

ALARACT 122/2009 - (LOCAL MOVE AUTHORIZATION DUE TO RENTAL
PROPERTY FORECLOSURES)

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FROM D/N: C:US,O:U.S. Government,OU:DoD,OU:Army,OU:Organizations,
L:CONUS,L:WASHINGTON DC,OU:DA PENTAGON
TELECOMMUNICATIONS(uc),OU:ALARACT RELEASE AUTHORITY(UC)
SUBJECT: ALARACT 122/2009 - (LOCAL MOVE AUTHORIZATION DUE TO RENTAL
PROPERTY FORECLOSURES)

TEXT:

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THIS MESSAGE HAS BEEN SENT BY THE PENTAGON TELECOMMUNICATIONS CENTER ON
BEHALF OF DA WASHINGTON DC//DAPE-PR//

SUBJECT: (LOCAL MOVE AUTHORIZATION DUE TO RENTAL PROPERTY FORECLOSURES)

1. REFERENCES:

A. JOINT FEDERAL TRAVEL REGULATIONS, VOL. 1 (JFTR), PARAGRAPHS U5355-
A8
AND U5355-D3.

B. THE HOUSING AND ECONOMY ACT OF 2008 (PL 110-289).

C. SERVICE MEMBERS CIVIL RELIEF ACT (SCRA) 50 USC APP 501-596.

2. PURPOSE. THIS ALL ARMY ACTIVITIES MESSAGE (ALARACT) PROVIDES ARMY
GUIDANCE ON FORECLOSURE MOVES. IT APPLIES TO SOLDIERS OF ALL
COMPONENTS
SERVING ON ACTIVE DUTY, TO INCLUDE SOLDIERS SERVING IN TITLE 10 AND
TITLE 32 ACTIVE GUARD AND RESERVE STATUS. THIS MESSAGE HAS BEEN
REVIEWED AND APPROVED FOR RELEASE BY THE PER DIEM TRAVEL TRANSPORTATION
AND ALLOWANCE COMMITTEE CLEARANCE NUMBER RR090123

3. AUTHORITY. IAW REFS 1A AND 1B, A LOCAL MOVE IS AUTHORIZED FOR
MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS WHO ARE FORCED TO
VACATE A RENTAL PROPERTY BY REASON OF A FORECLOSURE ACTION AGAINST THE
OWNER/LANDLORD. THIS PROVISION DOES NOT APPLY IF THE MEMBER AND/OR
DEPENDENT ARE THE HOMEOWNER. A LOCAL MOVE IS AUTHORIZED TO ANOTHER
DWELLING WITHIN COMMUTING DISTANCE OF THE MEMBER'S PERMANENT DUTY
STATION (PDS). IN CASES WHERE DEPENDENTS ARE FORCED TO VACATE, THE
LOCAL MOVE IS TO ANOTHER DWELLING WITHIN THE LOCAL AREA OF THE
DEPENDENTS' DESIGNATED LOCATION. THE PCS HHG WEIGHT ALLOWANCES IAW
JFTR, PAR. U5310-B APPLY. FUNDING WILL BE PROVIDED BY OPERATION
MAINTENANCE (OMA) AND UNIQUE PROJECT CODES. IN NO CIRCUMSTANCES WILL A
SOLDIER AUTHORIZED A LOCAL MOVE DUE TO FORECLOSURE OF RENTAL PROPERTY
BE

FORCED TO PAY FOR THIS MOVE OUT OF POCKET. THE FOLLOWING ARE NOT
AUTHORIZED UNDER THESE CIRCUMSTANCES: DISLOCATION ALLOWANCE (DLA),
STORAGE IN TRANSIT (SIT), AND NON-TEMPORARY STORAGE (NTS).

4. REQUEST FOR LOCAL MOVE. SOLDIERS MUST REQUEST, IN WRITING, THRU THE LOCAL HOUSING OFFICE TO THE LOCAL TRANSPORTATION OFFICE, A LOCAL MOVE DUE TO FORECLOSED RENTAL PROPERTY. REF C, AS WELL AS SOME STATE LAWS, PROVIDES CERTAIN RIGHTS THAT COULD BE BENEFICIAL TO MILITARY MEMBERS, PARTICULARLY REGARDING DELAY IN VACATING RENTAL PROPERTY DUE TO FORECLOSURE. MEMBERS ARE ENCOURAGED TO SEEK MILITARY LEGAL COUNSEL TO UNDERSTAND THEIR LEGAL RIGHTS PRIOR TO TAKING ACTION (FOR EXAMPLE, BEFORE PLACING A SECURITY DEPOSIT ON ANOTHER LOCAL RESIDENCE) IN CONNECTION WITH A FORECLOSURE NOTICE.

5. PROCESS FOR APPROVAL: PRIOR TO APPROVAL OF A SOLDIER'S MOVE FROM PRIVATE SECTOR HOUSING INCIDENT TO FORECLOSURE ACTION, A SOLDIER SHOULD EXHAUST REMEDIES AVAILABLE UNDER REF C AND APPLICABLE STATE LAW. THE SOLDIER MUST SUBMIT A MEMORANDUM REQUESTING A LOCAL MOVE DUE TO FORECLOSURE OF THE PROPERTY THE SOLDIER IS RENTING. THE MEMORANDUM WILL INCLUDE:

A. THE NAME OF THE SOLDIER AND/OR DEPENDENTS THAT ARE FORCED TO VACATE DUE TO FORECLOSURE.

B. SOLDIER'S LAST 4 OF SSN.

C. CURRENT ADDRESS OF THE FORECLOSURE PROPERTY.

D. COPY OF RENTAL AGREEMENT OF FORECLOSED RENTAL PROPERTY.

E. THE DATE TO VACATE THE RENTAL PROPERTY.

F. A COURT-ORDERED FORECLOSURE NOTICE, OR A BUSINESS LETTER FROM THE BANK TO THE OWNER/LANDLORD/CURRENT RESIDENT STATING FORECLOSURE OF THE PROPERTY.

6. REQUEST ROUTING PROCESS. THE COMPLETED MEMORANDUM REQUEST MUST BE ROUTED THRU THE SOLDIERS' CHAIN OF COMMAND AND THE SUPPORTING HOUSING OFFICE TO THE SUPPORTING TRANSPORTATION OFFICE FOR A DECISION. THE COMPLETED MEMORANDUM REQUEST WILL BE REVIEWED AND APPROVED BY THE TRANSPORTATION OFFICER IF IT MEETS THE PARAMETERS IN THIS MESSAGE. THE TRANSPORTATION OFFICE WILL OBTAIN THE OMA FUNDS TO PAY FOR THE ASSOCIATED MOVE.

7. FUNDING MOVES.

A. INSTALLATION OMA AND FORECLOSURE UNIQUE PROJECT CODES WILL BE USED TO PAY FOR SUBJECT LOCAL MOVES.

B. INSTALLATIONS/AGENCIES NOT FALLING UNDER INSTALLATION MANAGEMENT COMMAND (IMCOM), REQUIRING FUNDING FOR A FORECLOSURE MOVE, WILL OBTAIN THE OMA FUNDS FOR SUBJECT MOVES FROM THE FIRST ECHELON IN THE SOLDIER'S CHAIN OF COMMAND HAVING OMA FUNDS.

C. FUNDING MOVES FOR MEMBERS OF OTHER SERVICES. ARMY INSTALLATION TRANSPORTATION OFFICES WILL FUND FORECLOSURE MOVES FOR MEMBERS OF OTHER SERVICES WHEN THE MEMBER'S PDS IS THAT ARMY INSTALLATION. WHEN A MEMBER OF ANOTHER SERVICE'S DEPENDENTS IS RESIDING IN A DESIGNATED PLACE

LOCATED IN AN AREA SUPPORTED BY AN ARMY HOUSING OFFICE, THE FORECLOSURE MOVE WILL BE FUNDED IN ACCORDANCE WITH THE APPLICABLE SERVICE'S FORECLOSURE MOVE POLICY GUIDANCE. WHEN IT IS NOT CLEAR WHO IS RESPONSIBLE FOR FUNDING A FORECLOSURE MOVE FOR AN ELIGIBLE MEMBER OF ANOTHER SERVICE OR ELIGIBLE DEPENDENTS OF A MEMBER OF ANOTHER SERVICE RESIDING AT A DESIGNATED PLACE, THE PARENT SERVICE IS RESPONSIBLE FOR FUNDING THE FORECLOSURE MOVE. EXCEPTIONS ARE LISTED IN PARAGRAPH 8.

8. NATIONAL CAPITAL REGION (NCR). SOLDIERS PERMANENTLY ASSIGNED TO AND RESIDING IN THE NCR REQUIRING A LOCAL MOVE BECAUSE OF A FORECLOSED RENTAL MUST SEEK APPROVAL AND FUNDING FOR THEIR MOVES FROM THE TRANSPORTATION OFFICE AT THEIR PDS OR THE TRANSPORTATION OFFICE CLOSEST IN PROXIMITY TO THE FORECLOSED RESIDENCE. CONDITIONS IN PARAGRAPH 5 APPLY. DEPENDENTS OF SOLDIERS RESIDING IN THE NCR AT THEIR DESIGNATED PLACE MUST SEEK APPROVAL AND FUNDING FOR THEIR MOVES FROM THE TRANSPORTATION OFFICE CLOSEST IN PROXIMITY TO THE FORECLOSED RESIDENCE AT THE DESIGNATED PLACE. FORECLOSURE MOVES IN THE NCR ARE APPROVED AND FUNDED BY THE NCR IMCOM REGION.

9. APPEALS. CIRCUMSTANCES INVOLVING FORECLOSURE RELATED MOVES THAT CANNOT BE RESOLVED BY IMCOM OR BY NON-IMCOM INSTALLATIONS WILL BE FORMALLY SUBMITTED TO THE DEPUTY CHIEF OF STAFF G-4 (DCS G-4), ATTN: DALO-FPT FOR ADJUDICATION. DCS G4 DALO-FPT IS THE FINAL DECISION MAKING AUTHORITY IN APPEAL CASES. IN NO CIRCUMSTANCES SHOULD A SOLDIER OTHERWISE MEETING THE CRITERIA FOR A FORECLOSURE MOVE HAVE TO PAY FOR THIS MOVE OUT OF POCKET.

10. IMCOM HEADQUARTERS WILL REPORT MONTHLY TO THE DEPUTY CHIEF OF STAFF (DCS) G-1 POINT OF CONTACT IN PARAGRAPH 12 OF THIS MESSAGE WITH COPY FURNISHED TO THE DCS G4 POC IN PARAGRAPH 12 THE NUMBER OF FORECLOSURE MOVES EXECUTED, AND THE COST FOR EACH MOVE. NON-IMCOM INSTALLATIONS WILL REPORT MONTHLY THE SAME INFORMATION TO THE SAME POINTS OF CONTACT.

11. NON-ARMY POINTS OF CONTACT FOR FORECLOSURE MOVES ARE AS FOLLOWS: NAVY, MR. COTTON BOWEN, 703/695-3322, DSN 312/225-3322; MARINE CORPS, MR. KERRY CERNY, 703/784-9387, DSN 312/278-9387; AIR FORCE, MSGT KIMBERLY LEWIS, 703/604-8131, DSN 212/664-8131; AND COAST GUARD, YNCM DAVE MALY, 202/475-5395.

12. POINTS OF CONTACT THIS MESSAGE ARE; MS JACK, IMCOM, 703/602-4630, DONNA.JACK@CONUS.ARMY.MIL; MS MCCANTS, DCS G4, 703/614-1031, DSN 312/224-1031, JEANETTE.MCCANTS@US.ARMY.MIL; LTC VOITHOFER, DCS G-1, 703/692-6889, DSN 312/222-6889, MATTHEW.VOITHOFER@HQDA.ARMY.MIL; COL WADE, ASA (M&RA), 703/695-4935 DSN 312/225-4935; MAURINIA.D.WADE@CONUS.ARMY.MIL; MR NAKATA, ASSISTANT CHIEF OF STAFF INSTALLATION MANAGEMENT (ACSIM), 703/601-0716, TED.NAKATA@US.ARMY.MIL, AND MS ASLIM, 703/607-0710, VERNONA.ASLIM@US.ARMY.MIL

13. EXPIRATION OF THIS MESSAGE CANNOT BE DETERMINED.

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ORIGINAL TO RECIPIENTS:

C:US,O:U.S. GOVERNMENT,OU:DOD,OU:AUTODIN PLAS,OU:AIG 6-AZ,OU:ALARACT
[ALARACT]

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