



UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
BOX 555010  
CAMP PENDLETON, CALIFORNIA 92055-5010

4050  
SJA  
27 OCT 08

BASEGRAM 38-08

FROM: COMMANDING OFFICER  
TO: DISTRIBUTION LIST

SUBJ: SHORT DISTANCE MOVE FOR RENTERS DISPLACED BY LANDLORD  
FORECLOSURES

REF: (A) MARADMIN 588/08

1. RECENT ECONOMIC CONDITIONS HAVE RESULTED IN A NUMBER OF HOME FORECLOSURES IN THE LOCAL AREA THAT HAVE NEGATIVELY IMPACTED MARINE CORPS BASE AND TENANT COMMAND SERVICEMEMBERS AND THEIR FAMILIES. THROUGH NO FAULT OF THEIR OWN, THESE MILITARY FAMILIES HAVE BEEN SERVED WITH EVICTION NOTICES DESPITE HAVING PAID THEIR RENT ON TIME. SUCH SITUATIONS ARE THE RESULT OF THE LANDLORD'S FAILURE TO PAY THEIR MORTGAGE COMPANY AND ARE NOT THE RESPONSIBILITY OF THE SERVICEMEMBERS OR THEIR FAMILIES.

2. EFFECTIVE 30 JULY 2008, AN ACTIVE DUTY SERVICEMEMBER WHO RELOCATES, OR WHOSE DEPENDENTS RESIDE AT AN ALTERNATIVE PLACE OF RESIDENCE RELOCATES, FROM LEASED OR RENTED PRIVATE HOUSING, BY REASON OF FORECLOSURE ACTION AGAINST THE LANDLORD, IS AUTHORIZED A FUNDED SHORT DISTANCE MOVE. THIS PROVISION DOES NOT APPLY TO "SHORT SALES" OR IF A SERVICEMEMBER AND/OR THE DEPENDENT IS THE HOMEOWNER. THE SHORT DISTANCE MOVE FOR THE SERVICEMEMBER OR DEPENDENTS IS TO ANOTHER DWELLING FROM WHICH THE SERVICEMEMBER IS TO COMMUTE DAILY TO HIS OR HER PERMANENT DUTY STATION. IN CASES WHERE DEPENDENTS ARE FORCED TO VACATE, THE LOCAL MOVE IS TO ANOTHER DWELLING WITHIN THE LOCAL AREA OF THE DEPENDENTS' DESIGNATED LOCATION.

3. A SERVICEMEMBER OR DEPENDENT (WITH A GENERAL OR SPECIAL POWER OF ATTORNEY) SUBJECT TO EVICTION DUE TO LANDLORD FORECLOSURE SHOULD REQUEST AUTHORIZATION AND APPROVAL FROM THE MARINE CORPS BASE CENTRAL HOUSING OFFICE, BUILDING 1138. PRIOR TO REQUESTING AUTHORIZATION AND APPROVAL FROM THE CENTRAL HOUSING OFFICE, THE SERVICEMEMBER OR DEPENDENT MUST FIRST PROVIDE THE MARINE CORPS BASE OFFICE OF THE STAFF JUDGE ADVOCATE (OSJA) LOCATED IN BUILDING 1160: (1) A COPY OF THE RENTERS OR LEASE AGREEMENT, (2) ANY DOCUMENTATION OF EVICTION NOTICE, AND,

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(3) ANY DOCUMENTATION SHOWING THAT THE DWELLING IS IN FORECLOSURE. IF WRITTEN DOCUMENTATION OF EVICTION AND/OR FORECLOSURE IS UNAVAILABLE TO THE SERVICEMEMBER OR DEPENDENT, THE SERVICEMEMBER OR DEPENDENT WILL BE REQUIRED TO AFFIRM THIS FACT THROUGH THE EXECUTION OF AN AFFIDAVIT PROVIDED BY THE OSJA. ONCE THE OSJA REVIEWS THESE DOCUMENTS FOR LEGAL SUFFICIENCY, A FORECLOSURE EVICTION REVIEW LETTER WILL BE PREPARED FOR THE SERVICEMEMBER OR DEPENDENT TO PROVIDE TO THE CENTRAL HOUSING OFFICE FOR AN AUTHORIZATION AND APPROVAL DETERMINATION. ANY QUESTIONS RELATING TO THE DOCUMENTS REQUIRED BY THE OSJA SHOULD BE DIRECTED TO (760) 725-5154.

4. SERVICEMEMBERS AND DEPENDENTS ARE ALSO REMINDED THAT THEY MAY CONSULT WITH LEGAL ASSISTANCE ATTORNEYS AT THE MARINE CORPS BASE, CAMP PENDLETON JOINT LEGAL ASSISTANCE OFFICE TO DETERMINE IF ADDITIONAL REMEDIES UNDER THE SERVICE MEMBERS CIVIL RELIEF ACT (50 USC, APP 531), AND/OR CALIFORNIA LANDLORD-TENANT LAWS APPLY. THE JOINT LEGAL ASSISTANCE OFFICE IS LOCATED IN BUILDING 22161 AND CAN BE REACHED AT (760) 725-5134.

5. THIS BASEGRAM IS IN EFFECT UNTIL RESCINDED.

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R. T. ROMERO  
BY DIRECTION