

Kirkpatrick

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United States General Accounting Office
Washington, DC 20548

Office of
General Counsel

In Reply
Refer to: B-194880 (THK)

DEC 5 1980

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Ms. Sandra L. Schmick
Authorized Certifying Officer
Mine Safety and Health Administration
U. S. Department of Labor
P. O. Box 25367
Denver, Colorado 80225

Dear Ms. Schmick:

By letter received August 8, 1980, you forwarded the request of Richard W. Coon for a review of the portion of our decision B-194880, January 8, 1980, denying his claim for temporary quarters reimbursement.

The period of the claim is between July 22 and August 14, 1978, when Mr. Coon and his family lived in a rented home after occupying commercial lodging for approximately 1 week upon Mr. Coon's relocation to Denver, Colorado. They evidently continued to live in the rented house until approximately June 24, 1980, when they closed the sale of a home which they purchased in Denver.

At the time Mr. Coon occupied the rented house he says he had every intention of purchasing a new home. But the high cost of housing in Denver and high interest rates then in effect had made it impossible to locate a home which he could afford.

Both the Comptroller General and Mr. Coon's employing agency considered that when he moved into the rented home his intent to purchase a residence was contingent upon the uncertain prospect of finding a residence he could afford. He could not expect to purchase a home in the immediate future or within any fixed period after he moved into the rented home because of the high interest

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rates and selling prices in the Denver housing market. It necessarily follows that the rented home could not be considered temporary.

Since Mr. Coon has not furnished additional information to support his claim, reconsideration of our decision would be inappropriate, and we must consider the matter closed.

Sincerely yours,

Robert L. Higgins

Robert L. Higgins
Assistant General Counsel