



## *Know Your Rights:*

# **A Guide to the Servicemembers Civil Relief Act**

**Servicemembers and their dependents** get certain protections related to military service under the **Servicemembers Civil Relief Act (SCRA)**. This guide summarizes some of the most common protections and benefits under the SCRA.

## **Who is covered under the SCRA?**

### ***Servicemembers***

- ✓ Full-time active-duty members of the six military branches (Title 10 orders);
- ✓ Reservists on federal active duty (Title 10 orders);
- ✓ Members of the National Guard on Title 10 orders or Title 32 orders authorized under Section 502(f) for more than 30 days and in response to a national emergency; and
- ✓ Commissioned officers in active service of the Public Health Service or the National Oceanic and Atmospheric Administration.

### ***Their dependents\****

Dependents include:

- ✓ Spouses and children; and
- ✓ Any other person for whom the servicemember has provided more than half of their financial support for the past 180 days.

\*Not all SCRA benefits extend to dependents.

## **Where can I go for help?**

- **Contact** your local military legal assistance office for help. Office locations can be found at: [legalassistance.law.af.mil](https://legalassistance.law.af.mil).
- **Learn** about DOJ's Servicemembers and Veterans Initiative by visiting [servicemembers.gov](https://servicemembers.gov).
- **Report** a violation of your rights: [civilrights.justice.gov/report](https://civilrights.justice.gov/report).

## What are my rights under the SCRA?

### **Housing**

- **Ending a Residential Lease:** A servicemember who signs a lease and then receives military orders for a permanent change of station (PCS), a deployment for 90 days or more, or separation/retirement, can terminate his or her residential lease at any time after the receipt of those orders, without penalty.
- **Evictions:** A landlord generally cannot evict a servicemember or dependent from a residence without a court order during military service.
- **Mortgage Foreclosures:** The SCRA prohibits non-judicial (out-of-court) foreclosures on mortgages that originated before military service.

### **Credit and Lending**

- **Interest Rate Cap:** The SCRA limits the rate of interest that can be charged on certain financial obligations—such as credit card debts, vehicle loans, and mortgages—that were acquired prior to military service to no more than 6% per year, including most fees. The interest rate cap applies for the entire period of military service and, for mortgages, for a year after military service ends.

### **Vehicles and other Property**

- **Termination of Vehicle Leases:** In certain circumstances, the SCRA allows servicemembers to terminate motor vehicle leases early without penalty.
- **Towing and Storage Companies:** A lien cannot be enforced on a servicemember's property during or within 90 days after military service unless there is a valid court order.



#### **When do my benefits and protections start?**

Most SCRA protections begin on the date one enters active duty military service. For the Reserves and National Guard, protections begin upon receipt of certain military orders.

### **Professional License Portability**

- **Relocating:** The SCRA requires that states recognize the out-of-state professional licenses of servicemembers and spouses who relocate due to military orders.