

Termination of Communications Contracts

The SCRA provides service members (SMs) with a right to terminate contracts for mobile telephone service, internet service, and cable television service, when the member is directed to relocate for a period in excess of 90 days to a location “that does not support the contract” (50 U.S.C. 3956). While the SCRA does not clarify the meaning of this term, it surely includes deployment to an area at which the communications do not operate, and very likely also includes relocations to a place that results in a vast increase in the cost of service.

The SM may terminate the contract by giving the service provider written or electronic notice to terminate that states the date that service is to cease, and a copy of the to the military orders that give rise to the right to terminate. If the relocation period is for three years or less, the SM has the right to retain the mobile phone number and to re-subscribe to the service during the 90 day period beginning the last day of the relocation. If family members are also on the mobile phone service contract, and they relocate with the SM, they can also terminate their mobile phone service.

The service provider is prohibited from charging any early termination penalties or charges, nor may the service provider charge any re-subscription charges if the SM re-subscribes within the 90 day period following the relocation. However, service providers can, and will, charge for service right up to date of termination. Accordingly, SMs should make sure that they have paid all lawful charges, to avoid collections efforts and credit damage.

The SM must return any provider owned equipment, such as routers or cable modems, not later than 10 days after service is disconnected. If the SM has made any advance payments, they must be returned to him within 60 days of the date of service termination.

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