



DEPARTMENT OF VETERANS AFFAIRS
810 VERMONT AVE. NW
WASHINGTON DC 20420

December 1, 2019

101/22

Dear :

We have granted your request to waive collection of your \$19,181.70 Post-9/11 GI Bill (Chapter 33) monthly housing allowance debt. This letter will explain how we made our decision, how it affects your entitlement, and the current status of your account.

How Did We Make Our Decision?

We found no evidence of fraud, misrepresentation, or bad faith. Additionally, we carefully considered all the factors that help us define "equity" and "good conscience."

How Does This Decision Affect Your Entitlement?

This decision does not impact your entitlement for the Post-9/11 GI Bill.

What Is the Current Status of Your Account?

VA carefully reviewed your file, including documents provided by your school, and considered the elements. VA has resolved all reasonable doubt in your favor and granted your waiver request under the standard of equity and good conscience.

If You Have Questions or Need Assistance

Website	www.va.gov
VA Forms	www.va.gov/vaforms
Frequently Asked Questions	https://gibill.custhelp.va.gov/app/answers/list
Submit a Question: <i>Include your full name and VA file number</i>	https://gibill.custhelp.va.gov/app/utils/login_form/redirect/ask
Mailing Address: <i>Include your full name and VA file number on the inside of mailed correspondence (not on envelope)</i>	See address at the top of this letter

Education Call Center	1-888-GI-BILL-1 (1-888-442-4551) (inside the U.S) 001-918-781-5678 (outside the U.S.)
TTY, Federal Relay	711
Veterans Crisis Line	1-800-273-8255 and press 1
VA Regional Office Location	www.va.gov/find-locations
GI Bill® Comparison Tool: <i>This tool allows you to get information on a school's value and affordability; and to compare estimated benefits by school.</i>	www.va.gov/gi-bill-comparison-tool

Sincerely,

Education Officer

Enclosures:

cc:



DEPARTMENT OF VETERANS AFFAIRS
810 VERMONT AVE. NW
WASHINGTON DC 20420

SEPTEMBER 18, 2019

101/22

Dear :

The Department of Veterans Affairs' (VA) education claims processing systems were recently updated to adapt to Section 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Forever GI Bill). This letter outlines a summary of these changes, how these updates may affect you, and your next steps.

How This Affects You

Section 501 of the Forever GI Bill aligns Monthly Housing Allowance (MHA) with Department of Defense Basic Allowance for Housing (DoD BAH) rates.

- **Rate based on when you began using Post-9/11 GI Bill –**
 - **If you began using Post-9/11 GI Bill before January 1, 2018, your housing payments are based on the rate in effect before the law change.** VA rates before the law changed were based on DoD BAH for an E-5 with dependents but were typically slightly higher; this is because DoD rates in some instances were capped and could not increase above a certain percentage each year, this cap previously did not apply to Post-9/11 GI Bill recipients. If you began using your Post-9/11 GI Bill benefits before January 1, 2018, you will continue to receive this uncapped rate, also referred to as “VA Rate.”
 - **If you began using Post-9/11 GI Bill on or after January 1, 2018, your payments will be based on the DoD BAH.** This means that your housing rates shall be equal to the capped DoD BAH for an E-5 with dependents, also referred to as “DoD Rate.”

You can check your monthly housing rates by visiting the GI Bill® Comparison Tool at www.va.gov/gi-bill-comparison-tool.

VA Findings

In reviewing your file, we found you were entitled to the rate you previously received. Refer to the following “What Benefits Will You Receive” section for your current monthly housing allowance. **NO ACTION is required from you at this time.**

What Benefits Will You Receive

Based on your eligibility percentage at the 100% rate and the enrollment information we received from your school(s), your benefit was determined as follows:

- **Corrected Monthly Housing Allowance:**

Begin Pay Date	End Pay Date	Monthly Amount
February 2, 2020	March 1, 2020	\$1,418.00
January 1, 2020	February 1, 2020	\$2,312.00
November 1, 2019	December 28, 2019	\$1,418.00
October 14, 2019	October 31, 2019	\$2,312.00
October 12, 2019	October 13, 2019	\$1,418.00
October 10, 2019	October 11, 2019	\$2,312.00
August 1, 2019	October 9, 2019	\$1,418.00
September 9, 2018	December 12, 2018	\$2,312.00
July 1, 2018	August 1, 2018	\$1,418.00
March 1, 2018	April 1, 2018	\$1,418.00
October 10, 2017	December 12, 2017	\$1,418.00
February 1, 2017	March 1, 2017	\$2,301.00
January 1, 2017	January 2, 2017	\$2,301.00
September 1, 2016	October 10, 2016	\$1,234.00
May 1, 2016	July 1, 2016	\$1,234.00
January 1, 2016	January 20, 2016	\$2,302.00

- **Remaining Benefits:** You have 16 months and 18 days remaining (38 USC 3312). You will remain eligible under the Post-9/11 GI Bill until January 2, 2025 (38 USC 3321).

What You Should Do If You Disagree With Our Decision

If you do not agree with this decision, you have one year from the date of this letter to select a review option to preserve your earliest effective benefit date. Your three review options and their proper applications are as follows, for a(n):

- **Supplemental Claim**, complete **VA Form 20-0995**, *Decision Review Request: Supplemental Claim*
- **Higher-Level Review**, complete **VA Form 20-0996**, *Decision Review Request: Higher-Level Review*

- **Appeal to the Board**, complete **VA Form 10182**, *Decision Review Request: Board Appeal (Notice of Disagreement)*

Please see the enclosed **VA Form 20-0998**, *Your Rights to Seek Further Review of Our Decision*, for an explanation of additional review options. You may obtain any of the required applications by downloading them from www.va.gov/vaforms/ or by contacting us. You can also learn more about the disagreement process at www.va.gov/decision-reviews. If you would like to obtain or access evidence used in making this decision, please contact us as noted below. Some evidence may be obtained online by signing in at www.va.gov.

If You Have Questions or Need Assistance

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Sincerely,

Education Officer

Enclosures: VA Form 20-0998

cc: Arizona - Veterans Service Commission

YOUR RIGHTS TO SEEK FURTHER REVIEW OF OUR DECISION

After careful and compassionate consideration of the matter(s) before VA, we have reached a decision. This document outlines your rights to seek further review of our decision on any issue with which you are dissatisfied or disagree. This document does not apply to decisions issued by the Board of Veterans' Appeals (Board), which have a separate rights notice. For **most VA benefits**, you must elect one of the review options discussed below within **one year** of the date on your decision notice letter to preserve your right to receive the maximum possible benefit. **Consult your decision notice letter for specific filing time limits.** If you are a party to a **contested claim**, you must file an appeal to the Board within **60 days** of the date on your decision notice letter in order to seek review. All parties to a contested claim will have received notice of the decision. See the section below regarding filing an appeal to the Board. You may select different review options for each issue decided by VA. The options are as follows:

Review Options	VA Benefit Claim	Parties to a Contested Claim	Insurance Claim	Fiduciary Decision
Supplemental Claim	✓	Not Available	✓	Not Available
Higher-Level Review	✓	Not Available	✓	✓
Appeal to the Board	✓	✓	✓	✓
U.S. District Court Complaint	Not Available	Not Available	✓	Not Available

VA benefits include Compensation, Pension/Survivors Benefits, Education, Loan Guaranty, Vocational Rehabilitation & Employment, Veterans Health Administration, or National Cemetery Administration.

You **MAY NOT** concurrently file for review of any single issue using more than one option at a time. The following is an overview of each option to help you select the most appropriate course of action. You can also find detailed information on all of the available review options and apply at www.vets.gov.

Descriptions of Review Options

Supplemental Claim	Higher-Level Review	Appeal to the Board	U. S. District Court
<p>Use this option when you have additional evidence that is NEW AND RELEVANT to support granting the benefit(s) sought or you can identify existing relevant records that you would like VA to obtain. (NEW evidence means information not previously submitted to VA, and RELEVANT evidence means information that tends to prove or disprove a matter at issue.)</p> <p>VA will assist you in gathering new and relevant evidence to support a Supplemental Claim.</p>	<p>Use this option when you have NO additional evidence to submit, or that you would like VA to obtain, in support of a previously decided issue.</p> <p>You <i>may not</i> request a Higher-Level Review of a Higher-Level Review decision or a Board decision.</p> <p>The designated reviewer will conduct a brand new review of the issue(s) based on the evidence that was before VA at the time of the prior decision(s). An informal conference is available to you and/or your representative, if you choose to exercise this option. The purpose of this telephonic contact is to point out specific errors in the case. VA will not consider any new evidence.</p>	<p>Use this option to appeal to the Board for consideration by a Veterans Law Judge. You may appeal to the Board from a Supplemental Claim decision or a Higher-Level Review decision.</p> <p>When appealing to the Board, you may request a hearing with a Veterans Law Judge and/or the opportunity to submit additional evidence. You may also choose for the Board to review your claim without any additional evidence or a hearing, which may result in a faster decision. By selecting one of these options, the Board will place your appeal onto a list for consideration in the order it was received.</p> <p>The Board does not have a duty to assist you in obtaining additional evidence, but may review whether VA properly fulfilled its duty to assist you in the original claim process and may remand your claim on that basis.</p>	<p>(INSURANCE CLAIMS ONLY)</p> <p>You may challenge VA's decision on your insurance application or claim by filing a complaint with a United States district court in the jurisdiction in which you reside within six years from when the right of action first accrues.</p> <p>To find a district court, use the map at: www.uscourts.gov/court_locator.aspx.</p>

How do I request review by VA of my decision?

To select a review option, you must submit the appropriate form to the appropriate office for review.

For a **Supplemental Claim**, consult your decision notice letter for the required forms and ways to submit the request.

For a **Higher-Level Review**, complete **VA Form 20-0996, Decision Review Request: Higher-Level Review** (available at www.va.gov/vaforms/), and consult your decision notice letter for the required ways to submit the request.

To **Appeal to the Board**, complete **VA Form 10182 - Decision Review Request: Board Appeal (Notice of Disagreement)** (available at www.va.gov/vaforms/), and send the form to:

Board of Veterans' Appeals
P.O. Box 27063
Washington, DC 20038
Fax: 844-678-8979

Can someone help me with my request for review?

Yes, VA recognizes and accredits attorneys, claims agents, and Veterans Service Organizations (VSOs) representatives to assist VA claimants with their benefits claims. VSOs and their representatives are not permitted to charge fees or accept gifts for their services. Only VA-accredited attorneys and claims agents may charge you fees for assisting in a claim for VA benefits, and only after VA has issued an initial decision on the claim and the attorney or claims agent has complied with the power-of-attorney and the fee agreement requirements. For more information on the types of representatives available, see www.va.gov/ogc/accreditation.asp.

If you have not already selected a representative, or if you want to change your representative, a searchable database of VA-recognized VSOs and VA-accredited attorneys, claims agents, and VSO representatives is available at www.va.gov/ogc/apps/accreditation/index.asp. Contact your local VA office for assistance with appointing a representative or visit www.ebenefits.va.gov.

What happens if I do not submit my request for review on time?

If you do not request a review option within the required time limit, you may only seek review through the following options:

- File a request for revision of the decision based on a clear and unmistakable error in the decision;
- File a Supplemental Claim along with new and relevant evidence to support your issue(s). Where a Supplemental Claim is filed after the time limit to seek review of a decision, the effective date for any resulting award of benefits generally will be tied to the date that VA receives the Supplemental Claim.

For more information on all the available review options visit: www.va.gov, or www.vets.gov or contact us at 1-800-827-1000.

NOTE: This form supersedes VA Forms 4107, 4107C, 4107VHA, 4107VRE, 4107INS for VA decisions after the publication in the Federal Register of the applicability date on which the *Veterans Appeals Improvement and Modernization Act of 2017* goes into effect.



DEPARTMENT OF VETERANS AFFAIRS
MUSKOGEE REGIONAL OFFICE
P.O. BOX 8888
MUSKOGEE OK 74402-8888

December 1, 2019

351/22

Dear :

The Department of Veterans Affairs' (VA) education claims processing systems were recently updated to adapt to Section 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Forever GI Bill). This letter outlines a summary of these changes, how these updates may affect you, and your next steps.

How This Affects You

Section 501 of the Forever GI Bill aligns Monthly Housing Allowance (MHA) with Department of Defense Basic Allowance for Housing (DoD BAH) rates.

- **Rate based on when you began using Post-9/11 GI Bill –**
 - **If you began using Post-9/11 GI Bill before January 1, 2018, your housing payments are based on the rate in effect before the law change.** VA rates before the law changed were based on DoD BAH for an E-5 with dependents but were typically slightly higher; this is because DoD rates in some instances were capped and could not increase above a certain percentage each year, this cap previously did not apply to Post-9/11 GI Bill recipients. If you began using your Post-9/11 GI Bill benefits before January 1, 2018, you will continue to receive this uncapped rate, also referred to as “VA Rate.”
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You can check your monthly housing rates by visiting the GI Bill® Comparison Tool at www.va.gov/gi-bill-comparison-tool.

VA Findings

In reviewing your file, we found you were due a lower rate than you have been receiving; therefore, you will begin to receive a lower rate beginning on or after **December 1, 2019**. This also means that you were overpaid housing based on the changes in law. We have provided an explanation of your

corrected housing rate below and the amount of your overpayment. VA has submitted on your behalf, a request for waiver of this overpayment to the Committee of Waivers and Compromise (COWC). The Committee will send you a separate letter of their findings. If you would like to repay this overpayment in full and for VA to rescind the claim for waiver submitted on your behalf, you must tell us in writing within 30 days of the date of this letter. Otherwise, **NO ACTION is required from you at this time.**

What Benefits Will You Receive

Based on your eligibility percentage at the 100% rate and the enrollment information we received from your school(s), your benefit was determined as follows:

- **Corrected Monthly Housing Allowance:**

Begin Pay Date	End Pay Date	Monthly Amount
September 18, 2019	December 12, 2019	\$1,418.00

- You were paid monthly housing allowance up to September 18, 2019. At the time of enrollment, you were paid based on the VA Rate. However, if you first began using your Post-9/11 GI Bill benefits on or after January 1, 2018, you were not entitled to receive monthly housing allowance payments at the VA Rate. You should have received monthly housing allowance based on the DoD Rate. This resulted in a monthly housing allowance overpayment of \$1,400.60.
- **Remaining Benefits:** You have 31 months and 18 days remaining (38 USC 3312). You will remain eligible under the Post-9/11 GI Bill until January 2, 2025 (38 USC 3321).

What You Should Do If You Disagree With Our Decision

If you do not agree with this decision, you have one year from the date of this letter to select a review option to preserve your earliest effective benefit date. Your three review options and their proper applications are as follows, for a(n):

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Enclosures: VA Form 20-0998

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