	If a Service member is	then BAH or OHA accrues
1	assigned to a PDS,	<ul style="list-style-type: none"> a. while on a short period of special alert duty during which the Service member is furnished sleeping accommodations at the PDS where Government quarters are unavailable for assignment. b. while on a short training period during which, due to military necessity, the Service member is furnished sleeping accommodations at the PDS where Government quarters are unavailable for assignment.
2	initially assigned to AD and is on a TDY at other than indoctrination or basic training location pending receipt of an order designating a PDS to which the Service member is to report upon TDY completion,	when Government quarters are not available for assignment and per diem is not payable.
3	in the accession pipeline,	between the initial TDY and the initial PDS. An RC member is authorized BAH or OHA based on the primary residence location at the time called or ordered to AD while attending accession training. See paragraph 10.10 for transit rules.
4	ordered home or to a place other than a military organization awaiting another order in connection with Physical Evaluation Board proceedings,	on and after the departure day from the hospital or old PDS through the discharge day, or day before retirement effective date.
5	ordered to report for a TDY in connection with the fitting out or conversion of a ship, then to permanent duty aboard the same ship when placed in commission,	if the Service member is not assigned to Government quarters at the old PDS or aboard ship (the new PDS), but BAH or OHA does not accrue if the Service member is assigned to Government quarters at the old PDS or aboard ship (the new PDS).
6	on field duty and no PCS is involved,	if the Service member is receiving BAH or OHA at the PDS, but BAH or OHA does not accrue if assigned or occupying Government quarters at the PDS.

Table 26-19. BAH or OHA Accrual for Service Member Without-Dependent Entitled to Basic Pay (Continued)

R U L E	If a Service member is	Then BAH or OHA accrues
7	assigned to PCS to a unit on field duty,	if the commander certifies that the Service member was required to procure Government quarters at personal expense at the initial field duty site, but BAH or OHA does not accrue for the initial field duty in progress at the time of the PCS, unless the Service member is required to procure quarters at personal expense at the field duty site.
8	being treated at hospital TDY en route during a PCS,	if the Service member is not assigned Government quarters, but BAH or OHA does not accrue if the Service member is assigned Government quarters in the hospital.
9	assigned to PCS directly to a hospital for treatment,	if the Service member is not assigned Government quarters, but BAH or OHA does not accrue if the Service member is assigned Government quarters in the hospital.
10	in travel status during a PCS, including a non-travel status under a permissive travel authorization, a TDY en route, leave en route, and proceed time,	if the Service member is not assigned Government quarters while at the old or new PDS, but BAH or OHA does not accrue if the Service member is assigned Government quarters while at the old or new PDS.
11	assigned PCS and is on authorized leave or duty at the old or new PDS,	if the Service member is not assigned Government quarters while at the old or new PDS, but BAH or OHA does not accrue if the Service member is assigned Government quarters while at the old or new PDS.
12	assigned PCS and is on authorized leave or duty at the old or new PDS,	if the Service member is not assigned Government quarters while at the old or new PDS, but BAH or OHA does not accrue for the Government quarters occupancy period not due to a PCS.
13	training for, attending, or participating in Pan Am or Olympic games, or any other international amateur sports competition,	if not furnished quarters by the Government or by an agency sponsoring the Service member's participation, but BAH or OHA does not accrue if furnished quarters by the Government or by an agency sponsoring participation.
14	a medical officer on AD in an intern or resident physician status at a state, county, municipal, or private hospital,	if not furnished Government quarters without charge, but BAH or OHA does not accrue if furnished quarters without charge by the hospital. Such Government quarters are considered furnished on behalf of the United States.

Table 26-19. BAH or OHA Accrual for Service Member Without-Dependent Entitled to Basic Pay (Continued)

R U L E	If a Service member is	then BAH or OHA accrues
15	a Nurse Corps officer or Nurse Corps candidate attending a course of instruction or affiliation with a state, county, municipal, or private hospital,	if not furnished Government quarters without charge, but BAH or OHA does not accrue if furnished quarters without charge by the hospital. Such Government quarters are considered furnished on behalf of the United States
16	a student training on a fellowship, scholarship, or grant,	if not furnished Government quarters by the college, university, or research facility, but BAH or OHA does not accrue if furnished Government quarters by the college, university, or research facility. Such quarters are considered furnished on behalf of the United States.
17	in a hospital or on sick leave from a hospital and a PCS is not involved,	continues if the Service member is receiving BAH or OHA at the PDS.

*Table 26-20. BAH or OHA for a Service Member Entitled to Basic Pay With-Dependent

R U L E	If a Service member is	then BAH or OHA
1	in a duty status or on authorized leave status not due to a PCS (includes accrued, advanced, or convalescent leave),	a. authorization continues when they are authorized BAH or OHA at the PDS. b. is not authorized when they are not authorized BAH or OHA at the PDS.
2	not authorized BAH or OHA at the PDS,	is not authorized.
3	in a duty, travel, or leave status due to a PCS, including a TDY en route, and such status is under a permissive travel authorization, *	is authorized unless permanent Government quarters are assigned or occupied.
4	on a TDY not due to a PCS, including when the status is under a permissive travel authorization, *	authorization continues as long as the PDS remains unchanged when they are authorized BAH or OHA at the PDS, except as restricted by paragraph 8.2.
5	absent due to disease (as distinguished from injury) from alcohol or drugs, causing loss of pay	a. authorization continues when they are authorized BAH or OHA at the PDS. b. is not authorized when they are not authorized BAH or OHA at the PDS. However, if quarters assignment at the PDS ends during an absence, BAH or OHA accrues on and after the end date.
6	home on a PCS awaiting further orders in connection with physical evaluation board proceedings,	authorization continues until the Service member's retirement or discharge.

*Includes status under a permissive travel authorization.

*Table 26-21. Changes in [Housing Allowance](#) When a Service Member Assigned in the CONUS Acquires a Dependent

R U L E	If a dependent is located	And Government quarters are	then
1	in the CONUS, Alaska, or Hawaii (BAH area) and at or near the PDS	available for the Service member,	start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
2	in the CONUS, Alaska, or Hawaii (BAH area) and at or near the PDS	not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
3	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	available for the Service member,	start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
4	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
5	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	available for the Service member,	start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
6	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.

*Table 26-22. Changes in [Housing Allowance](#) When a Service Member Assigned OCONUS Acquires a Dependent

R U L E	If a dependent is located	And Government quarters are	then
1	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	a. available for the Service member,	start BAH at the with-dependent rate based on the dependent's location as of the date the dependent is acquired.
2	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	b. not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the dependent's location on the date the dependent is acquired. (3) start FSH-B or FSH-O based on the PDS on the date the dependent is acquired.
3	outside the CONUS, Alaska, or Hawaii (OHA area) and at or near the PDS	a. available for the Service member,	start OHA at the with-dependent rate based on the PDS the date the dependent is acquired.
4	outside the CONUS, Alaska, or Hawaii (OHA area) and at or near the PDS	b. not available for the Service member,	(1) start OHA at the with-dependent rate based on the PDS the date the dependent is acquired. (2) stop the without dependent allowance on the day before the dependent is acquired.
5	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	a. available for the Service member,	start OHA at the with-dependent rate based on the dependent's location on the date the dependent is acquired.
6	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	b. not available for the Service member,	(1) start OHA at the with-dependent rate based on the dependent's location on the date the dependent is acquired. (2) stop the without-dependent allowance on the day before the dependent is acquired. (3) start FSH-B or FSH-O based on the PDS on the date the dependent is acquired.

*Table 26-23. FSH Eligibility

R U L E	If	then
1	Service member is assigned to a PDS OCONUS and the dependent resides in the PDS vicinity OCONUS,	an FSH is not authorized and the Service member is only authorized the with-dependent housing allowance based on the PDS OCONUS, if otherwise meeting criteria.
2	single-type Government quarters are not available for a Service member assigned to a PDS OCONUS and the dependent does not reside in the PDS vicinity,	FSH is authorized (see Note).
3	a Service member assigned to a PDS OCONUS is residing in private-sector quarters, and single-type Government quarters are available at the Service member's PDS OCONUS,	FSH is not authorized.
4	a Service member is assigned to a PDS in the CONUS,	FSH is not authorized unless the Service member is assigned to a PDS to which dependent travel is delayed or restricted (see JTR, Chapter 5).

Note: This table assumes that all other eligibility requirements for FSH are met when it states FSH is authorized.

*Table 26-24. Dependent Visits Service Member who is Serving an Unaccompanied or Dependent-Restricted Tour

R U L E	If Government quarters are not available and the dependent	then
1	makes a bona fide social visit to the PDS for 90 or fewer days,	there is no change to the with-dependent basic housing allowance and FSH, if applicable, continues.
2	stays at the PDS for 91 or more days,	<ul style="list-style-type: none"> a. stop the with-dependent allowance based on the dependent's location/RC member primary residence on the 90th day. b. stop FSH on the 90th day. c. start the with-dependent allowance based on the PDS on the 91st day.
3	departs the PDS after 91 or more days to take up residence elsewhere,	<ul style="list-style-type: none"> a. stop the with-dependent allowance based on the PDS on the day before the dependent departs. b. reinstate the with-dependent allowance based on the dependent's location/RC member primary residence and FSH as of the departure day.

*Table 26-25. Dependent Retains Permanent Residence When Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States

R U L E	If the dependent retains the permanent residence in the United States and	then
1	remains at the Service member's old PDS,	continue to pay BAH based on the old PDS.
2	is at a U.S. location other than the old PDS, and the Service member is receiving BAH based on a Secretarial waiver,	continue the BAH previously being paid.
3	is at a U.S. location other than the old PDS that is not a location for which the Service member had a Secretarial waiver,	stop old PDS-based BAH the day before the Service member's departure. Pay BAH-Transit starting on the Service member's departure day until the day before the Service member's reporting day at the new PDS. Start BAH based on the dependent's location the day the Service member arrives at the new PDS.

R U L E	If the dependent retains the permanent residence outside the United States and	then
4	remains at the Service member's old PDS,	continue to pay OHA based on the old PDS.
5	is at a location OCONUS other than the old PDS and the Service member is receiving OHA based on a Secretarial waiver,	continue the OHA previously paid.
6	is at a location OCONUS other than the old PDS that is not a location for which the Service member had a Secretarial waiver,	stop OHA the day before the Service member's departure. Pay BAH-Transit starting on the Service member's departure day until the day before the Service member's reporting day at the new PDS. Start OHA based on the dependent's location the day the Service member arrives at the new PDS.

Note: For RC members, the with-dependent housing allowance is generally paid based upon the member's primary residence, regardless of the location of the dependents, so long as the dependents are not residing in the PDS vicinity.

*Table 26-26. Dependent Relocates When Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States

RULE	If the dependent	and	then
1	relocates the permanent residence from the United States to another location in the United States at Government expense	travels with the Service member,	start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location and stop BAH-Transit the day before the dependent arrives.
2	relocates the permanent residence from the United States to another location in the United States at Government expense	travels after the Service member,	<ul style="list-style-type: none"> a. stop BAH based on the old PDS the day before the Service member departs. b. start BAH-Transit the day the Service member departs and pay it through the day before the Service member's reporting day at the new PDS. c. start BAH based on the old PDS, the day the Service member reports to the new PDS and continue it until the day before the dependent arrives at the new residence location. d. start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location.
3	relocates the permanent residence at Government expense from outside the United States to the United States	travels in advance of the Service member,	start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location. OHA based on the old PDS or BAH-Transit continues through the day before the dependent arrives.
4	relocates the permanent residence at Government expense from outside the United States to the United States	travels with the Service member,	<ul style="list-style-type: none"> a. stop OHA the day before the Service member departs. b. start BAH-Transit on the day the Service member departs and continue it through the day before the dependent arrives at the new location. c. start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location.
5	relocates the permanent residence at Government expense from outside the United States to the United States	travels after the Service member,	<ul style="list-style-type: none"> a. stop OHA based on the old PDS, the day before the Service member departs. b. start BAH-Transit the day the Service member departs and continue it through the day before the Service member's reporting date at the new PDS. c. start OHA based on the old PDS, the day the Service member reports to the new PDS and continue it until the day before the dependent departs. d. start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location.

Table 26-26. Dependent Relocates when Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States (Continued)

RULE	If the dependent	and	then
6	relocates the permanent residence at Government expense from a location outside the United States to another location outside the United States	travels in advance of the Service member,	start OHA based on the dependent's location, the day the dependent incurs permanent lodging costs at the new residence. OHA based on the old PDS or BAH-Transit continues through the day before OHA based on the dependent's location begins.
7	relocates the permanent residence at Government expense from a location outside the United States to another location outside the United States	travels with the Service member,	<ol style="list-style-type: none"> a. stop OHA based on the old PDS the day before the Service member departs. b. start BAH-Transit the day the Service member departs the old PDS. c. start OHA based on the dependent's location, the day the dependent incurs permanent lodging costs at the new residence location. d. stop BAH-Transit the day before OHA based on the dependent's location begins.
8	relocates the permanent residence at Government expense from a location outside the United States to another location outside the United States	travels after the Service member,	<ol style="list-style-type: none"> a. stop OHA based on the old PDS, the day before the Service member departs. b. start BAH-Transit the day the Service member departs and continue it through the day before the Service member's reporting day at the new PDS. c. start OHA based on the old PDS, the day the Service member reports to the new PDS and continue it until the day before the dependent departs. d. start OHA based on the dependent's location, the day the dependent starts incurring permanent lodging costs at the new residence location.

Table 26-26. Dependent Relocates when Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or “Unusually Arduous Sea Duty” Outside the United States (Continued)

RULE	If the dependent	and	then
9	relocates the permanent residence at Government expense from the United States to a location outside the United States	travels in advance of the Service member,	start OHA based on the dependent’s location, the day the dependent incurs permanent lodging costs at the new residence location. BAH based on the old PDS, or BAH-Transit continues through the day before OHA based on the dependent’s location begins.
10	relocates the permanent residence at Government expense from the United States to a location outside the United States	travels with the Service member,	<ul style="list-style-type: none"> a. stop BAH based on the old PDS, the day before the Service member departs. b. start BAH-Transit the day the Service member departs the old PDS. c. start OHA based on the dependent’s location, the day the dependent incurs permanent lodging costs at the new residence location. d. stop BAH-Transit the day before OHA based on the dependent’s location begins.
11	relocates the permanent residence at Government expense from the United States to a location outside the United States	travels after the Service member,	<ul style="list-style-type: none"> a. stop BAH based on the old PDS, the day before the Service member departs. b. start BAH-Transit on the day the Service member departs and continue it through the day before the Service member’s reporting day at the new PDS. c. start BAH based on the old PDS, the day the Service member reports to the new PDS. d. start OHA based on the dependent’s location, the day the dependent starts incurring permanent lodging costs at the new residence location. e. stop BAH based on the old PDS, the day before OHA based on the dependent’s location begins.

Table 26-26. Dependent Relocates when Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States (Continued)

R U L E	If the dependent	and	then
12	relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour,	moves to an OHA area,	pay the rate for where the dependent retains the permanent residence (in or outside the United States) through the day before a dependent arrives at the new permanent residence location. OHA authority at the rate applicable to the new permanent residence location begins the day a dependent arrives at that location.
13	relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour,	relocates between BAH location,	continue BAH based on the rate for the previously authorized location—either the old PDS or the dependent’s location—before the move.
14	relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour,	relocates from a designated place outside the United States (OHA area) to a U.S. location,	discontinue OHA based on the previously authorized location the day before the dependent departs. Start BAH based on the new permanent residence location, the day a dependent arrives at that location.

Note: For RC members, the with-dependent housing allowance is generally paid based on the member’s primary residence, regardless of the location of the dependents, so long as the dependents are not residing in the PDS vicinity.

*Table 26-27. Changes When Government Defers Dependent Travel to Duty Station OCONUS

R U L E	If	and	then
1	the expected travel delay is at least 61 days but less than 20 weeks, the dependent did not relocate at Government expense,	arrives within 60 days of being given authorization to travel to the PDS OCONUS,	<ul style="list-style-type: none"> a. continue the with-dependent allowance based on the old PDS upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH the day before the dependent arrives. d. stop the with-dependent allowance based on the old PDS the day before the dependent arrives. e. start OHA or BAH in Alaska or Hawaii at the with-dependent rate on the dependent's arrival date.
2	the expected travel delay is at least 61 days but less than 20 weeks, the dependent did not relocate at Government expense,	does not arrive within 60 days of being given authorization to travel to the PDS OCONUS,	<ul style="list-style-type: none"> a. continue the with-dependent allowance, based on the old PDS upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance to the rate based on the new PDS on the 61st day.
3	the expected travel delay is 20 or more weeks, the dependent did not relocate at Government expense,	arrives within 60 days of being given authorization to travel to the PDS OCONUS	<ul style="list-style-type: none"> a. continue the with-dependent allowance based on the old PDS upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH and the with-dependent allowance the day before the dependent arrives. d. start OHA, or BAH in Alaska or Hawaii, at the with-dependent rate the day the dependent arrives at the Service member's PDS.
4	the expected travel delay is at least 61 days but less than 20 weeks, the dependent did not relocate at Government expense,	does not arrive within 60 days of being given authorization to travel to the PDS OCONUS,	<ul style="list-style-type: none"> a. continue the with-dependent allowance based on the old PDS, upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-O or FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance to the rate based on the new PDS on the 61st day.

Table 26-27. Changes When Government Defers Dependent Travel to Duty Station OCONUS (Continued)

R U L E	If	and	then
5	the dependent is relocated at Government expense	arrives within 60 days of being given authorization to travel to the PDS OCONUS,	<ul style="list-style-type: none"> a. rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-O or FSH-B the day private-sector housing is acquired at the PDS. c. stop FSH the day before the dependent arrives. d. stop the with-dependent allowance, based on the dependent's location, the day before the dependent arrives at the Service member's PDS. e. start OHA, or BAH in Alaska or Hawaii, at the with-dependent rate the day the dependent arrives at the Service member's PDS.
6	the dependent is relocated at Government expense	does not arrive within 60 days of being given authorization to travel to the PDS OCONUS,	<ul style="list-style-type: none"> a. change the rate of the with-dependent allowance from the rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-O or FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from the rate of the old PDS to the rate of the new PDS on the 61st day.

*Table 26-28. Government Defers Dependent's Travel to PDS in the CONUS for 139 or Fewer Days and Old PDS is in the United States

R U L E	If the dependent is not relocated at Government expense and	then
1	arrives within 60 days of travel authorization,	<ul style="list-style-type: none"> a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH the day before the dependent arrives. d. stop the with-dependent allowance based on the old PDS the day before the dependent arrives. e. start BAH at the with-dependent rate the day the dependent arrives at the Service member's PDS.
2	does not arrive within 60 days of travel authorization,	<ul style="list-style-type: none"> a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from being based on the old PDS to being based on the new PDS on the 61st day.

*Table 26-29. Government Defers Dependent's Travel to PDS in the CONUS When the Old PDS is Outside the United States *or* the Old PDS is in the United States and the Expected Travel Delay is 140 or More Days (20 Weeks)

R U L E	If the dependent is not relocated at Government expense, and	then
1	arrives within 60 days of travel authorization	<ul style="list-style-type: none"> a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B on the day private-sector housing is acquired at the new PDS. c. stop FSH on the day before dependent arrival. d. stop the with-dependent allowance based on the old PDS on the day before the dependent arrives. e. start BAH at the with-dependent rate as of the day the dependent arrives at the Service member's PDS.
2	does not arrive within 60 days of travel authorization	<ul style="list-style-type: none"> a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B on the date private-sector housing is acquired at the PDS. c. stop FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from being based on the old PDS to being based on the new PDS on the 61st day.

Table 26-29. Government Defers Dependent’s Travel to PDS in the CONUS When the Old PDS is Outside the United States *or* the Old PDS is in the United States and the Expected Travel Delay is 140 or More Days (20 Weeks) (Continued)

R U L E	If the dependent is relocated at Government expense, and	then
3	arrives within 60 days of travel authorization	<ul style="list-style-type: none"> a. change the rate of the with-dependent allowance from the rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. stop the with-dependent allowance based on the dependent’s location, the day before the dependent arrives at the Service member’s PDS. e. start BAH at the with-dependent rate for the Service member’s PDS the day the dependent arrives at the Service member’s PDS.
4	does not arrive within 60 days of travel authorization	<ul style="list-style-type: none"> a. change the rate of the with-dependent allowance from the rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from being based on the dependent’s location to being based on the new PDS on the 61st day.

*Table 26-30. Advance Dependent Travel When Service Member's Old PDS and New PDS Are in the United States (BAH Area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start BAH at the with-dependent rate based on the dependent's location on whichever is later: <ol style="list-style-type: none"> a. The arrival date. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	<ol style="list-style-type: none"> a. start BAH at the with-dependent rate based on the dependent's location on whichever is later: <ol style="list-style-type: none"> (1) The arrival date. (2) The effective date specified by the authorizing or approving document. b. stop BAH based on the current PDS as of the day before BAH starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue BAH based on the current PDS until the Service member's departure.

*Table 26-31. Advance Dependent Travel When Service Member's Old PDS is in the United States (BAH Area), New PDS is Outside the United States (OHA Area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start OHA at the with-dependent rate based on the dependent's location on whichever is later: <ol style="list-style-type: none"> a. The date private-sector housing is obtained at the new PDS. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	<ol style="list-style-type: none"> a. start OHA at the with-dependent rate based on the dependent's location on whichever is later: <ol style="list-style-type: none"> (1) The date private-sector housing is obtained at the new PDS. (2) The effective date specified by the authorizing or approving document. b. stop BAH based on the current PDS, the day before OHA starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue BAH based on the current PDS until the Service member's departure.

*Table 26-32. Advance Dependent Travel When Service Member's Old PDS is Outside the United States (OHA Area), New PDS is in the United States (BAH Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start BAH at the with-dependent rate based on the dependent's location on whichever is later: <ol style="list-style-type: none"> a. The arrival date. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	<ol style="list-style-type: none"> a. start BAH at the with-dependent rate based on the dependent's location on whichever is later: <ol style="list-style-type: none"> (1) The arrival date. (2) The effective date specified by the authorizing or approving document. b. stop OHA based on the current PDS, the day before BAH starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue OHA based on the current PDS, until the Service member's departure.

*Table 26-33. Advance Dependent Travel When Service Member's Old and New PDS are Outside the United States (OHA Area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start OHA at the with-dependent rate based on the dependent's location on whichever is later: a. The date private-sector housing is obtained at the new PDS. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start OHA at the with-dependent rate based on the dependent's location on whichever is later: (1) The date private-sector housing is obtained at the new PDS. (2) The effective date specified by the authorizing or approving document. b. stop OHA based on the current PDS, the day before OHA starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue OHA based on the current PDS until the Service member's departure.

*Table 26-34. Delayed Dependent Travel When Service Member's Old PDS and New PDS Are in the United States (BAH area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH based on the higher of either the old PDS or the dependent's location on whichever is later: (1) The day Government quarters assignment terminates. (2) The effective date specified by the authorizing or approving document. b. base the allowance on the new PDS the day the dependent departs if the Service member has arrived at the new PDS or change it to BAH-Transit if the Service member is still in transit.

Table 26-34. Delayed Dependent Travel When Service Member's Old PDS and New PDS Are in the United States (BAH area) (Continued)

R U L E	If the Service member	and a housing allowance	then
2	is assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	start BAH based on the new PDS, the day Government quarters assignment terminates if the Service member has arrived at the new PDS or start BAH-Transit if the Service member is still in transit.
3	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	<p>a. continue BAH based on the higher of either the old PDS or on the dependent's location on whichever is later:</p> <p>(1) The day the Service member departs from the old PDS.</p> <p>(2) The effective date specified by the authorizing or approving document.</p> <p>b. base the allowance on the current PDS the day the dependent departs if the Service member has arrived at the new PDS or change it to BAH-Transit if the Service member is still in transit.</p>
4	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	stop BAH as of the day before the Service member's departure.

*Table 26-35. Delayed Dependent Travel When Service Member's Old PDS in the United States (BAH Area), New PDS Outside the United States (OHA Area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	<p>a. start BAH based on the highest of either the old PDS or the dependent's location on whichever is later:</p> <p>(1) The day Government quarters assignment terminates.</p> <p>(2) The effective date specified by the authorizing or approving document.</p> <p>b. base the allowance on the new PDS the day the dependent departs if the Service member has arrived to the new PDS or change it to BAH-Transit if the Service member is still in transit.</p>

Table 26-35. Delayed Dependent Travel When Service Member's Old PDS in the United States (BAH Area), New PDS Outside the United States (OHA Area) (Continued)

R U L E	If the Service member	and a housing allowance	then
2	is assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	a. start OHA based on the new PDS, the day Government quarters assignment terminates if the Service member has arrived at the new PDS. b. start BAH-Transit if the Service member is still in transit.
3	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH based on the highest of either the old PDS or the dependent's location on whichever is later: (1) The day the Service member departs from the old PDS. (2) The effective date specified by the authorizing or approving document. b. base the allowance on the new PDS the day the dependent departs if the Service member has arrived at the new PDS or change it to BAH-Transit if the Service member is still in transit.
4	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	stop BAH the day before the Service member's departure.

*Table 26-36. Delayed Dependent Travel When Service Member's Old PDS Outside the United States (OHA Area), New PDS in the United States (BAH Area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to the new PDS after Government quarters terminates,	start BAH based on the new PDS, if the Service member has arrived at the new PDS, or start BAH-Transit if the Service member is in transit.

Table 26-36. Delayed Dependent Travel When Service Member's Old PDS Outside the United States (OHA Area), New PDS in the United States (BAH Area) (Continued)

R U L E	If the Service member	and a housing allowance	then
2	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to private-sector housing at the old PDS after Government quarters terminates,	<p>a. start OHA based on the old PDS on whichever is later:</p> <ol style="list-style-type: none"> (1) The day Government quarters terminates. (2) The date private-sector housing is obtained. (3) The effective date specified by the authorizing or approving document. <p>b. change to BAH based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is still in transit.</p>
3	is assigned Government quarters	has not been approved by the Secretarial Process for the dependent's location	start BAH based on the new PDS when Government quarters terminates, if the Service member has arrived at the new PDS or start BAH-Transit if the Service member is still in transit.
4	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	<p>a. continue OHA based on the old PDS on whichever is later:</p> <ol style="list-style-type: none"> (1) The day the Service member departs from the old PDS. (2) The effective date specified by the authorizing or approving document. <p>b. change to BAH based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is still in transit.</p>
5	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	stop OHA the day before the Service member's departure.

*Table 26-37. Delayed Dependent Travel When Service Member's Old and New PDS are Outside the United States (OHA Area)

R U L E	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to the new PDS after Government quarters terminates,	start OHA based on the new PDS if the Service member has arrived, or BAH-Transit if in transit.
2	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to private-sector housing after Government quarters terminates,	<p>a. start OHA based on the old PDS on whichever is later:</p> <p>(1) The date Government quarters terminates.</p> <p>(2) The date private-sector housing is obtained.</p> <p>(3) The effective date specified by the authorizing or approving document.</p> <p>b. change to OHA based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is in transit.</p>
3	is assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location	start OHA based on new PDS if the Service member has arrived, or BAH-Transit if in transit, when the Government quarters assignment terminates.
4	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location	<p>a. continue OHA based on old PDS on whichever is later:</p> <p>(1) The Service member's departure date from the old PDS.</p> <p>(2) The effective date specified by the authorizing or approving document.</p> <p>b. change to OHA based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is in transit.</p>
5	is not assigned Government quarters at the old PDS	has not been approved by the Secretarial Process for the dependent's location	stop OHA on the day before the Service member's departure.

*Table 26-38. Housing Allowance for Service Member in Transit on a PCS

R U L E	If the Service member is en route	and	then
1	from a PDS in the United States,	Government quarters at the old PDS were not assigned	<ul style="list-style-type: none"> a. continue BAH based on the old PDS through the day before the Service member reports to the new PDS, to include TDY en route. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.
2	from a PDS outside the United States,	Government quarters at the old PDS were not assigned	<ul style="list-style-type: none"> a. start BAH-Transit the day the Service member departs the OHA area through the day before the Service member reports to the new PDS, to include TDY en route. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.
3	from a PDS in the United States,	was not paid BAH at the old PDS because Government quarters were assigned,	<ul style="list-style-type: none"> a. start BAH based on the old PDS the day the Service member terminates Government quarters. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.
4	from a PDS outside the United States,	was not paid OHA at the old PDS because Government quarters were assigned,	<ul style="list-style-type: none"> a. start BAH-Transit the day the Service member departs the old PDS through the day before the Service member reports to the new PDS. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.

*Table 26-39. Housing Allowance for Service Member in Transit for New Accession

R U L E	If the Service member is	and the Service member	then
1	newly inducted, enlisted, reenlisted, or an officer candidate	has a dependent located in the United States,	a. start BAH based on the dependent’s location beginning the date of enlistment, entry on AD, or the date AD pay begins through the day before the day the Service member reports to the first PDS, including a training location for 20 or more weeks. b. start BAH or OHA based on the PDS on the day the Service member reports to the first PDS.
2	newly inducted, enlisted, reenlisted, or an officer candidate	has a dependent located outside the United States,	a. start BAH based on the training location beginning the date of enlistment, entry on AD, or the date AD pay begins through the day before the day the Service member reports to the first PDS, including a training location for 20 or more weeks. b. start BAH or OHA based on the PDS on the day the Service member reports to the first PDS.
3	in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, and to the first PDS	has no dependents,	a. start BAH-Transit when the Service member is in a travel status between duty or training stations and start the new BAH or OHA based on the PDS the day the Service member reports to the new PDS, including a training location for 20 or more weeks. b. for an RC member, pay BAH or OHA based on the primary residence location at the time called or ordered to AD for the accession training duration, if the Service member maintains a residence and continues to be responsible for rent or owns the residence.
4	in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, and to the first PDS	has a dependent in the United States,	a. continue BAH based on the dependent’s location in the United States through the day before the Service member reports to the new PDS. b. start BAH or OHA based on the first PDS the day the Service member reports to the first PDS.

Table 26-39. Housing Allowance for Service Member in Transit for New Accession (Continued)

R U L E	If the Service member is	and the Service member	then
5	in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, and to the first PDS 1	has a dependent outside the United States,	<ul style="list-style-type: none"> a. continue BAH based on the training site through the day before the Service member reports to the new PDS. b. start BAH or OHA based on the first PDS the day the Service member reports to the first PDS.
6	an Academy or ROTC graduate remaining at the graduation or commission location awaiting follow-on training and not assigned Government quarters	has no dependents,	<ul style="list-style-type: none"> a. pay BAH based on the graduation or commission location through the day before departure en route to the training location. b. apply BAH-Transit thereafter. See rule above for a Service member in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, to the first PDS, and has no dependents.
7	a new accession Service member at a training site	who pays child support but does not have physical custody of the child and has no other dependents	Pay BAH-Diff if the child support meets or exceeds the BAH-Diff rate.

*Table 26-40. Housing Allowance for Service Member in Transit for Final Discharge, Separation, or Retirement

R U L E	If the Service member is	from	then
1	in a leave status away from the PDS awaiting final discharge	a PDS in the United States,	continue BAH based on the old PDS through the date of discharge.
2	processing for separation or retirement	a PDS in the United States,	continue BAH based on the old PDS through the date of separation or the day before the effective date of retirement.
3	processing for separation or retirement	a PDS outside the United States with a processing location in the United States,	<p>a. start BAH based on the retirement or separation processing location beginning the day the Service member departs the PDS, pay through the date of separation or the day before the effective date of retirement, then stop the allowance; or</p> <p>b. continue housing allowance based on a dependent's location, if applicable, through the date of separation or the day before effective date of retirement, then stop the allowance.</p>
4	processing for separation or retirement	a PDS outside the United States and returns to the United States after processing OCONUS,	<p>a. start BAH based on the leave address provided as part of the final out-processing, beginning the day the Service member departs the PDS, pay through the date of separation or the day before the effective date of retirement, then stop the allowance; or</p> <p>b. continue housing allowance based on a dependent's location, if applicable, through the date of separation or the day before the effective date of retirement, then stop the allowance.</p>
5	processing for separation or retirement	a PDS outside the United States and remains at the PDS,	continue OHA based on the PDS through the date of separation or the day before the effective date of retirement, provided the Service member continues to occupy private-sector leased or owned housing, then stop the allowance.

Table 26-40. Housing Allowance for Service Member in Transit for Final Discharge, Separation or Retirement (Continued)

R U L E	If the Service member is	from	then
6	processing for separation or retirement	a PDS outside the United States and the Service member remains OCONUS but moves to a different country,	a. stop OHA based on the PDS when the Service member stops paying rent or when the Service member departs the PDS area, and either: b. start OHA based on the location OCONUS the Service member moves to establish a residence on the day the Service member obtains private-sector housing, pay through the date of separation or the day before the effective date of retirement, then stop the allowance; or c. continue housing allowance based on a dependent's location, if applicable, through the date of separation or the day before the effective date of retirement, then stop the allowance.

*Table 26-41. Examples of BAH-RC or BAH/OHA Changes for an RC Member

R U L E	If	and	then
1	a member is an AGR or is on orders for a contingency operations,	blank	BAH or OHA would begin on day 1 through the end of the orders.
2	a member is on orders for 15 days,	the orders are not extended or amended,	BAH-RC would begin on day 1 through the end of the orders.
3	a member is on orders for 15 days,	on day 9 the orders are extended or amended to add an additional 16 days,	BAH-RC would end on day 8 and BAH or OHA would begin on day 9 then continue through day 31.
4	a member is on orders for 15 days,	on day 11 a new set of 16-day orders are received commencing immediately following the first with no break,	BAH-RC would end on day 10 and BAH or OHA would begin on day 11 then continue through day 31.
5	a member is on orders for 15 days,	on day 7 a new set of 16-day orders are received to commence 2 days after the first orders end (2-day break),	BAH-RC continues through day 15 of initial orders; BAH-RC commences on day 1 of the new orders through day 16.

REFERENCES*CHAPTER 26 – Housing Allowances**

1.0 – GENERAL

37 U.S.C. § 403

2.0 – INTRODUCTION

2.1

DSSR § 130

3.0 – DETERMINING DEPENDENCY

3.3.1.

26 C.F.R. § 1.152-1(a)(2)

3.4.2.1.1.

42 U.S.C., Chapter 7

3.4.2.1.2.

26 C.F.R. § 1.152-1(a)(2)

3.6

IRS Publication 501 (2023)

59 Comptroller General Decision (Comp. Gen.) 681
(1980)**4.0 – IMPACT OF CERTAIN CHILD CUSTODY AND FAMILY ARRANGEMENTS ON HOUSING ALLOWANCE**

4.3.2.

37 U.S.C. § 421

4.5.2.2.

70 Comp. Gen. 703

4.5.2.3.

58 Comp. Gen. 100

Comp. Gen. B-217665

Comp. Gen. B-180328

Comp. Gen. B-270432

4.5.2.3.1.

54 Comp. Gen. 665

4.5.3.1.5.

64 Comp. Gen. 121

5.0 – BASIC ALLOWANCE FOR HOUSING (BAH)

5.5.2.

37 U.S.C. § 1009(c)(2)

5.3

National Defense Authorization Act for Fiscal Year
2020, Public Law 116-92, Section 605,
December 20, 2019

5.4

37 U.S.C. § 403(b)(7)

5.5

37 U.S.C. § 403(b)(8)

37 U.S.C. § 403(a)

10 U.S.C. § 2881

37 U.S.C. § 403(n)

37 U.S.C. § 403(o)

6.0 – OVERSEAS HOUSING ALLOWANCE

- 6.1 Office of the Assistant Secretary of Defense (OASD)
Manpower and Reserve Affairs (M&RA) Memo,
March 17, 2021
- 6.4.3.4.3. [JTR, Chapter 5, Section 0519](#)
- 6.8 DSSR § 130
DoDI 1400.25, Volume 1250, February 23, 2012

7.0 – FAMILY SEPARATION HOUSING (FSH) ALLOWANCE

- [JTR, Chapter 5, Section 0504](#), paragraph 050405
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Change 3, Effective June 24, 2019
OASD (M&RA) Memo, August 12, 2020
OASD (M&RA) Memo, January 5, 2020

8.0 – GOVERNMENT QUARTERS

- 10 U.S.C. § 1077
10 U.S.C. § 2830

9.0 – [PRIVATIZED HOUSING](#)

- 10 U.S.C. §§ 2871-2885

10.0 – ASSIGNMENT SITUATIONS

- [10.2.4.2.2.](#) [37 U.S.C § 453\(c\)](#)
- 10.5 DoDI 1241.01, April 19, 2016
OASD (M&RA) Memo, October 29, 2020
37 U.S.C. § 204(g) and (h)
37 U.S.C. § 403(g)(6)(C)(iii)
- 10.7 OASD (M&RA) Memo, August 12, 2020
- 10.8 OASD (M&RA) Memo, May 5, 2020
- [10.13](#) [37 U.S. § 403](#)

[Table 26-17](#)

OASD (M&RA) Memo, May 5, 2020

[Table 26-19](#)

OASD (M&RA) Memo, May 5, 2020