

TIPS for Servicemembers

Protecting Stored Property While on Active Duty



When you put your stuff, or a car or truck, in storage, a storage company may try to sell your things if you fall behind on your rent. But you have rights!

Servicemembers' Storage Rights

- Under the law, while you are on active duty, and for 120 days thereafter, storage companies must get a court order before selling your stored property, car, or truck if you are behind on the rent for your storage unit.

Who gets these storage rights

- Any member of the armed forces on active duty. These rights last during your active duty service and for six months after you are released or discharged.
- National Guard and State Guard personnel on emergency state active duty.

If a storage company files a court case to sell your stuff:

- Get help right away from a JAG legal assistance office or another attorney.
- You or your attorney can ask a judge to stop the case for a period of time.
- A judge can also change what you owe to an amount the judge thinks is fair, or change when you need to make your payments.

Don't Give Up Your Rights

- **Be aware:** Storage companies might try to get you to give up your rights when you sign up for storage. They might also say they didn't know you were a servicemember.
- **Read all documents before you sign them:** When signing papers to store your things, read before you sign. Signing papers that say you give up, or "waive," your rights means you are agreeing to let the storage company sell your stuff without getting a court order. You do not have to sign a contract that gives up your rights if you do not want to.
- **A waiver may be invalid:** Your storage rights under the California Military and Veterans Code cannot be waived, and businesses that require service members to waive their rights may be violating California civil rights laws.

You Have Options

- **Talk to your Family Support Office:** Ask about options for storing your personal items — for example, some installations or armories allow long-term car or truck storage.

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- **Shop around:** Making a few calls before you choose a storage company can help you get the best deal and make sure your things are safe.

Additional Resources

Ask your base legal office for help. For the legal office's contact information, ask your command or visit the Armed Forces Legal Assistance Program website at <http://legalassistance.law.af.mil/>.

California National Guard personnel can also get help from the State Staff Judge Advocate's Office - go to <http://www.calguard.ca.gov/> for contact information.

For information on civilian legal aid resources, go to <http://www.lawhelpca.org>.

The Attorney General's Office cannot give legal advice, but filing a consumer complaint is helpful because it alerts the Office to consumer issues and may help with the Office's investigations. File a complaint with the Attorney General's Office at <https://oag.ca.gov/consumers> or (800) 952-5225.

For more information about military consumer protection, visit <https://oag.ca.gov/consumers/general/military>.

For questions regarding the Department of Justice, contact the Public Inquiry Unit at (916) 210-6276 (voice), or (800) 952-5225 (toll-free in California).