

For additional information on this topic, please see the following websites:

VA Regional Loan Centers

www.homeloans.va.gov/rlcweb.htm

(877) 827-3702

Veterans Housing Assistance Program

www.glo.state.tx.us/vlb/vhap/index.html

Housing and Urban Development

Veteran Resource Center

www.hud.gov/hudvet

(800) 998-9999

VA Home Loan Refinance: Why Veterans Should Consider It

www.veteranjournal.com/va-home-loan-refinance/

The Texas Apartment Association

Apartment Lease Contract

www.taa.org/assets/PDF/renter/

[2007%20apartment%20lease%20-%20for%20website.pdf](http://www.taa.org/assets/PDF/renter/2007%20apartment%20lease%20-%20for%20website.pdf)

Rebuilding Together

www.rebuildingtogether.org

(800) 473-4229

Homes For Our Troops

www.homesforourtroops.org

Specially Adapted Housing Program

www.homeloans.va.gov/sah.htm

For direct legal services, contact your closest Legal Aid:

Legal Aid of NorthWest Texas

(800) 955-3959

www.lanwt.org

Lone Star Legal Aid

(800) 354-1889

www.lonestarlegal.org

Texas RioGrande Legal Aid

(888) 988-9996

www.trla.org

FREE LEGAL SERVICES AVAILABLE
FOR ELIGIBLE LOW-INCOME VETERANS

Veterans' Rights: Renters' & Homeowners' Issues

Information Needed When Applying for Services from Legal Aid:
Current Household Income Information
Social Security Number
Documents related to your case (to the extent possible)



Veterans' Rights: Renters' & Homeowners' Issues

Do I have a right to terminate my lease?

It depends; both Texas and Federal law allow for a servicemember to terminate his/her residential lease and be released from the obligation for future rent if (1) the lease was executed by a person who enters military service after signing the lease; or (2) the servicemember, while in military service, signs a lease and then receives orders for a permanent change of station or to deploy for 90 days or more. The servicemember must give his/her landlord written notice of termination and evidence of his/her entry into military service or his/her orders to deploy.

Do I still have a right to terminate my lease if the contract is written on a Texas Apartment Association form?

Yes. Many residential leases in Texas are written on the form established by the Texas Apartment Association (the "TAA"). If the lease is written on the TAA form, Section 23 of the lease entitles military personal to certain rights, including the right to terminate the lease.

****NOTE*** Federal law extends most of these protections to a dependent of a service member if the dependent's ability to comply with the lease is materially affected by reason of the servicemember's military service; but the dependent must apply to a court to be entitled to these protections.*

Do I have the right to avoid eviction?

It depends; Federal law prohibits a landlord from evicting a servicemember or his/her family during the servicemember's military service from a residence if the rent is less than

\$2,720.95 per month. Otherwise, the landlord must obtain a court ordered eviction. The \$2,720.95 per month threshold is subject to annual adjustments for housing price inflation. If the landlord seeks a court ordered eviction, the servicemember has the right to delay the proceedings for 90 days.

Do I have a right to avoid the landlord's termination of my lease?

If the servicemember has paid a security deposit or if he/she has begun paying rent, Federal law prohibits a landlord from rescinding or terminating the lease of an active servicemember for a breach of the lease occurring by reason of the servicemember's military service.

Do I have a right to avoid foreclosure?

According to the Service Members Civil Relief Act (SCRA), if a service member has a mortgage on his/her home, then any foreclosure during, or within nine months after, military service is not valid – except if a court grants an order authorizing the foreclosure prior to the sale or if the service member waives the protections of this law. Additionally, the Foreclosure Protection Act (part of the SCRA) provides returning service members with one year of relief from mortgage interest rate increases. Also, if a service member is validly foreclosed on, and "who through no fault of their own, have been forced to move because landlords failed to keep up payments on residences that the members and their families have leased or rented," then the government will pay local moving costs.

Is there any help if I have an outstanding adjustable rate mortgage and/or subprime loan?

Yes. According to the Veterans Benefits Improvement Act of 2008, there have been four improvements to the VA Home Loan Program: (i) VA adjustable rate mortgage (ARM) and hybrid adjustable rate mortgage (HARM) programs have been extended through September 30, 2012; (ii) the maximum guaranty loan to value (LTV) for a Cash Out (regular) Refinance has increased from 90% to 100%. Borrowers may now get a Cash Out Refinance Loan for up to 100% of the appraised value of a home. (iii) the maximum guaranty for refinances also increased from \$36,000, and is now the same as the maximum guaranty for purchase loans; (iv) the maximum amount the VA will guarantee has been extended until December 31, 2011. The guaranty amount varies depending on the location of the property but may reach up to 175% of the Freddie Mac conforming loan limits.

What should I do if I am having trouble making payments?

Take action immediately. Call a VA financial counselor at (877) 827-3702.

Can I get alterations to my home if I have become disabled?

Yes. If you have a disability that requires permanent changes to your home, like a ramp, you may be eligible for a Home Improvement and Structural Alterations grant. Your Veterans Affairs doctor can refer you to a specialist who will determine what changes should be made. Call (877) 222-8387.