

Stateside Legal™

Termination of Automobile Lease

Sample Packet

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.

READ ALL INSTRUCTIONS AT THE END OF THIS PACKET VERY CAREFULLY. SOME CONTENT HAS BEEN PROVIDED BY THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES LEGAL ASSISTANCE.

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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. 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.*

NOTE: This lease cancellation form has been prepared in conjunction with the Association of Consumer Vehicle Lessors (ACVL) and has been approved by the Army (DAJA-LA), Navy (OJAG Code 16), Air Force (AFLSA/JACA), Marine Corps (CMC (Code JAL)) and Coast Guard (Coast Guard Headquarters Legal Assistance) for use by service members.

SAMPLE LETTER FROM SERVICE MEMBER TO TERMINATE MOTOR VEHICLE LEASE

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

DATE

SERVICE MEMBER NAME
ADDRESS

LESSOR
ADDRESS

RE: MOTOR VEHICLE LEASE, SERVICE MEMBER NAME, ACCOUNT NUMBER

Dear Sir or Madam:

This provides formal notice of **CANCELLATION OF MOTOR VEHICLE LEASE PURSUANT TO SECTION 305 OF THE SERVICEMEMBERS CIVIL RELIEF ACT (50 U.S.C. App. §535)**.

I, SERVICE MEMBER NAME, as Lessee ("I"), notify you, Lessor ("You"), pursuant to Section 305 of the Servicemembers Civil Relief Act (SCRA) of my intent to terminate the lease of the following described motor vehicle:

Year	Make	Model	VIN Number	Account Number
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I understand that you may provide more specific instructions related to my lease agreement, your procedures for implementing this lease termination, or may designate someone to act on your behalf as an Agent.

_____ Since leasing the vehicle described above, I certify that I have entered military service under a call or order specifying a period of not less than 180 days of duty (or have previously entered military service under a call or order specifying a period of 180 days or less of duty, but without a break in service, I have received orders extending my period of military service to a period of not less than 180 days); **OR**

_____ After leasing the vehicle described above, I certify that I have received military orders for a permanent change of station outside of the continental United States, have been ordered to deploy with a military unit for a period of not less than 180 days, or having been ordered to deploy for a period of less than 180 days, have received orders extending my period of deployment to a period of 180 days or more.

I understand that in order to terminate the lease, I am required to do the following:

- 1) Deliver this notice and a copy of my military orders to You or your Agent by: (a) hand delivery; (b) recognized courier service; (c) by U.S. mail in an envelope, postage paid and return receipt requested, addressed to You at the above address or your Agent at your Agent's designated address; or (d) by any other means You designate; AND

- 2) Return the leased motor vehicle to you or your Agent at any reasonable location specified by you or your Agent within 15 days after delivery of this notice.

Termination Date:

The lease is terminated effective on the date that I have complied with items 1) and 2) above.

Federal Odometer Statement:

I understand that Federal law requires me to provide you with a signed statement showing the vehicle's mileage at the termination of the lease. (Attachment A meets this requirement.)

Liability by Law:

Although I do not have to pay an early termination charge, I understand that I remain liable for the prorated part of my last monthly payment due before the Termination Date, as well as any past due monthly payments, taxes, summonses and title and registration fees, reasonable charges for excess wear and use and excess mileage, and any other amounts owed under the lease, that have become due and are unpaid at termination in accordance with the terms of my lease.

DATE

Signature of Service Member or Designated Agent

Print Name, Rank & Branch of Service

Military Unit & Duty Phone Number

ODOMETER DISCLOSURE STATEMENT
(Leased Vehicle)

TO:

ODOMETER DISCLOSURE STATEMENT

I, _____ state that the odometer now reads _____
(Print name of person making disclosure) (no tenths)

miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the statements is checked.

____ (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.

____ (2) I hereby certify that the odometer reading is NOT the actual mileage.
WARNING - ODOMETER DISCREPANCY

Make _____ Model _____ Body Type _____ Color _____

Vehicle Identification Number _____ Year _____

Account Number _____ Dealer _____

LESSEE / CUSTOMER INFORMATION:

Lessee Name (printed) _____ Date _____

Lessee Electronic Identification Code (if applicable) _____

Lessee Signature _____

Lessee Address _____

(Street)

(City)

(State)

(Zip)

LESSOR INFORMATION:

Lessor Signature _____ Lessee _____

Date of Statement _____ Date Received by Lessor _____

Attachment "A"

LAW YOU SHOULD KNOW

The purpose of the Servicemembers Civil Relief Act (SCRA) is to provide protection to service members who have difficulty meeting their financial and legal obligations because of their military service

If you are called to active duty for at least 180 days, then you may terminate a motor vehicle lease duty without paying an early termination fee or other penalty. The motor vehicle lease must have been signed before being called to active duty.

This right is not automatic. You must give the person or company that leased you the vehicle written notice of the termination. You must also provide a copy of your military orders.

Also, you must return the vehicle to the person or company that leased you the vehicle within 15 days of the delivery of the notice.

ABOUT THIS SAMPLE LETTER

- This letter provides the required statement of notice to the person or company that leased you the vehicle so you can terminate a motor vehicle lease duty without paying an early termination fee or other penalty.
- Include a copy of your military orders.
- Include a copy of the Odometer Statement “Attachment A.”
- It is a good idea to send this letter by registered mail with a return receipt request.
- Read over this letter and make sure the information you have given is correct and complete.

Odometer Statement: If the odometer is in excess of its mechanical limits or the odometer reading is NOT the actual mileage, then you must check either option 1 or option 2 under the first paragraph of the odometer statement. If it is the actual mileage, then do not check either paragraph. You must sign the Odometer Statement before sending it with your letter.

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.

More Information: For information about Stateside Legal or more topics about individuals with military connections visit, www.statesidelegal.org or contact your local Judge Advocate General's Corps office.

The Stateside Legal Project sincerely thanks you for your service to our country.

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