

772; June 23, 1952, ch. 450, 66 Stat. 151; Mar. 18, 1991, Pub. L. 102-12, §9(9), (10), 105 Stat. 40.)

AMENDMENTS

1991—Par. (3). Pub. L. 102-12, §9(10), struck out “after the date of enactment of the Soldiers’ and Sailors’ Civil Relief Act Amendments of 1942 and” after “shall be valid if made”.

Par. (4). Pub. L. 102-12, §9(9), substituted “shall be fined as provided in title 18, United States Code, or imprisoned for not to exceed one year,” for “shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000.”

1952—Subsec. (4). Act June 23, 1952, prohibited the making of sales, foreclosures, or seizures defined as invalid by subsec. (3) of this section.

1942—Subsec. (1). Act Oct. 6, 1942, §9(b), struck out “originating prior to the date of approval of this Act and” after “obligations” and inserted matter at end of subsection following “him”.

Subsec. (2). Act Oct. 6, 1942, §9(c), struck out “except as provided in section 303,” before “on application”.

Subsecs. (3), (4). Act Oct. 6, 1942, §10, amended subsec. (3) generally and added subsec. (4).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 530, 535 of this Appendix; title 12 sections 1710, 1739, 1750c.

§ 533. Settlement of cases involving stayed proceedings to foreclose mortgage on, resume possession of, or terminate contract for purchase of, personal property

Where a proceeding to foreclose a mortgage upon or to resume possession of personal property, or to rescind or terminate a contract for the purchase thereof, has been stayed as provided in this Act [sections 501 to 593 of this Appendix], the court may, unless in its opinion an undue hardship would result to the dependents of the person in military service, appoint three disinterested parties to appraise the property and, based upon the report of the appraisers, order such sum, if any, as may be just, paid to the person in military service or his dependent, as the case may be, as a condition of foreclosing the mortgage, resuming possession of the property, or rescinding or terminating the contract.

(Oct. 17, 1940, ch. 888, art. III, §303, as added Oct. 6, 1942, ch. 581, §12, 56 Stat. 772.)

PRIOR PROVISIONS

A prior section 533, act Oct. 17, 1940, ch. 888, art. III, §303, 54 Stat. 1183, related to stay of action to resume possession of motor vehicle, tractor, or their accessories, encumbered by purchase money mortgage, conditional sales contract, etc., prior to repeal by act Oct. 6, 1942, ch. 581, §11, 56 Stat. 772.

§ 534. Termination of leases by lessees

(1) The provisions of this section shall apply to any lease covering premises occupied for dwelling, professional, business, agricultural, or similar purposes in any case in which (a) such lease was executed by or on the behalf of a person who, after the execution of such lease, entered military service, and (b) the premises so leased have been occupied for such purposes, or for a combination of such purposes, by such person or by him and his dependents.

(2) Any such lease may be terminated by notice in writing delivered to the lessor (or his

grantee) or to the lessor’s (or his grantee’s) agent by the lessee at any time following the date of the beginning of his period of military service. Delivery of such notice may be accomplished by placing it in an envelope properly stamped and duly addressed to the lessor (or his grantee) or to the lessor’s (or his grantee’s) agent and depositing the notice in the United States mails. Termination of any such lease providing for monthly payment of rent shall not be effective until thirty days after the first date on which the next rental payment is due and payable subsequent to the date when such notice is delivered or mailed. In the case of all other leases, termination shall be effected on the last day of the month following the month in which such notice is delivered or mailed and in such case any unpaid rental for a period preceding termination shall be proratably computed and any rental paid in advance for a period succeeding termination shall be refunded by the lessor (or his assignee). Upon application by the lessor to the appropriate court prior to the termination period provided for in the notice, any relief granted in this subsection shall be subject to such modifications or restrictions as in the opinion of the court justice and equity may in the circumstances require.

(3) Any person who shall knowingly seize, hold, or detain the personal effects, clothing, furniture, or other property of any person who has lawfully terminated a lease covered by this section, or in any manner interfere with the removal of such property from the premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts so to do, shall be fined as provided in title 18, United States Code, or imprisoned for not to exceed one year, or both.

(Oct. 17, 1940, ch. 888, art. III, §304, as added Oct. 6, 1942, ch. 581, §12, 56 Stat. 772; amended Mar. 18, 1991, Pub. L. 102-12, §9(9), 105 Stat. 40.)

AMENDMENTS

1991—Par. (3). Pub. L. 102-12 substituted “shall be fined as provided in title 18, United States Code, or imprisoned for not to exceed one year,” for “shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000.”

§ 535. Protection of assignor of life insurance policy; enforcement of storage liens; penalties

(1) Where any life insurance policy on the life of a person in military service has been assigned prior to such person’s period of military service to secure the payment of any obligation of such person, no assignee of such policy (except the insurer in connection with a policy loan) shall, during the period of military service of the insured or within one year thereafter, except upon the consent in writing of the insured made during such period or when the premiums thereon are due and unpaid or upon the death of the insured, exercise any right or option by virtue of such assignment unless upon leave of court granted upon an application made therefor by such assignee. The court may thereupon refuse to grant such leave unless in the opinion of the