

## Cell Phone Contract Cancellations

As a Servicemember, you will probably PCS several times during your military service. Sometimes those moves will take you to areas that do not support the cell phone service you utilize, especially if that move takes you to overseas duty stations. Normally, in most cases there will be two options available:

1. Continue to pay the monthly charges for a service you cannot use during your tour of duty or;
2. Cancel the service but pay an early contract termination fee.

Luckily, as a Servicemember, you have a third option provided to you under the Servicemembers Civil Relief Act (SCRA). Specifically, the SCRA allows you to terminate your service contract without incurring a penalty if certain criteria is met. SCRA Section 535a states the following:

- The contract must have been entered into prior to the Servicemember receiving military orders.
- A Servicemember may terminate a contract at any time after the date the Servicemember receives military orders to relocate for a period of not less than 90 days to a location that does not support the contract.
- Notice of termination may be made through a written or electronic notice and will include a requested termination date (see sample letter). A copy of the Servicemember's military orders will also be sent to the service provider.
- If the period of PSC is less than three years, the provider is to allow the Servicemember to keep the same telephone. Note, the Servicemember must re-subscribe to the service within 90 days, period beginning on the last day of the PSC for this is apply.
- SCRA Section 535a applies to all members under a family plan if the Servicemember is a designated beneficiary of the contract and those on the plan are accompanying the Servicemember to the new location.

This document is provided for information only and should not be considered legal advice. If you have further questions pertaining to this matter, visit our office in Building 358, Presidio of Monterey, Monterey, CA or call (831) 242-5083/5084.

**SAMPLE LETTER**

Date

Service Provider's Name  
Street Address  
City, State Zip Code

RE: Rank and Full Name's Cellular Telephone Service Contract - Account #

To whom it may concern:

Pursuant to the Servicemembers Civil Relief Act ("SCRA") 50 U.S.C. App. Section 535a, this letter is my formal written notice to terminate or suspend the cellular telephone service contract for the above referenced account. The SCRA prohibits any early termination charges or penalties. I request a termination date of \_\_\_\_\_.

If you have any questions or concerns, you may contact me at the above address.

Respectfully,

\_\_\_\_\_  
(Signature)  
Name  
Street Address  
City, State Zip Code

Attachment:  
Orders