



FORT SILL LEGAL ASSISTANCE

CANCELLING CELL PHONE CONTRACTS



Normally, if you had to move before your cellular phone service contract was up and you needed to cancel, you could expect to pay a penalty. Such early termination fees typically cost between \$150 and \$250. That fee, when piled onto various other charges, is often why many customers love to hate their cell phone company.

RELOCATION

A new law has made jumping the cell phone ship easier for relocating servicemembers. The **Servicemembers Civil Relief Act (SCRA)** was recently amended to allow a servicemember to terminate a cell phone contract if military orders require the servicemember to relocate for more than 90 days to an area that does not support the cell phone service contract. If the new location does not support the contract, the law gives the servicemember the right to terminate the cell phone service contract earlier than it would otherwise end. For example, if the servicemember has a two year wireless plan and then after three months receives military orders to relocate to a place that does not support the wireless service, the servicemember can terminate at the three month mark, even though there would otherwise be 21 months left on the contract. Furthermore, a servicemember who terminates early under this law cannot be charged any early termination fee.

HOW TO CANCEL

To terminate the contract, the relocating servicemember must notify the wireless provider *in writing* of his intent to terminate the contract and include a copy of the military orders which cause the relocation. Electronic notification is permitted under the law, but a copy of the military order must accompany the termination notice.

FAMILY PLANS

If the servicemember is eligible to terminate service and is on a family cellular phone service plan, the servicemember can choose to terminate his own cell phone service only, or may elect also to terminate the cell phone service of other family members who accompany him to the new location.

RETENTION OF TELEPHONE NUMBER

After wireless service termination under the SCRA, the servicemember has a right to his old telephone number back, provided that (a) the period of relocation did not exceed three years, and (b) the servicemember applies within 90 days after the period of relocation.

This law is codified at Title 50, United States Code, Appendix § 535a.

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If you have questions concerning the information in this fact sheet, please call the Legal Assistance Office (580) 442-5058 or (580) 442-5059. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Fort Sill Legal Assistance Office is located on the 4th floor of Building 4700, Welcome Center, on Mow-Way Road.