

**FACT SHEET - #7**

**SUBJECT:** Continued Occupancy of Family Quarters After Retirement or Death of Member

1. **PURPOSE.** To provide general information on eligibility for continued occupancy of assigned family quarters in CONUS subsequent to death of member.

2. **FACTS.**

a. Member dies in line of duty while on active duty. Per AR 210-50 (2/26/99), para 3-20:

(1) Dependents may continue occupancy of assigned family quarters without charge for up to 180 days (37 U.S.C. 403(2)(1)).

(2) Dependents may be paid an allowance for up to 180 days after the death of the member if they vacate quarters within the 180-day period. The allowance is the amount of BAQ and VHA that would have been payable to the member (37 U.S.C. 403(2)(2)).

(3) Dependents who remain in quarters after expiration of the 180-day period may be allowed to continue occupancy for a limited period, on a rental basis, in accordance with the criteria discussed in paragraph 2b below.

b. Member dies subsequent to disability retirement but prior to vacating quarters. Per AR 210-50, para 3-20g:

(1) Retired member and dependents may continue occupancy, on a rental basis, for a period not to exceed 60 days after retirement, if a severe hardship would occur if the quarters were vacated.

(2) Dependents may continue occupancy, on a rental basis, for a period not to exceed 60 days after the member's death, if a severe hardship would occur if the quarters are vacated.

(3) Rental charges under these circumstances may be an amount equal to the member's BAQ and VHA instead of the comparable rate for private housing.

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