



## Region Legal Service Office Southeast Legal Assistance

# SCRA RIGHTS & STOP MOVEMENT



**EXCEPTIONS TO THE STOP MOVEMENT ORDER:** Retiring and separating personnel are exempt from the recent orders halting non-local travel by DON personnel. For others, waivers may be granted on a case-by-case basis by PERS-451 for compelling cases where the travel is: (1) mission essential to ensure continued operations or essential military functions; (2) necessary for humanitarian reasons; and (3) warranted due to extreme hardship. An endorsement from the detaching command is required, and in cases where leave outside the local area is requested, an endorsement from the First Flag in the chain of command. (See ALNAV 026/20 & NAVADMIN 065/20).

**UNINTENDED CONSEQUENCES OF SCRA LEASE TERMINATION :** While the SCRA allows Service Members and their dependents to terminate premises leases pursuant to military orders, including PCS orders, **the SCRA does not require a landlord to re-lease those premises to Service Members and their dependents following a valid termination.** There is no SCRA provision or other mechanism to require a landlord to re-lease the premises to the Sailors or to allow the Sailors and their dependents to retain their belonging on the premises after the effective termination date. Affected Members who cannot convince their landlord to re-let or extend their residential leases without jeopardizing their existing right to early termination under the SCRA may need to execute two moves: one from the terminated residence and another to their PCS destination when the stop-movement order is lifted. Members are at risk of being unable to invoke proper SCRA lease termination if the Navy issues modified PCS orders after lifting the stop-movement order. In this situation, Members will have entered into a lease after receiving PCS orders making them ineligible for this SCRA protection.

**TALK TO YOUR LANDLORD NOW:** All Sailors and their dependents who are currently on or expecting to receive PCS orders, both CONUS and OCONUS, should be delay submitting Servicemembers Civil Relief Act (SCRA) notices of intended real property lease termination to landlords until after May 11, 2020. Sailors who have already requested termination should immediately contact their landlords to seek voluntarily lease extensions or to temporarily re-lease the premises back to the Sailor and his or her dependents. All such agreements to re-let or extend a lease should be in writing signed by both the landlord and the Service Member/dependent. If a Sailor has already terminated the lease and the landlord will not reconsider or refuses to re-let or extend the lease, the Sailor should engage with the local transportation office to invoke the JTR short-distance HHG move in Section 051904(b) of the JTR.

**JOINT TRAVEL REGULATION RELIEF FOR INVOLUNTARY TOUR EXTENSION:** Joint Travel Regulation (JTR) Section 051904(b), authorizes a short-distance move when vacating local private-sector housing due to involuntary tour extension. A short-distance household goods (HHG) move is authorized when the tour of duty at a permanent duty station is extended and an interim move is required for reasons beyond the Service member's control. This JTR move is authorized only from the residence from which the Sailor commuted daily to the permanent duty station to another residence or from non-temporary storage to Government or private-sector housing. For further information about the availability of entitlements to assist with a move, please contact your local transportation office.

### **BRANCH OFFICE NEW ORLEANS, LA**

Remote (Telephonic/E-mail) consultation only  
Walk-in hours suspended

#### **Contact Information**

(504) 678-4692

400 Russell Drive., Bldg 492, Room 225A  
New Orleans, LA 70037

Call the office for required forms. You must be able to verify your eligibility to be seen.

\*\*\* Individuals exhibiting symptoms will be turned away. \*\*