

REFRAD LEGAL ISSUES

1. RESIDENTIAL LEASE TERMINATIONS: Residential leases can be terminated up to 60 days of your transition date by delivering written notice of termination, plus a copy of your military orders, by hand or by return-receipt mail (preferably certified) to the lessor. (The termination provisions also apply to leases in which dependents are obligated under the lease.) After you provide written notice, termination of your lease will be effective thirty (30) days after the date the next rent payment is due. Security deposits must still be returned to you and the landlord may not charge liquidated damages.

2. LIFE AND HEALTH INSURANCE: Your SGLI life insurance ends when you leave active duty service. (Reservists still have coverage under limited circumstances). If you are retiring, there is no automatic life insurance coverage that is extended to you. Before you sign up for Veterans' Group Life Insurance (VGLI) offer through the VA, compare rates with other life insurance companies. Info: <http://www.insurance.va.gov/sgliSite/SGLI/SGLI.htm> You are entitled to have your health insurance reinstated following periods of active duty. The reinstatement is immediate, and there can be no exclusion for a condition which arose before or during the period of service, as long as the condition would not have entailed an exclusion or waiting period had you remained covered and if the condition has not been determined by the VA to be a disability incurred or aggravated in the line of duty. You must apply for reinstatement not later than 120 days after the release from service.

3. TAXES AND STATE RESIDENCY: Generally, if you are not on active duty, you (and your spouse) will be required to claim the state in which you live (after 6 months) as your state of residence for tax purposes. This may also impact your drivers' license, voters' registration, and other legal interests.

4. 6% INTEREST RATE CAP ON DEBTS: If you had interest on debts reduced to 6% during your active-duty service, creditors are only required to keep reduction in place for up to 180 days after your release from active duty. Any interest that was reduced during your service is forgiven.

5. REEMPLOYMENT RIGHTS: Upon completing service in the uniformed services, the employee must notify the pre-service employer of his or her intent to return to the employment position by either reporting to work or submitting a timely application for reemployment, as follows: (a) *Period of service less than 31 days or for a period of any length for the purpose of a fitness examination.* If the period of service was less than 31 days, or the employee was absent from a position of employment for a period of any length for the purpose of an examination to determine his or her fitness to perform service, the employee must report back to the employer not later than the beginning of the first full regularly-scheduled work period on the first full calendar day following the completion of the period of service, and the expiration of eight hours after a period allowing for safe transportation from the place of that service to the employee's residence. If it is impossible or unreasonable for the employee to report within such time period through no fault of his or her own, he or she must report to the employer as soon as possible after the expiration of the eight-hour period. (b) *Period of service more than 30 days but less than 181 days.* If the employee's period of service in the uniformed services was for more than 30 days but less than 181 days, he or she must submit an application for reemployment (written or verbal) with the employer not later than 14 days after completing service. If it is impossible or unreasonable for the employee to apply within 14 days through no fault of his or her own, he or she must submit the application not later than the next full calendar day after it becomes possible to do so. (c) *Period of service more than 180 days.* If the employee's period of service in the uniformed services was for more than 180 days, he or she must submit an application for reemployment (written or verbal) not later than 90 days after completing service.

MORE INFO: <http://www.esgr.org/site/Home.aspx>