

U.S. Department of Justice
Civil Rights Division
Servicemembers and Veterans Initiative

Know your rights

Ending residential leases early as a servicemember

The Servicemembers Civil Relief Act allows servicemembers and their families to end certain leases early with notice if the servicemember receives military orders.

As servicemember, you can end a residential lease early, without penalty, if you sign a lease and then later:

- Enter active duty, or
- Receive orders for a permanent change of station or deployment for **at least 90 days**, or
- Receive retirement or separation orders.

What kinds of leases are covered?

Leases for housing and places of business, including:

- Residential (house, apartment),
- Commercial (retail, agricultural, medical, office), and
- Any other place occupied by and leased to the servicemember with their spouse or children.

How to end your residential lease early under the SCRA

- Provide your landlord with (1) written notice that you plan to terminate your lease and (2) a copy of your military orders or a letter from a commanding officer.
- Set the date for your lease to end. Your landlord must allow you to end the lease 30 days after the next rent payment is due.

For more information and answers to frequently asked questions, flip the page →

Ending residential leases early as a servicemember

Frequently Asked Questions

For more information about this and related topics, visit www.servicemembers.gov

How do I provide my landlord with my notice and orders?
You can deliver your notice and orders by hand, mail, email or similar means. Always save proof that you provided your landlord with this information.

Are my spouse and dependents covered if they are on the lease?
Yes. If they are on the lease with the servicemember, a servicemember's spouse and dependents can also exit the lease early without penalty.

What if I paid rent in advance?
Landlords must refund any money that was paid in advance to rent the property after the lease ends.

Can my landlord charge me fees or take my security deposit?
Landlords can withhold your security deposit only if there is damage to the property or you owe back rent. They cannot charge early termination fees or demand that you repay any concessions you received.

Does the lease need a military clause?
No. Your landlord must give you the opportunity to leave the lease early without penalty if you receive qualifying military orders.

What if I own my home?
Servicemembers have some protections against foreclosure or judgments against the property, but you are still responsible for making mortgage payments. Visit www.servicemembers.gov for more information about SCRA mortgage protections.

Need help?

Servicemembers and their spouses who need legal help should contact their local Armed Forces Legal Assistance office. Find your office at legalassistance.law.af.mil. You can also report an issue to the Servicemembers and Veterans Initiative using our complaint portal at civilrights.justice.gov/report.