

up to 120 consecutive days, while fixed amount TQSE reimbursement is limited to 30 days. Actual TQSE reimbursement may be less expensive, since its ceiling is based on the standard CONUS rate, while fixed amount TQSE reimbursement is based on the locality per diem rate. However, fixed amount TQSE reimbursement may be less expensive because the maximum daily rate under actual TQSE reimbursement is a higher percentage of the applicable per diem rate than fixed amount TQSE reimbursement.

(c) *Treatment of employee.* The employee is allowed to choose between actual TQSE reimbursement and fixed amount TQSE reimbursement when you offer the fixed amount TQSE reimbursement method. You therefore should weigh employee morale and productivity considerations against actual cost considerations in determining which method to offer.

§302-5.305 What factors should we consider in determining whether quarters are temporary?

In determining whether quarters are “temporary”, you should consider factors such as the duration of the lease, movement of household effects into the quarters, the type of quarters, the employee’s expressions of intent, attempts to secure a permanent dwelling, and the length of time the employee occupies the quarters.

PART 302-6—ALLOWANCE FOR EXPENSES INCURRED IN CONNECTION WITH RESIDENCE TRANSACTIONS

Sec.

302-6.1 Conditions and requirements under which allowances are payable.

302-6.2 Reimbursable and nonreimbursable expenses.

302-6.3 Procedural and control requirements.

302-6.4 Exclusions.

302-6.5 Advance of funds.

AUTHORITY: 5 U.S.C. 5738; and E.O. 11609, 36 FR 13747, 3 CFR, 1971-1975, Comp., p. 586.

SOURCE: 54 FR 20321, May 10, 1989, unless otherwise noted.

§302-6.1 Conditions and requirements under which allowances are payable.

To the extent allowable under this part, the Government shall reimburse an employee for expenses required to be paid by him/her in connection with the sale of one residence at his/her old official station, for purchase (including construction) of one dwelling at his/her new official station, or for the settlement of an unexpired lease involving his/her residence or a lot on which a mobile home used as his/her residence was located at the old official station provided the conditions set forth in this section are met:

(a) *Transfers covered—agreement required.* A permanent change of station is authorized or approved and, except as provided in paragraph (g) of this section, the old and new official stations are located within the United States, and the employee has signed an agreement as required in §302-1.5. (See exclusions in §302-6.4.)

(b) *Location and type of residence.* The residence or dwelling is the residence as described in §302-1.4(k), which may be a mobile home and/or the lot on which such mobile home is located or will be located. These criteria also apply to the former nonforeign area official station residence of employees who are eligible for residence transaction expenses under paragraph (g) of this section (see definition in paragraph (g)(1)(i) of this section).

(c) *Title requirements.* The title to the residence or dwelling at the old or new official station, or the interest in a co-operatively owned dwelling or in an unexpired lease, is in the name of the employee alone, or in the joint names of the employee and one or more members of his/her immediate family, or solely in the name of one or more members of his/her immediate family. The rules in paragraphs (c) (1) through (3) of this section apply in determining title to the residence.

(1) *Title interest must have been acquired prior to notification of transfer.* For an employee to be eligible for reimbursement of the costs of selling a dwelling or terminating a lease at the old official station, the employee’s property interest must have been acquired prior to the date the employee