



OFFICE OF THE STAFF JUDGE ADVOCATE
101ST AIRBORNE DIVISION (AIR ASSAULT) AND FORT CAMPBELL
CLIENT SERVICES
(270) 798-0910/0918

Lease Termination

The Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. § 3955, allows termination of residential leases by active duty service members who receive orders for a permanent change of station (PCS) or a deployment for a period of 90 days or more.

Who may terminate a lease The SCRA applies to mobilized Reservists, new Servicemembers, and current Active Duty members deploying or on PCS orders. The protection also applies to the service member's spouse or any other dependent who has signed the lease with the service member.

When you may terminate the lease A residential lease for property may be terminated by the servicemember if any one of the following conditions is met:

- The lease was entered into by the servicemember before the member's entry into military service
- The lease was entered into by a service member while in military service and thereafter receives military orders for a permanent change of station
- The lease was entered into by a service member while in military service and thereafter receives military orders to deploy with a military unit for a period of not less than 90 days.

How to terminate a lease The servicemember must deliver written notice of such termination and a copy of the servicemember's military orders to the landlord (those can be official orders or a letter from the commander). This delivery can be done by hand delivery, private business carrier, or by the United States Postal Service *with return receipt requested*.

Effective date of lease termination If rent is due monthly, termination of the lease is effective 30 days after the first date on which the next rental payment is due and payable after the date on which the notice is delivered. *(As an example, if a servicemember provides a written notice of termination of the lease on July 21st, rent is next due on August 1st. Thirty days after August 1st is August 31st and this is the date on which the termination is effective.)* The goal is to provide written notice prior to the 1st of the month to the landlord. Rent must be paid for that last month and use and occupation of the property by the tenant may continue through August 31st but the property must be vacated by that date. Normal move-out inspections should be coordinated with the landlord.

Sample letter. If you are confident that you meet the conditions to terminate your residential lease, see the reverse side of this paper for a sample letter to send your landlord requesting lease termination due to deployment. Modify the sample letter language for notification due to a PCS move.

Free assistance and mediation. If you need assistance with any landlord-tenant issues, please go to the Fort Campbell Housing Services Offices located at 850 Georgia Ave and 16th Street (Main Housing Office) or call them at (270) 798-3808. You may also contact our office at Building 2765 Tennessee Ave, at 29th Street, (270) 798-0910/0918, or book an appointment with an attorney at www.sjaclientservices0366.setmore.com.

Name
Address
City, State, Zip Code

Landlord Name
Address
City, State, Zip Code

Re: Lease dated _____ (date) for premises located at _____ (address).

Dear Sir or Madam:

This is my notice to quit the leased premises on _____ (date). This notice is made pursuant to 50 U.S.C. App. § 3955 of the Servicemembers Civil Relief Act (SCRA) which allows a servicemember and dependents to terminate a lease agreement if the service member receives deployment orders for greater than 90 days or orders to a permanent change of station.

Per the enclosure, I am required to deploy in support of Operation _____ for ninety (90) days or longer. The SCRA requires that the subject lease be terminated no later than thirty (30) days from the date of the next rental due date. The next rental due date on this lease is _____ (date). Therefore, according to the SCRA, this lease shall terminate on _____ (date).

All security deposits paid must be returned to me within thirty (30) days of the termination date of the lease. You may forward this refund to _____ (name) at _____ (address).

Should you have any questions, you may contact me at _____ (phone number) or else contact me via email at _____ (email address).

Thank you for your understanding and support in this matter.

Sincerely,

Name
(Rank), US Army

Enclosure: Deployment orders