SERVICEMEMBERS CIVIL RELIEF ACT LEASE TERMINATION

GENERAL INFORMATION: The Servicemembers Civil Relief Act of 2003 (50 U.S.C. App §§ 501-596) (the “SCRA”), a Federal law, gives you the right to terminate a lease for residential, professional, business, agricultural, or similar purposes, if occupied or intended to be occupied by you or your dependents, if (a) you (or someone acting on your behalf) enter a lease and thereafter you enter the military service, or if (b) you execute a lease during military service and thereafter receive permanent change of station (PCS) or deployment orders for ninety (90) days or more. Any waiver of these rights must be in writing, and oral waivers are unenforceable. You may not be retaliated against for exercising your SCRA rights. Additionally, Fair Housing Law in your state may explicitly prohibit discrimination in renting procedures because of your military status. Advance rents or lease amounts prepaid by you must be refunded to you within thirty (30) days of the lease’s effective termination date. Wrongful withholding from you of rents or security deposits may result in criminal penalties. Security deposits must still be returned to you pursuant to applicable state laws.

WHO IS COVERED: Members of the Air Force, Army, Coast Guard, Marine Corps, and Navy on active duty (including reserves ordered to duty), Public Health Service and National Oceanic and Atmospheric Administration Officers, and National Guard members called to Federal active service in excess of thirty (30) days. U.S. citizens serving in the forces of a nation with which the U.S. is allied in the prosecution of a war or military action are likewise covered. Dependents (which generally includes spouse, children, and those you provide more than one-half of their support) of these people who jointly sign a lease with a covered servicemember are also protected, and are released from lease obligations when the covered person terminates the lease.

INSTRUCTIONS: You may only terminate your lease by delivering written notice of termination, plus a copy of your orders (most landlords will accept a signed letter from your Commanding Officer verifying your probable date of deployment), by hand, by private business carrier, or by return-receipt mail (preferably certified) to the lessor, the lessor’s agent, or their grantees. Termination will be effective no later than thirty (30) days after the first date (after this Notice is delivered) on which the next monthly rental payment is due and payable. If your lease does not provide for monthly payment of rent, termination will be effective on the last day of the month following the month in which notice is delivered. You must pay prorated rents for dates preceding the date of effective termination. An attorney acting on your behalf, or a person you have given Power of Attorney to exercise your SCRA rights, may also execute and deliver this document.

FOR THIS TERMINATION TO BE EFFECTIVE YOU MUST ATTACH A COPY OF YOUR ORDERS

TERMINATION NOTICE

KNOW ALL PERSONS: That I, _________________________________, a member of the ______________________ (military or other service) by this document do hereby terminate my lease of the premises at _________________________________________________ (address) with ______________________ (lessor), pursuant to 50 U.S.C. App § 535 of the Servicemembers Civil Relief Act of 2003, which authorizes termination of residential leases when a servicemember, while in military service, executes a lease and thereafter receives orders for a permanent change of station, or orders to deploy with a military unit for a period of not less than ninety (90) days. Pursuant to the SCRA, this notice includes termination by and release of any spouse or dependent of mine who is a co-signor on my lease.

Because I have delivered this form on __________________________________________ (date of delivery), I calculate that termination will be effective on _____________________________________________ (calculated date of termination).

Please forward any funds due to me to the following address: __________________________________________________________. You may contact me or my agent with any questions at the following address __________________________ and phone __________________ or email __________________________. The name of my attorney, or agent who has a Power of Attorney from me for SCRA purposes, is __________________________ (if applicable).

A copy of my orders is attached to this notice.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this day, ____________________.

Lessee (or Lessee’s Agent) Signature

CMCJAL 1000, March 2004

Use of this form by Marines and dependents is approved by Head, CMC (Code JAL), Headquarters Marine Corps Legal Assistance. USE OF THIS TERMINATION FORM, AND THE OPTIONAL NOTARIZATION, ARE NOT REQUIRED BY THE SCRA.
ACKNOWLEDGEMENT BEFORE A NOTARY PUBLIC

STATE OF _________________________
COUNTY OF _______________________

The foregoing instrument was acknowledged before me by ____________________________, this date ____________________________.

__________________________________________
Print Name (Notary Public)

ACKNOWLEDGEMENT BEFORE A PERSON AUTHORIZED TO ACT AS A NOTARY PURSUANT TO TITLE 10 U.S.C. 1044a

WITH THE UNITED STATES ARMED FORCES
AT ____________________________

The foregoing instrument was acknowledged before me by ____________________________, this date ____________________________.
I do further certify that I am a person in the service of the U.S. Armed Forces authorized the general powers of a notary public and consul of the United States under Title 10, United States Code section 1044a, and JAGMAN, Chapter IX (JAGINST 5800.7c).

__________________________________________
Print Name, Grade, Armed Force, Signing Capacity

NO SEAL REQUIRED

THIS NOTICE WILL NOT BE EFFECTIVE UNTIL YOU DELIVER THIS COMPLETED NOTICE, AND A COPY OF YOUR ORDERS, BY HAND, PRIVATE BUSINESS CARRIER, OR RETURN-RECEIPT MAIL (PREFERABLY CERTIFIED) TO THE LESSOR, LESSOR’S AGENT, OR THEIR GRANTEES.

YOUR LESSOR CAN ASSIST YOU IN DETERMINING WHERE THIS TERMINATION NOTICE SHOULD BE DELIVERED.

THE NOTARIZATION BLOCK ON THIS FORM IS OPTIONAL AND NOT REQUIRED BY FEDERAL LAW.

IMPORTANT—LINE-OUT WITH DARK MARKER OR REMOVE ALL SOCIAL SECURITY NUMBERS ON ANY ORDERS YOU GIVE TO LANDLORDS. PROTECT YOUR PRIVACY AND THE PRIVACY OF OTHERS.

CMCJAL 1000, March 2004

Use of this form by Marines and dependents is approved by Head, CMC (Code JAL), Headquarters Marine Corps Legal Assistance. USE OF THIS TERMINATION FORM, AND THE OPTIONAL NOTARIZATION, ARE NOT REQUIRED BY THE SCRA.