



# STATESIDELEGAL

Legal help for military members, veterans and their families

## Stateside Legal™ Self-Help Sample Letter Packet Letter from Servicemember Requesting Return of Security Deposit (Protections under the Servicemembers Civil Relief Act)

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This self-help resource was created by the Stateside Legal Project. Stateside Legal provides these sample forms and information free of charge to individuals with military connections (IMC). These forms are not based upon any specific state law or jurisdiction. They are intended as samples of how to use the protections of the Servicemembers Civil Relief Act (SCRA) to assist active duty members of the military. **READ ALL INSTRUCTIONS IN THIS PACKET VERY CAREFULLY.**

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### MORE INFORMATION

For information about the Servicemembers Civil Relief Act or many more topics concerning individuals with military connections, visit [www.statesidelegal.org](http://www.statesidelegal.org) or contact your local Judge Advocate General's Corps office, sometimes referred to as a military legal assistance office. Use the following website to locate the nearest one: <http://legalassistance.law.af.mil/content/locator.php>.

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**DISCLAIMER:** *The Stateside Legal Information Series is produced by the Pine Tree Legal Assistance of Maine®, Arkansas Legal Services Partnership®, and the Legal Services Corporation®. These organizations promote or provide free legal services to eligible low-income people. Additional information can be found at [www.lsc.gov](http://www.lsc.gov). This sample form packet is given to you as a guide to help you generally understand the way legal matters are handled. Local courts interpret things differently. The information and statements of law contained in this fact sheet are not intended to be used as legal advice. Before you take any action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.*

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LETTER FROM SERVICEMEMBER TO LANDLORD

SERVICEMEMBER NAME  
ADDRESS  
CITY, STATE, ZIP

DATE

LANDLORD NAME  
ADDRESS  
CITY, STATE, ZIP

RE: RETURN OF SECURITY DEPOSIT FOR THE PREMISES AT (ADDRESS)

Dear LANDLORD NAME:

I am writing to request the return of my security deposit. This notice is made pursuant to 50 U.S.C. § 3955 of the Servicemembers Civil Relief Act (the "SCRA") as legislated by the United States Congress and signed into law in December 2003.

The lease, for the premises referenced above, was lawfully terminated on \_\_\_\_\_(DATE) under the SCRA, 50 U.S.C. § 3955. You have failed to return my security deposit in a timely fashion. The security deposit was to be returned to me no later than \_\_\_\_\_(DATE) (within thirty days of the termination date of the lease).

Please note that 50 U.S.C. § 3955(h) of the SCRA states:

*"Misdemeanor. Any person who knowingly seizes, holds, or detains the personal effects, security deposit, or other property of a servicemember or a servicemember's dependent who lawfully terminates a lease covered by this section, or who knowingly interferes with the removal of such property from premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both."*

YOU MAY MAIL THE SECURITY DEPOSIT TO:

FORWARDING ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_

Should you have any questions, you may contact me at the address listed above. Thank you for your understanding and support in this matter.

Sincerely,

Service Member Name  
Rank, Service Branch

## **LAW YOU SHOULD KNOW**

The purpose of the Servicemembers Civil Relief Act (SCRA) is to provide protection to servicemembers who have difficulty meeting their financial and legal obligations because of their military service. The SCRA allows a servicemember that is required to move due to military orders to terminate a lease early (50 U.S.C. § 3955) under certain circumstances.

The landlord cannot demand any type of penalty for early termination. The landlord must refund the security deposit (minus any damages) within 30 days of the date the lease was terminated.

## **ABOUT THIS SAMPLE LETTER**

- This letter is for servicemembers or their dependents who have lawfully terminated their lease for the premises referenced above as provided by the SCRA, 50 U.S.C. § 3955, and the landlord has failed to return their security deposit.
- This letter provides instructions for delivery of the security deposit or any unused prepaid rent. Make sure to include your NEW address where the security deposit can be mailed.
- Read over this letter and make sure the information you have given is correct and complete. The letter in this packet is not based upon any specific state law or jurisdiction. The letter may need to be modified before use in any specific jurisdiction.
- It is a good idea to send this letter by registered mail with a return receipt request and keep a copy for your records.

## **MORE INFORMATION:**

For information about the Servicemembers Civil Relief Act or many more topics about individuals with military connections, visit [www.statesidelegal.org](http://www.statesidelegal.org) or contact your local Judge Advocate General's Corps office, sometimes referred to as a military legal assistance office. Use the following website to locate the nearest one: <http://legalassistance.law.af.mil/content/locator.php>.

*Thank you for your military service.*

**UPDATED:** July 2018