

# IMPORTANT INFORMATION

## BEFORE YOU SIGN YOUR LEASE:

ALWAYS read your lease agreement before you sign it. That goes without saying. However, Soldiers and families are often so busy, particularly during deployments or PCS moves, that sitting down to read the fine print is hardly ever at the top of the priority list. But here in El Paso, Texas, YOU MUST!

## Texas Landlords have the right to have you WAIVE your rights under the SCRA

Section 92.017 of the Texas Property Code allows tenants and landlords to agree that a tenant waives the tenant's rights under the SCRA if the tenant or any dependent living with the tenant moves into base housing or other housing within 30 miles of the dwelling. Such a waiver is valid if it is signed, in writing, is in a document separate from the lease agreement, and otherwise complies with federal law.

### EXCEPTIONS:

1) the tenant or the tenant's dependent moves into housing owned or occupied by family or relatives of the tenant or the tenant's dependent; or 2) the tenant and the tenant's dependent move, wholly or partly, because of a significant financial loss of income, usually of at least 10%, caused by the tenant's military service.

“...A TENANT WAIVES THE TENANT'S RIGHTS UNDER THE SCRA IF THE TENANT OR ANY DEPENDENT LIVING WITH THE TENANT MOVES INTO BASE HOUSING OR OTHER HOUSING WITHIN 30 MILES OF THE DWELLING.”

## YOUR RIGHT TO TERMINATE YOUR HOUSING LEASE UNDER THE SERVICEMEMBERS' CIVIL RELIEF ACT

The Servicemembers Civil Relief Act, 50 U.S.C. App. Section 535, provides relief to service members in the termination of real property leases. Active duty service members, who receive military orders for a permanent change of station or deployment orders, for not less than 90 days, may terminate their real property lease. Military members entering active duty service for the first time may also lawfully terminate their real property lease. Activated Reservists and National Guardsmen (when serving in federal active duty) are also entitled to terminate their real property lease if the lease was entered into prior to active duty.