



## Region Legal Service Office, Mid Atlantic Legal Assistance Department

### SCRA: Termination of Phone Service Contracts

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1. The **Servicemembers Civil Relief Act (SCRA)** allows servicemembers to terminate cellular and landline telephone service contracts if military orders require servicemembers to move to a location not supported by the contract for more than 90 days. The right to terminate a telephone service contract only applies to contracts entered into prior to receiving orders that would qualify for termination.
2. **Notice of right to terminate:** The service provider is obligated to provide the servicemember written or electronic notice of the servicemember's rights to terminate the contract.
3. **Time for termination:** A servicemember may terminate a telephone service contract at any time after the date the servicemember receives military orders to relocate for a period of 90 days or move to a location that does not support the contract.
4. **Method of termination:** A servicemember must deliver a written or electronic notice of the intent to terminate with a copy of the military orders to the service provider. The notice must be delivered in accordance with the service provider's standards for notification of terminations and should contain the date on which the service is to be terminated.
5. **Family members:** If the contract is a family cellular telephone service plan, termination by the servicemember will terminate the contract for the other family members **ONLY** if they accompany him or her on the orders to a location without service.
6. **Retention of contract telephone number:** The servicemember may retain the contract telephone number if the relocation is for not more than three years and he or she re-subscribes to the same service within 90 days after the three-year period. If the servicemember re-subscribes within the above period, the service provider cannot charge to reconnect the service.
7. **No early termination charge:** The service provider may not impose an early termination charge. However, the servicemember must pay all taxes or other charges due at the time the contract is terminated.
8. **Refund of advance payments:** If the servicemember made any advance payments covering periods following the effective termination date, the provider must return these fees within 60 days of the termination date.

This handout is for information purposes only and is not intended to be legal advice. If you need legal advice and assistance you may see legal advice from your Legal Assistance Office. Legal Assistance Offices can be located at <http://legalassistance.law.af.mil/content/locator.php>