

MARYLAND OFFICE OF THE ATTORNEY GENERAL
ANTHONY G. BROWN, ATTORNEY GENERAL



MILITARY AND VETERAN LEGAL RESOURCE GUIDE



RESOURCE GUIDE FOR MARYLAND VETERANS, SERVICEMEMBERS AND MILITARY FAMILIES

Dear Veterans, Military Personnel, and Families:

With a deep understanding forged through 30 years of dedicated service in the United States Army, I recognize and appreciate the challenges facing military service members, veterans, and families. Understanding the benefits and protections guaranteed to you under a complex web of federal and state laws can be overwhelming. This guide serves as a compass to connect you with invaluable resources and opportunities, and to help you understand your rights.



In Maryland, over 350,000 veterans and their families have found a place to call home. Whether you're seeking to enrich your education, secure stable and affordable housing, embark on a fulfilling career, safeguard your consumer rights, or access legal assistance, the information provided here is tailored especially to you.

For those transitioning from military to civilian life, this guide is crafted with special consideration to help you thrive in this new phase.

It has been my distinct honor to serve both this great nation and now, as the 47th Attorney General of Maryland, to serve you. Welcome to a community dedicated to supporting and honoring your service.



Sincerely,

Handwritten signature of Anthony G. Brown.

Anthony G. Brown
Attorney General

TABLE OF CONTENTS

CHAPTER 1: EMPLOYMENT	1
Uniformed Services Employment and Reemployment Rights Act.....	1
Maryland Employment Rights	2
CHAPTER 2: EDUCATION	5
Federal Education Benefits	5
Maryland Education Programs for Veterans	7
Student Loan Debt.....	10
CHAPTER 3: CONSUMER PROTECTION ISSUES.....	13
Servicemembers Civil Relief Act.....	13
Military Lending Act.....	14
Protection from Fraud and Identity Theft	15
Debt Collection Rights	17
CHAPTER 4: LEGAL ASSISTANCE.....	21
National Legal Resources.....	21
Maryland Legal Resources.....	21
CHAPTER 5: HOUSING.....	23
Maryland Mortgage Program	23
Foreclosure Assistance Scams.....	24
Foreclosure Assistance Service and Programs.....	25
CHAPTER 6: MARYLAND TAX EXEMPTIONS AND CREDITS	29
CHAPTER 7: MISCELLANEOUS RIGHTS AND PROTECTIONS	30
Voter Registration	30
Motor Vehicles.....	30
Free Copy of Vital Records.....	31
Death Benefit to Surviving Spouse or Estate of Maryland Resident Killed in Action	31
CHAPTER 8: HELPFUL RESOURCES	32
Veterans Programs	32
Veterans Education and Training.....	33
Employment	33
Legal Assistance.....	33
Housing	33
Consumer Protection.....	34

DISCLAIMER

The information in this guide is provided as a resource for general educational purposes and is not provided for the purpose of giving legal advice of any kind. The information in this guide may or may not be applicable depending on an individual's circumstances. Readers should not rely on information in this guide without seeking private legal assistance regarding any specific applications of the laws.

This guide was last updated in July 2019. As laws and regulations change, portions may change or become obsolete. The information provided on the websites linked in this guide does not represent the legal opinion of the Maryland Office of the Attorney General. Risks associated with accessing, downloading, or storing information from the links contained in this guide rest with the user.

CHAPTER 1: EMPLOYMENT



Obtaining meaningful employment is often a servicemember's first step in successfully transitioning back into civilian life. Various federal and state laws are designed to protect the employment of servicemembers summoned to active duty and often require employers to reemploy returning servicemembers in the positions they held prior to their military service. Additionally, under Maryland law, there are various statutes designed to ease licensing requirements for veterans entering the Maryland workforce, and preferences are given to qualifying veterans seeking employment with state government agencies.

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects civilian job rights and benefits for veterans and members of the active and reserve components of the U.S. Armed Forces. USERRA states that returning servicemembers must be promptly reemployed in the same position that they would have attained had they not been absent for military service, with the same seniority, status, and pay, as well as other rights and benefits determined by seniority.

The employer must reemploy you when you return from a period of service in the uniformed services if you meet five criteria:

- You have been absent from a civilian job on account of service in the uniformed services;
- You had given advance notice to the employer that you were leaving the job for service in the uniformed services, unless such notice was precluded by military necessity or otherwise impossible or unreasonable;
- The cumulative period of military service with that employer must not have exceeded five years;
- You must not have been released from service under dishonorable or other punitive conditions; and
- You must have reported back to the civilian job in a timely manner or have submitted a timely application for reemployment, unless timely reporting back or application was impossible or unreasonable.

USERRA prohibits employment discrimination against you on the basis of past military service, current military obligations, or intent to serve. An employer must not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to you on the basis of a past, present, or future service obligation.

USERRA offers health insurance protections for servicemembers and their dependents who have employer-sponsored health insurance coverage. If you perform military duty for more than 30 days, you may elect to continue employer-sponsored health care for up to 24 months; however, you may be required to pay up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if you had remained employed. If you choose not to continue your coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., preexisting condition exclusions) except for service-connected illnesses or injuries.

The U.S. Department of Labor's Veterans' Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at www.dol.gov/agencies/vets.

MARYLAND EMPLOYMENT RIGHTS

Maryland law defines a veteran as an "individual who served on active duty in the armed forces of the United States, other than for training, and was discharged or released under conditions other than dishonorable."¹

Veterans Full Employment Act of 2013

The Veterans Full Employment Act (VFEA) of 2013 is designed to assist veterans, current servicemembers, and military spouses obtain occupational and professional licenses. VFEA requires occupational licensing units in the Maryland Department of Labor, Maryland Department of Health, Maryland Institute for Emergency Medical Services Systems, Maryland Higher Education Commission, and Maryland State Department of Education to give credit to former servicemembers for relevant military training, education, and experience in connection with the issuance of occupational and professional licenses. The act expedites licensing procedures for veterans, servicemembers, and military spouses who are actively licensed and relocate to Maryland.²

¹ Maryland State Government §9-901, http://mgaleg.maryland.gov/2020RS/Statute_Web/gsg/9-901.pdf (accessed 2 July 2019).

² "Attention Military Veterans and Families - Learn About Expedited Licensing." Department of Labor, State of Maryland. www.dlrl.state.md.us/license/opvetlic.shtml (accessed 8 July 2019).

Under the act, various Maryland agencies provide expedited temporary licenses for servicemembers, veterans, or military spouses who hold valid licenses in good standing issued in another state.³ Visit these websites to learn more about specific application processes:

- Occupational and Professional Licensing: <http://www.dllr.state.md.us/license/opvetlic.shtml>
- Emergency Medical Services Licensing and Certification: <https://www.miemss.org/home/ems-providers>
- Health Care Occupational Licensing: <https://health.maryland.gov/Pages/proflcsm.aspx>
- Teacher Credentialing: <http://marylandpublicschools.org/about/pages/dee/certification/index.aspx>

Point Preference for Veterans and Spouses Applying for Maryland State Government Jobs

Veterans and spouses of veterans receive preference in the application process for state government positions through the award of points used in evaluating applications. Additional points are applied to your application if you have a service-connected disability or are a former prisoner of war.⁴



To learn more about this benefit, visit <https://dbm.maryland.gov/jobseekers/Pages/DetermineEligibilityVeteransCredit.aspx>.

For more information on job opportunities for veterans in Maryland state government, visit <https://dbm.maryland.gov/jobseekers/Pages/VeteransJobs.aspx>.

Leave With Pay

Maryland law requires paid leave for employees who are members of the military who also meet certain qualifications.

For employees who work for Maryland state government, leave with pay is provided for “up to 15 days for military training or active military duty in a reserve unit of the armed forces or in the organized militia.”⁵ The organized militia comprises members of the National Guard, the Inactive National Guard, and the Maryland Defense Force.⁶ This law also applies to servicemembers in U.S. Armed Forces reserve components.

³ Maryland Business Regulation, §2.5-105, http://mgaleg.maryland.gov/2020RS/Statute_Web/gbr/2.5-105.pdf (accessed 8 July 2019).

⁴ Maryland State Personnel and Pensions §7-207, http://mgaleg.maryland.gov/2020RS/Statute_Web/gsp/7-207.pdf (accessed 8 July 2019).

⁵ Maryland State Personnel and Pensions §9-1104, http://mgaleg.maryland.gov/2020RS/Statute_Web/gsp/9-1104.pdf (accessed 8 July 2019).

⁶ Maryland Public Safety § 13-203, http://mgaleg.maryland.gov/2020RS/Statute_Web/gps/13-203.pdf (accessed 9 July 2019).

Additional provisions under Maryland law guarantee leave with pay for other employees who meet certain eligibility requirements:

(a) An officer or employee of the State, a county, or other political subdivision of the State who is a member of the organized militia is entitled to a leave of absence from duties, without loss of pay, time, or efficiency rating:

(1) on each day engaged in field or coast defense or other training ordered or authorized under this title; or

(2) under any law of the United States while on inactive duty training, not to exceed 15 days annually.

(b) In addition to the 15-day period specified in subsection (a) of this section, a member of the organized militia who is ordered to State active duty under authority of the Governor is entitled to leave of absence without loss of pay, time, or efficiency rating while actually serving under the State active duty orders.⁷

Unemployment Compensation Available for Ex-Servicemembers

The Unemployment Compensation for Ex-Servicemembers (UCX) program provides benefits for eligible ex-military personnel. In addition, former members of the National Oceanographic and Atmospheric Administration (NOAA) are covered under the UCX program. The program is administered by the states as agents of the federal government.⁸ Some features of the program include:

- If you were on active duty with a branch of the U.S. military, you may be entitled to benefits based on that service.
- You must have been separated under honorable conditions.
- There is no payroll deduction from servicemembers' wages for unemployment insurance protection. Benefits are paid for by the various branches of the military or NOAA.



To file a UCX claim, contact the Maryland Department of Labor (www.dllr.state.md.us) as soon as possible after your discharge. It may be helpful to have a copy of your service and discharge documents (DD-214 or similar form) when you open your claim.

⁷ Maryland Public Safety § 13-706, http://mgaleg.maryland.gov/2020RS/Statute_Web/gps/13-706.pdf (accessed 8 July 2019).

⁸ "Unemployment Compensation for Ex-Service members." United States Department of Labor: Employment and Training Administration. <https://oui.doleta.gov/unemploy/ucx.asp> (accessed 8 July 2019).

CHAPTER 2: EDUCATION



Many active duty servicemembers, veterans, and their families pursue college, vocational training, or other higher learning opportunities. Most U.S. Department of Veterans Affairs (VA) education and training benefits may be used at higher learning institutions, including four-year universities, community colleges, and entities offering advanced degrees. You should consult with the VA (<https://www.va.gov/>), Maryland Department of Veterans Affairs (<https://veterans.maryland.gov/>), and the Maryland Higher Education Commission (<https://mhec.state.md.us/Pages/default.aspx>) for complete information about education benefits. The following information is a selected list of education benefits available.

FEDERAL EDUCATION BENEFITS

Montgomery GI Bill® is geared toward active duty members and honorably discharged veterans who served for at least two years. The Montgomery GI Bill® contributes a set amount of funds every month to cover student expenses, including tuition, housing, books, and other school fees. Eligible veterans have up to ten years from the last day of their active duty service to redeem the 36 months of benefits. To be eligible, you must have entered service after June 30, 1985, and paid the \$1,200 enrollment fee. The Montgomery GI Bill® also offers the \$600 Buy-Up Program, which allows students to receive up to \$5,400 more in benefits if they increase their one-time \$1,200 contribution by an extra \$600. The amount paid under the Montgomery GI Bill® will depend on your length of service and what training or educational path you choose.

Post-9/11 GI Bill® covers up to 100 percent of the cost of in-state tuition and fees at public in-state colleges for veterans who served for at least 90 days after September 10, 2001, and active duty servicemembers. Your length of military service will determine your level of benefits. Full tuition benefits are awarded to those who have served a minimum of three years. However, if you only have 90 days of service, you may still be eligible for as much as 40 percent of the total tuition coverage. The Post-9/11 GI Bill® pays the student's tuition directly to the school, but also awards up to \$1,000 to the student for school supplies and textbooks. This program also provides housing assistance (terms and conditions will depend on the school), which will vary depending on the cost of living near the student's school. Program benefits are given for 36 months for active duty members, while honorably discharged veterans have up to 15 years from their last day of service to claim their benefits.



designed to make up for this difference. The Yellow Ribbon Program was established by the Post-9/11 Veterans Educational Assistance Act of 2008.

Yellow Ribbon Program allows higher learning institutions such as colleges, universities, and other degree-granting schools in the United States to voluntarily enter into an agreement with the VA to fund tuition and fee expenses that exceed amounts payable under the Post-9/11 GI Bill®. The Post-9/11 GI Bill® will cover up to 100 percent of the cost of tuition and fees for those attending public in-state colleges, but not for private schools or out-of-state schools. This program is

Active duty members, veterans, dependents of veterans, and children of active duty personnel are eligible to participate in the Yellow Ribbon Program. You may qualify for the Yellow Ribbon Program if you meet the following criteria:

- Served a minimum of 36 months in active duty after September 10, 2001;
- Were honorably discharged from active duty for a service-related disability, but served an uninterrupted 30 days after September 10, 2001; or
- Are a dependent eligible for Transfer of Entitlement under the Post-9/11 GI Bill® based on service eligibility.

To receive Yellow Ribbon Program benefits, students must be enrolled in an approved program offered by a higher learning institution that participates in the Yellow Ribbon Program. To see which schools participate in this program, visit <https://www.va.gov/education/about-gi-bill-benefits/post-9-11/yellow-ribbon-program/>. Students must also contact their School Certifying Official to apply for Yellow Ribbon Program benefits.

Tuition assistance is available to active duty servicemembers and Coast Guard members. In addition, members of the National Guard and reserve components may be eligible for tuition assistance based on their service eligibility. To be eligible for tuition assistance, an enlisted servicemember must have enough time remaining in service to complete the course for which they have applied. After the completion of a course, an officer using tuition assistance must fulfill a service obligation that runs parallel with—not in addition to—any existing service obligation.

Tuition assistance may be used for vocational/technical programs, undergraduate and graduate programs, independent study, and distance-learning programs that are accredited by the U.S. Department of Education. The tuition assistance program will fund up to 100 percent of your college tuition and certain fees with the following limits:

- Not to exceed \$250 per semester credit hour or \$166 per quarter credit hour
- Not to exceed \$4,500 per fiscal year, October 1 through September 30

Each military branch has its own tuition assistance application form and procedures. For more information, visit your local installation education center or check your service branch's website.

Technical/vocational education, such as training at non-college-degree institutions in areas like HVAC repair, truck driving, emergency medical services training, and barber/beautician school, is covered by the GI Bill®. The payment amount varies depending on which GI Bill® program you are using and the type of non-college-degree school you are attending. Payments are issued monthly after your training is completed. The monthly entitlement is based on the number of clock hours of training you attended during each week of the month.

Accelerated payments may be available to veterans who are enrolled in a high-tech program, and who can certify that they intend to seek employment in a high-tech industry as defined by the VA. This assistance could cover high-tech programs in the animal sciences, food and technology, and communications sectors. Veterans qualifying for an accelerated payment receive a lump-sum payment of 60 percent of tuition and fees for certain high-cost programs. These payments are paid instead of GI Bill® benefits that you would otherwise receive. Visit https://www.benefits.va.gov/gibill/accelerated_payments.asp to learn more about high-tech programs that qualify for accelerated payments.

On-the-job training (OJT) and apprenticeship programs are available for veterans using their VA education benefits, including the Post-9/11 GI Bill®. Veterans in an approved program can use their GI Bill® benefit and receive a tax-free stipend. These programs allow you to learn a trade or skill through OJT rather than attending formal classroom instruction. Employers generally pay a reduced OJT/apprenticeship wage (must be at least 50 percent of journeyman wage) to you while training. You would generally enter into a training contract for a specific period with an employer or union and, at the end of the training period, gain job certification or journeyman status. Both OJT and apprenticeship training programs must be approved by the Maryland Higher Education Commission, the State Approving Agency for the U.S. Department of Veterans Affairs in Maryland. For more information on enrollment, contact your local VA office or call 1-888-GI-BILL-1 (1-888-442-4551).

The Vocational Rehabilitation and Employment Program provides eligible veterans with an opportunity to obtain training and practical hands-on experience concurrently through the Special Employer Incentives (SEI) program. The SEI program is open to eligible veterans who face challenges in obtaining employment. The VA is responsible for determining if a veteran is eligible to participate. Veterans approved to participate in the SEI program are hired by participating employers, and employment is expected to continue following successful completion of the program. The VA facilitates the process by identifying suitable placements and coordinating efforts between all parties.

For more information, visit <https://www.benefits.va.gov/VOCREHAB/docs/SpecialEmployerIncentive.pdf>, visit a local VA regional office, or call 1-800-827-1000.

MARYLAND EDUCATION PROGRAMS FOR VETERANS

The Maryland Higher Education Commission serves as the official State Approving Agency (SAA), an approving authority for the VA. The SAA approves and supervises over 400 postsecondary institutions that are legally operating in Maryland, including public and private colleges, universities, community colleges, training academies, high schools, and private career schools. In order for a veteran, reservist, or dependent to use their GI Bill® benefits, the program must be approved by the SAA. To learn more about SAA-approved schools in

Maryland, contact the Maryland Higher Education Commission at 410-767-3300 or toll-free at 1-800-974-0203, or visit its website, mhec.state.md.us/Pages/default.aspx. For general inquiries regarding veterans education benefits, email the Maryland Higher Education Commission at vaeducationbenefits.mhec@maryland.gov.

In-State Tuition Benefit

Maryland law mandates that honorably discharged veterans, active duty servicemembers, spouses of active duty members, financially dependent children of active duty members, and members of the National Guard will pay in-state tuition for courses at public institutions of higher education in Maryland.⁹

State Tuition Waiver for Members of Maryland National Guard

This program provides partial tuition waivers for members of the Maryland National Guard who are attending a “partners in education” institution.¹⁰ In order to apply, you should download the State Tuition Waiver form, have your unit commander sign the letter, and submit the completed document to the finance office of your school. Most discounts range from 25 to 50 percent per semester. More information is available from the MD National Guard at <https://military.maryland.gov/NG/Pages/tuition-assistance.aspx>.

Veterans of the Afghanistan or Iraq Conflicts Scholarship Program

The Veterans of the Afghanistan and Iraq Conflicts (VAIC) Scholarship Program is designed to provide financial assistance to U.S. Armed Forces personnel who served in the Afghanistan or Iraq Conflicts, and to spouses and children of these veterans.¹¹ To apply for this scholarship, you must submit an application and supporting documentation online by March 1 at <https://mdcaps.mhec.state.md.us/>.

Edward T. and Mary A. Conroy Memorial Scholarship



The Conroy scholarship program awards educational scholarships to the children or surviving spouse of various military employees and state or local employees who died or were disabled as a result of military service or while in the line of duty.¹² The award is not based on financial need.

Residents of Maryland who attend a Maryland postsecondary institution are eligible for the scholarship award. The scholarship is renewable and the student must reapply each year. The recipient may hold the award for five years if a full-time student, or eight years if a part-time student. The

scholarship will be offered to no more than 15 recipients annually for veterans who suffered a service-connected disability of 25 percent or greater and have exhausted or are no longer eligible for federal veterans’ educational benefits. For more information about the Conroy Memorial Scholarship program, visit http://mhec.maryland.gov/preparing/Pages/FinancialAid/ProgramDescriptions/prog_conroy.aspx.

⁹ Maryland Education § 15-106.4, http://mgaleg.maryland.gov/2020RS/Statute_Web/ged/15-106.4.pdf (accessed 9 July 2019).

¹⁰ Partners in Education Program, <https://military.maryland.gov/NG/Pages/Partner-Schools.aspx> (accessed 9 July 2019).

¹¹ Maryland Education § 18-604, http://mgaleg.maryland.gov/2020RS/Statute_Web/ged/18-604.pdf (accessed 9 July 2019). For a full list of eligibility requirements, visit https://mhec.maryland.gov/preparing/Pages/FinancialAid/ProgramDescriptions/prog_vaic.aspx.

¹² Maryland Education § 18-601, http://mgaleg.maryland.gov/2020RS/Statute_Web/ged/18-601.pdf (accessed 9 July 2019).

State Tuition Assistance Reimbursement Program

The State Tuition Assistance Reimbursement (STAR) program is available to Maryland National Guard servicemembers whose tuition and fees are not 100 percent covered by State Tuition Waivers (STW) and Federal Tuition Assistance (FTA).

Through this program, you can be reimbursed for these costs each semester. You are required to turn in the STAR form, signed by your unit commander, to the Education Services Office, along with a copy of your schedule and bill, within 45 days after the start of the semester. No later than 60 days after the end of the semester, you are required to turn in your grades to the Education Services Office for reimbursement. Check with your Education Services Office to obtain current reimbursement rates. To learn more about this program, visit <http://military.maryland.gov/NG/Pages/tuition-assistance.aspx>.



Awarding of College Credit for Military Experience

All two-year and four-year public educational institutions in Maryland have programs and policies in place that consider awarding college credit for prior military learning experience. Caps that limited credit accumulation for military experience were eliminated in 2014 to support initiatives in competency-based education and to expand student opportunities to earn college credit for prior learning and experience.

You should contact the educational institution directly for specific information on whether academic credit can be awarded for your prior military training, coursework, and education.

STUDENT LOAN DEBT

The Servicemembers Civil Relief Act (SCRA) offers protections for both federal and private student loans. Key SCRA protections include the following.

- **Reduce student loan interest rates to 6 percent.** You can reduce your interest rate to 6 percent on all pre-service obligations, including student loans, while you are on active duty. The lower interest rate can be requested up to 180 days after leaving service, and the lower interest rate will be applied retroactively for the entire period of active-duty military service.
- **Federal student loan reductions are automatic.** In 2012, the U.S. Department of Education made the SCRA interest rate reduction automatic for federal student loans. Your federal loan servicer (the company that sends you a bill each month) should check to see if you are eligible for the SCRA benefit, and make the reduction automatically. Contact your servicer to check out your current interest rate and ensure you are properly receiving the SCRA reduction.
- **Private student loan reductions must be requested.** The SCRA interest rate reduction is *not* automatic for private student loans, so you must request it from your loan servicer. Be sure to provide them with a copy of your military orders calling you to active duty.



Protections for Federal Student Loans

Zero percent interest for service in an area of hostile fire: If you served in an area of hostilities and received special pay, your federal Student Direct Loans qualify for a zero percent interest rate during that deployment if the loans were made on or after October 1, 2008. You can receive the zero percent interest rate for up to 60 months, and it can be applied retroactively even after you have left military service.

Perkins loan forgiveness: If you have a Federal Perkins Loan and served in an area of hostilities for more than 12 consecutive months, you may be eligible to have your loan balance reduced for each qualifying year of service. This benefit can be up to 100 percent for five years of eligible service if your active duty service includes August 14, 2008, or began on or after that date. If your service ended before August 14, 2008, the benefit is capped at 50 percent. If your combat service has already passed, you can still apply for the benefit retroactively.

Military deferment: For federal student loans, you can defer payment during certain periods of military service. A deferment means postponing payment of your student loans to a later date. Depending on the type of loan you have, you may have to pay back unpaid interest at the end of the deferment, or it will be added to your outstanding loan balance. Remember that interest may continue to accrue during the time of deferment unless

you have a subsidized loan. But you can choose to pay all or part of the interest as it accrues, even if you are in deferment. For subsidized federal student loans, the U.S. Department of Education will pay the interest for you during a military deferment.

The deferment process depends on your military status and where you are serving:

- **National Guard and reservists** can request deferment when called to active duty during a time of war, other military operation, or during a national emergency.
- **Active duty servicemembers** can request deferment if serving on active duty during a time of war, other military operation, or during a national emergency. For those serving on active duty, you must also be serving at a duty station where you are not normally assigned. For example, a servicemember serving at Fort Campbell, Kentucky, who is then deployed to Afghanistan or Iraq would be stationed away from their normal duty station and could request a deferment.

Student Loan Repayment Plans: Income-Driven Repayment

For federal student Direct Loans and older federal loans made by private lenders, your monthly payments can be reduced based on your income and family size. Which repayment plan you may be eligible for usually depends on when you took out your student loan. Not only may these plans help to reduce your required monthly payment, they are also “qualifying plans” that may help you achieve eventual loan forgiveness under the Public Service Loan Forgiveness Program (PSLF) (see below).

Three of the most popular federal income-driven repayment (IDR) plans for which you may qualify are:

- **Income-Based Repayment (IBR):** IBR sets a low monthly payment based on your income and family size. If you have older loans, your loan payment will be capped at 15 percent of your discretionary income.
- **Pay As You Earn (PAYE):** If you are a recent graduate, PAYE is a newer repayment plan that may be available for your federal student loans. The plan caps your monthly payment at 10 percent of your discretionary income.
- **Revised Pay As You Earn (REPAYE):** If you are not a recent graduate and don’t think your loans are new enough for PAYE, the REPAYE program, which also caps your payments at 10 percent of discretionary income, may be an option. You may be able to get a lower payment if your federal student loan debt is high compared to your income.

You should consult with your federal student loan servicer for a complete list of IDR plans to determine the best option for your current financial situation and for help enrolling. You can request that the servicers sign you up for the IDR plan that gives you the lowest monthly payment amount.

Student Loan Repayment Plans: Public Service Loan Forgiveness

Active duty servicemembers and veterans who meet certain requirements may have the balance of their federal student loans forgiven after working in public service for ten years. To be eligible, you must have three things:

1. **A qualifying loan.** Only federal Direct Loans and Direct Consolidation Loans are qualifying loans for PSLF. If you do not have a Direct Loan, you may be able to consolidate your loans into a Direct Loan. While consolidating may help you qualify for PSLF, remember that consolidating while you are on active duty may mean you lose the ability to request an interest rate reduction under the SCRA because your loan will no longer be considered a pre-service loan.

2. **A qualifying payment plan.** To achieve forgiveness under PSLF, you need to make 120 qualifying monthly payments. Only payments made under certain plans count as qualifying payment plans. IBR, PAYE, and REPAYE are three of the best qualifying repayment plans since they also can reduce your monthly payments. To be counted as a qualifying payment, each of the 120 payments must be made on time—that is, within two weeks of the payment due date. But those 120 qualifying payments do not have to be made consecutively, meaning that you do not need to work 10 years in a row at a public service employer.
3. **A qualified public service employer.** The 120 payments you make must be made while working for a qualified public service employer. Military service under the Department of Defense or Homeland Security for Coast Guard members counts as qualifying employment. Even if you are no longer in the service, employment in other public interest areas such as teaching or public law enforcement may qualify as working for a public service employer. Contact your student loan servicer to get the Employment Certification for PSLF form.

You should contact your federal student loan servicer for any assistance related to student loans, including for deferments, forbearance, loan consolidation, and PSLF.

Private Student Loans

Most protections for federal student loans do *not* apply to private student loans. Some private student loan lenders will provide certain benefits under the terms of the promissory note or under specific programs, but they are not *required* to do so. For example, federal law does not require lenders to grant a military deferment for private student loans; however, some private student loan lenders offer this benefit or other specific programs. If offered, these benefits should be defined in the promissory note.

Student Loan Ombudsman

Maryland's Financial Consumer Protection Act of 2018 established a Student Loan Ombudsman, designated by the Commissioner of Financial Regulation, who monitors student loan servicing activity in Maryland.

Ombudsmen serve as the liaison between student loan borrowers and federal or private student loan servicers. They help borrowers understand their rights and responsibilities under the terms of their student loans. Ombudsmen also take complaints from student loan borrowers about problems with their student loan servicer, and will contact the servicer to help resolve the complaint. They may refer any matter that is abusive, unfair, deceptive, or fraudulent to the Maryland Office of the Attorney General for civil enforcement or criminal prosecution.

Student loan servicer problems that ombudsmen can assist with include servicer failure to communicate with a borrower, errors in crediting principal and interest payments, misapplied payments, inaccurate interest rate calculations, billing errors, errors with respect to loan consolidations or modifications, and inappropriate collection activity or tactics.

If you would like more information on this service, contact the Student Loan Ombudsman at 410-230-6077 or toll-free 1-888-784-0136, or by email at studentloan.ombudsman@maryland.gov.

CHAPTER 3: CONSUMER PROTECTION ISSUES



It's important that veterans and military personnel understand their rights as consumers and how to protect themselves from fraud. Federal and state laws have been enacted to protect consumers, including veterans and military personnel, from deceptive, unfair, or misleading business practices and fraud.

The Maryland Office of Attorney General's Consumer Protection Division provides a mediation and arbitration service to consumers to help resolve complaints against businesses and health insurance carriers and produces a wide array of consumer education materials. You can contact this office with consumer-related questions and concerns:

- Email: consumer@oag.state.md.us
- Consumer Hotline: 410-528-8662 or toll-free 1-888-743-0023
- Medical Billing/Health Insurance Problems: 410-528-1840 or toll-free 1-877-261-8807
- En Español: 410-230-1712

SERVICEMEMBERS CIVIL RELIEF ACT

The Servicemembers Civil Relief Act (SCRA) helps those who have dropped their affairs to answer their nation's call, and alleviates some of the stress placed on their families by suspending or postponing certain civil obligations. The SCRA offers protection to active duty servicemembers in the Army, Air Force, Coast Guard,

Marine Corps, or Navy. The Act also applies to reservists in active federal service, including National Guard members. In addition, dependents of active duty servicemembers may have limited protections under the SCRA.

Key SCRA benefits include:

- **Caps on interest rates at 6 percent:** If your service affects your ability to meet obligations you had before entering active duty, SCRA caps the amount of interest at 6 percent on the debt obligations. The interest rate cap starts on the first day of active duty and lasts for the duration of your military service. The cap can apply to credit cards, mortgages, and student loans (excluding Federal Guaranteed Student Loans) (see page 10 for more information on student loan debt). You must provide creditors with written notice requesting relief under the SCRA and a copy of your orders within 180 days of release from service.
- **Temporary relief from mortgage payments:** The SCRA can provide you with temporary relief from your mortgage payments if your military service significantly affects your ability to make payments. To obtain temporary relief, you must have entered into the mortgage agreement *before* the start of your active duty service and still own the property.
- **Limits on repossession:** The SCRA states that a creditor may not repossess a vehicle during your period of military service without a court order as long as you either placed a deposit for the vehicle or made at least one installment payment on the contract before entering military service.

Termination of Residential and Car Leases

Residential leases: If you are called to active duty, you can end a residential lease early if you signed it *before* the start of your active duty service. You can also end a lease early if you signed it *during* your military service if you can demonstrate that you have received permanent change of station (PCS) orders or deployment orders for 90 days or more. If you sign a residential lease after you have received PCS or deployment orders, you have no rights to terminate the lease under the SCRA. Termination occurs 30 days after the next rental payment's due date. You must provide the landlord with written notice and a copy of your orders.

Motor vehicle leases: If you are called to active duty for 180 days or more, you can terminate an automobile lease signed *before* your military service without legal repercussions. You can also terminate an automobile lease signed *during* your military service if you can demonstrate that you are deployed for 180 days or more or your deployment orders call for a PCS to outside of the continental United States.

The SCRA can also protect you and your family from eviction if you lease a house or apartment and can't pay your rent. Your landlord can't evict you or your dependents while you are serving on active duty without first obtaining a court order. You can request that the court delay an eviction for 90 days. However, the court can decide whether to postpone eviction and for how long. You can be protected from eviction for about three months. You must show that military duty significantly affects your ability to pay rent.

MILITARY LENDING ACT

The Military Lending Act (MLA) protects active duty servicemembers (including those on active National Guard or active reserve duty) and their dependents from wrongful loan practices associated with installment loans; payday loans, deposit advance products, and vehicle title loans; and overdraft lines of credit (but *not* traditional overdraft services). Credit card companies have had to comply with the MLA since 2017.

Your rights under the MLA include:

- **A 36 percent interest cap.** You can't be charged more than a 36 percent Military Annual Percentage Rate (MAPR), which includes the following costs in calculating your interest rate (with some exceptions):
 - Finance charges;
 - Credit insurance premiums or fees;
 - Add-on products sold in connection with the credit; and
 - Other fees like application or participation fees, with some exceptions.¹³
- **No mandatory waivers of consumer protection laws.** A creditor can't require you to submit to mandatory arbitration or give up certain rights you have under Maryland or federal laws like the SCRA.
- **No mandatory allotments.** A creditor can't require you to create a voluntary military allotment in order to get the loan. An allotment is an automatic amount of money taken from your paycheck to pay back your loan.
- **No prepayment penalty.** A creditor can't charge a penalty if you pay back part—or all—of the loan early.

The MLA does not cover loans where credit is secured by the property being purchased such as a home mortgage or motor vehicle loan.

PROTECTION FROM FRAUD AND IDENTITY THEFT

Active duty military servicemembers may be at increased risk for two of the most common forms of identity theft and fraud during deployments: “existing account fraud” and “new account fraud.”

Existing account fraud can happen when someone acquires your personal information to gain access to the accounts that you have already opened. This usually takes the form of unauthorized credit card charges or bank withdrawals. Active duty military servicemembers may be at an increased risk of existing account fraud because they may not be able to carefully monitor account statements or easily contact financial institutions. To help prevent existing account fraud, you may want to talk with representatives from your financial institutions and ask them to place additional security measures on your accounts, such as secret passwords or two-factor authentication for any account changes.

New account fraud happens when an identity thief opens new lines of credit in your name during your deployment. To protect the credit files of active duty



¹³ It is possible that some common fees associated with credit cards such as cash advance fees and foreign transaction fees, will not be included in the overall MAPR calculation.

military servicemembers from potential fraud or identity theft, the Fair Credit Reporting Act (FCRA) provides three types of alerts: Active Duty, Initial Fraud, and Extended.

Active Duty Alert is available to you if you are on active duty and assigned to service away from your usual duty station. The alert notifies credit reporting companies of your military status, which limits new credit offers while you are away. The lender will have to take reasonable steps to verify the identity of someone who requests new credit in your name before they can approve it. The alert lasts 12 months (unless you remove it sooner). Your name will be removed for two years from nationwide credit reporting companies' pre-screening lists for credit offers and insurance (unless you request otherwise).

Initial Fraud Alert is available to you if you have a "good-faith suspicion" that you have been or will be a victim of identity theft or fraud. This alert is a good first step if you are worried that your identity has or will be stolen. The alert notifies lenders that you suspect you are a victim of fraud and requires that they must take reasonable steps to verify the identity of someone who requests new credit in your name before approving new credit. This alert lasts one year (unless you remove it sooner).

Extended Alert is available to you if you have actually been a victim of identity theft and filed a qualifying "identity theft report" with one of the nationwide credit reporting companies. The biggest difference between the initial fraud alert and the extended fraud alert is the length of time the alert stays in place. The extended alert lasts seven years (unless you remove it sooner).

To add an alert, you can contact any one of the three major nationwide credit reporting companies (Equifax, Experian, and TransUnion). You will be required to verify your identity. Once you place an alert with one nationwide credit reporting company, the alert will be added to your credit report with the other companies. There is no need to contact each nationwide credit reporting company individually to place an alert. You can remove any of these alerts by using the same method you used to initially add the alert. It's free to place or remove these alerts.

Equifax: 1-800-525-6285	Experian: 1-888-397-3742	Transunion: 1-800-680-7289
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Security Freeze: A security freeze prevents you or others from opening accounts in your name since it completely blocks any creditor from accessing your credit file without your permission. Only a limited number of entities can see your file while a freeze is in place, including:

- Creditors of accounts you currently hold;
- Certain government entities like child support agencies; and
- Companies that you've hired to monitor your credit file.

You can place a "freeze" on your credit file at any time, but you must contact each of the three major credit reporting companies. If you plan to open credit or apply for an apartment in the near future that will require your credit report to be checked, you will need to lift, or remove, the freeze. The credit reporting agencies will provide you with instructions on how to either temporarily lift or permanently remove your credit freeze. There is no charge to place or remove a credit freeze.

DEBT COLLECTION RIGHTS

Financial difficulties can put your duty status, potential promotions, and even your military career in jeopardy. Unpaid debts can affect your security clearance if you are reported to the credit reporting companies. It's important to understand your rights regarding debt collection. There are federal and state laws that protect your rights when dealing with debt collectors and discourage debt collectors from engaging in illegal acts to collect debt from consumers.

Federal Fair Debt Collection Practices Act

The federal Fair Debt Collection Practices Act (FDCPA) prohibits debt collectors from using abusive, unfair, or deceptive practices to collect from consumers. Under the FDCPA, a debt collector is someone who regularly collects debts owed to others. Thus, a debt collector includes collection agencies, lawyers who collect debts on a regular basis, and companies that buy delinquent debts and then try to collect them. The FDCPA covers personal, family, and household debts, including money owed on a personal credit card account, an auto loan, a medical bill, or a mortgage.



Debt collectors can contact you by phone, letter, email, or text message to collect a debt, as long as they follow the rules and disclose that they are debt collectors. No matter how they communicate with you, it's against the law for a debt collector to pretend to be someone else—like an attorney or government agency—or to harass, threaten, or deceive you. A debt collector may not contact you at inconvenient times or places, such as before 8:00 in the morning or after 9:00 at night, unless you agree to it. Debt collectors may not contact you at work if they are told (verbally or in writing) that you are not allowed to get calls there.

If an attorney is representing you about the debt, the debt collector must contact the attorney, rather than you. If you don't have an attorney, a collector may contact other people—but only to find out your address, your home phone number, and where you work. Debt collectors usually are prohibited from contacting third parties more than once. Other than to obtain this location information about you, a debt collector generally is not permitted to discuss your debt with anyone other than you, your spouse, or your attorney.

Every debt collector must send you a written "validation notice" telling you how much money you owe within five days after they first contact you. This notice also must include the name of the creditor to whom you owe the money, and how to proceed if you don't think you owe the money.

Under the FDCPA, debt collectors may not:

- **Engage in Harassment:** Debt collectors may not harass, oppress, or abuse you or any third parties they contact. For example, they may not:
 - Use threats of violence or harm;
 - Publish a list of names of people who refuse to pay their debts (but they can give this information to the credit reporting companies);
 - Use obscene or profane language; or
 - Repeatedly use the phone to annoy someone.
- **Make False Statements:** Debt collectors may not lie when they are trying to collect a debt. For example, they may not:
 - Falsely claim that they are attorneys or government representatives;
 - Falsely claim that you have committed a crime;
 - Falsely represent that they operate or work for a credit reporting company;
 - Use a false company name;
 - Misrepresent the amount you owe;
 - Indicate that papers they send you are legal forms if they're not; or
 - Indicate that papers they send to you are *not* legal forms if they are;
 - Send you anything that looks like an official document from a court or government agency if it's not; or
 - Give false credit information about you to anyone, including a credit reporting company.
- **Engage in Unfair Practices:** Debt collectors may not engage in unfair practices when they try to collect a debt. For example, they may not:
 - Try to collect any interest, fee, or other charge on top of the amount you owe unless the contract that created your debt—or Maryland law—allows the charge;
 - Deposit a post-dated check early;
 - Take or threaten to take your property unless it can be done legally; or
 - Contact you by postcard.

In addition, debt collectors are **prohibited from saying:**

- You will be arrested if you fail to pay your debt;
- They will seize, garnish, attach, or sell your property or wages unless they are permitted by law to take the action and intend to do so; or
- Legal action will be taken against you, if doing so would be illegal or if they don't intend to take the action.

The FDCPA does not allow debt collectors to threaten to tell your chain of command that you owe a debt, to prosecute you under the Uniform Code of Military Justice, or threaten you with an action they are not authorized to pursue, such as revoking your security clearance or getting you demoted.

Maryland Consumer Debt Collection Act

Under the Maryland Consumer Debt Collection Act, debt collectors are, among other prohibited acts, not allowed to:

- Use or threaten force or violence;
- Threaten criminal prosecution, unless the transaction involved the violation of a criminal statute;
- Disclose or threaten to disclose information that affects the debtor’s reputation for credit worthiness with knowledge that the information is false;
- Except as permitted by statute, contact a person’s employer with respect to a delinquent indebtedness before obtaining final judgment against the debtor;
- Except as permitted by statute, disclose or threaten to disclose to a person other than the debtor or their spouse or, if the debtor is a minor, their parent, information that affects the debtor’s reputation, whether or not for credit worthiness, with knowledge that the other person does not have a legitimate business need for the information;
- Communicate with the debtor or a person related to them at unusual hours, with the frequency, or in any other manner that reasonably can be expected to abuse or harass the debtor;
- Use obscene or grossly abusive language in communicating with the debtor or a person related to them;
- Claim, attempt, or threaten to enforce a right with knowledge that the right does not exist; or
- Use a communication that simulates legal or judicial process or gives the appearance of being authorized, issued, or approved by a government, governmental agency, or lawyer when it’s not.¹⁴

Debt collectors have a limited number of years, known as the statute of limitations, to sue you to collect. After that, your unpaid debts are considered “time-barred.” In Maryland, the statute of limitations for debt is three years from the date of the service or billing, or from the date of product purchase.¹⁵ As a result, a creditor or a debt collector may not initiate a consumer debt collection action after the expiration of the statute of limitations. If you make subsequent payment toward the debt or if you agree in writing or verbally that you owe the old debt *after* the expiration of the statute of limitations, this activity *may not* revive or extend the limitations period.¹⁶



If a debt collector files a lawsuit against you to collect a debt, you should respond to the lawsuit, either personally or through your lawyer, by the date specified in the court papers to preserve your rights. If you fail to respond to the lawsuit, the court will likely issue a judgment against you for the amount the debt collector claims you owe. The court may also award additional fees against you to cover collections costs, interest, and attorney fees.

¹⁴ Maryland Commercial Law §14–202 (1)-(9), http://mgaleg.maryland.gov/2020RS/Statute_Web/gcl/14-202.pdf (accessed 10 July 2019).

¹⁵ Maryland Courts and Judicial Proceedings §5–101, http://mgaleg.maryland.gov/2020RS/Statute_Web/gcj/5-101.pdf (accessed 10 July 2019).

¹⁶ Maryland Courts and Judicial Proceedings §5–1202 (a)-(b), http://mgaleg.maryland.gov/2020RS/Statute_Web/gcj/5-1202.pdf (accessed 10 July 2019).

Judgments give debt collectors much stronger tools to collect the debt from you. Depending on your situation, the creditor may be able to garnish your wages, place a lien against your property, or move to freeze or garnish all or part of the funds in your bank account.

Many federal benefits are exempt from garnishment, including:

- Social Security benefits
- Supplemental Security Income (SSI) benefits
- Veterans' benefits
- Civil service and federal retirement and disability benefits
- Military annuities and survivors' benefits
- Federal Emergency Management Agency disaster assistance

However, federal benefits may be garnished under certain circumstances, including to pay delinquent taxes, alimony, child support, or student loans.

If you are sued to collect on a time-barred debt, you should respond to the lawsuit. If you believe that the debt is past the statute of limitations in Maryland, you or your attorney should provide proof, such as a copy of the verification from the collector or any information you have that shows the date of your last payment. The lawsuit will likely be dismissed if the judge decides the debt is time-barred.

In a common practice, debt collectors buy and sell consumer debt. The new owner of the debt seeks to collect the debt directly from the consumer. Previously, some debt collectors successfully won judgments against consumers in small claims courts with very little proof supporting their claim that the consumer owed the debt or that the collector owned the debt. As a result, Maryland law now requires the following actions from debt collectors or debt buyers who seek judgments against consumers in small claims court:

- The law prohibits a small claims court from entering a judgment in favor of a debt buyer or a collector unless the debt buyer or collector provides evidence that proves the existence of a debt. The debt collector must provide an original or authenticated copy of documents documenting the debt, such as the opening of an account, a bill or record of payments, or the original debt agreement between the consumer and creditor.
- The debt collector must also submit proof to the small claims court that the debt collector owns the debt in question. Proof includes a chronological listing of all previous owners of the debt with transfer of ownership dates and authenticated copies of the bills of sale showing the transfer of ownership of debt to each successive owner, including the current debt collector.
- The debt collector must submit documentation of the identification and nature of the debt such as the name of original creditor, full name of the debtor on the original account, the last four digits of the debtor's Social Security number, the last four digits of the account number, and the type of consumer transaction (e.g., utility expenses, credit card, consumer loan, retail installment sales agreement).
- The debt collector must also provide information about their debt collector license in Maryland to the small claims courts.

If you believe a debt collector has violated federal and/or Maryland debt collection laws, there are agencies who will investigate your complaint. You can file a complaint against a debt collector with the Maryland Department of Labor's Commissioner of Financial Regulation at 410-230-6077 and the federal Consumer Financial Protection Bureau at 855-411-2372.

CHAPTER 4: LEGAL ASSISTANCE



NATIONAL LEGAL RESOURCES

National Veterans Legal Services Program (NVLSP) is an independent, nonprofit veterans' service organization whose mission is to assist active duty military personnel and veterans obtain the benefits to which they are entitled following a disability resulting from their military service. NVLSP offers training for attorneys and other advocates, connects veterans and active duty personnel with pro bono legal help when seeking disability benefits, publishes a guide on veteran benefits, and represents and litigates for veterans and their families before the VA, military discharge review agencies, and federal courts. For more information, visit <https://www.nvlsp.org/> or call 202-265-8305. For information and links to legal resources for servicemembers currently serving, visit https://www.jag.navy.mil/legal_services/legal_services_locator_rlso.htm.

MARYLAND LEGAL RESOURCES

University of Baltimore School of Law students enrolled in the **Bob Parsons Veterans Advocacy Clinic** represent veterans, under the supervision of a faculty member, before courts and administrative agencies in a variety of civil and veterans' benefits matters. Visit <http://law.ubalt.edu/clinics/veteransadvocacy.cfm> for more information.

Maryland Legal Aid provides a full range of free civil legal services to financially eligible individuals. It does not handle criminal matters. Maryland Legal Aid’s Joining Forces project maintains a free, statewide legal telephone hotline (443-863-4040) specifically for low-income individuals who have served in any branch of the military. Callers receive direct and immediate access to legal assistance and brief advice on a wide range of civil legal issues, including consumer rights, expungements, family law, government benefits, housing, and veterans’ benefits.

The Homeless Persons Representation Project, Inc. coordinates pro bono assistance to veterans for veterans’ benefits cases. Visit www.hprplaw.org for more information, or call 410-685-6589 or toll-free 1-800-773-4340. The project assists homeless or low-income veterans in Maryland who need help with service-connected disability benefits, non-service connected pension, and discharge upgrades.

Maryland Volunteer Lawyers Service (MVLS) is a private, nonprofit legal services provider that offers civil legal assistance to Marylanders with limited income at low or no cost in Central Maryland, the Lower Shore, and Western Maryland. Volunteer attorneys help clients with custody disputes, tax issues, child and adult guardianship, landlord/tenant conflicts, foreclosure defense, criminal record expungements, consumer cases, and a broad range of other civil legal problems. Visit <https://mvlslaw.org/program-descriptions/> for more information about their services. For assistance, call 410-547-6537 or 1-800-510-0050.

The bar associations in the majority of Maryland counties and Baltimore City offer a **Maryland Lawyer Referral Service** to connect residents with attorneys. A participating attorney in your community will agree to an initial consultation to discuss your legal issue for a nominal fee. You can choose to hire this attorney to represent you after this initial consultation. You are responsible for paying the agreed-upon attorney fees. Call the bar association for your county or Baltimore City for further assistance:

Allegany County	301-525-9995	Harford County	410-836-0123
Anne Arundel County	410-222-6859	Howard County	410-313-3853
Baltimore City	410-539-3112	Kent County	410-690-8128
Baltimore County	410-337-9100	Montgomery County	301-279-9100
Calvert County	410-535-1900	Prince George’s County	301-952-1440
Caroline County	410-479-2570	Queen Anne’s County	410-690-8128
Carroll County	410-337-9100	Saint Mary’s County	Contact Charles or Calvert County
Cecil County	410-620-2030	Somerset County	410-651-4960
Charles County	301-952-1440	Talbot County	410-820-0600
Dorchester County	410-690-8128	Washington County	www.washingtoncountybar.org/index.php
Frederick County	410-337-9100	Wicomico County	410-546-1750
Garrett County)	301-525-9995	Worcester County	410-641-2999

Civil Justice, Inc. is a Maryland nonprofit corporation that aims to increase the delivery of legal services to low- and moderate-income clients and promote a statewide network of solo, small firm, and community-based attorneys who share a common commitment to increasing access to justice. Civil Justice offers legal assistance to Maryland consumers with foreclosure, auto repossessions, landlord/tenant issues, and simple wills and estate planning for seniors.

For assistance, complete an online request form at www.civiljusticenetwork.org/ForConsumers/Intakeform.aspx or call 410-706-0174. To search Civil Justice’s online database of network attorneys by county and legal specialty, visit www.civiljusticenetwork.org/ForConsumers/FindanAttorney.aspx.

CHAPTER 5: HOUSING



MARYLAND MORTGAGE PROGRAM

The Maryland Department of Housing and Community Development (DHCD) works with partners to finance housing opportunities and revitalize places for Maryland citizens to live, work, and prosper. DHCD's Maryland Mortgage Program offers a variety of loans with competitive interest rates and options for down payment and closing cost assistance. While some mortgage loan products require first-time homebuyer status, veterans may be exempt from this requirement. Visit <https://mmp.maryland.gov/pages/default.aspx> for additional information about the Maryland Mortgage Program, or call 301-429-7400 or toll-free 1-800-638-7781.

Homebuyers can also obtain a Maryland HomeCredit (mortgage credit certificate) through an approved lender as part of a home purchase (lender fees may apply). The certificate enables a homeowner to claim 25 percent of their previous annual paid interest, up to \$2,000, as a credit (not a deduction) on their federal income taxes.

The first step in getting a Maryland Mortgage Program loan or mortgage credit certificate is to talk to an approved lender. Visit the website listed above for a list of lenders and other information about using the Maryland Mortgage Program.

FORECLOSURE ASSISTANCE SCAMS

There are federal and state resources to help military homeowners who are at risk of defaulting on their mortgage payments. It's vital that you become informed about your options in foreclosure prevention to avoid becoming a victim of a scam (see Foreclosure Assistance Service and Programs, page 25). So-called foreclosure rescue companies promise to stop foreclosure, but these "rescue scams" are illegal. Military and veteran homeowners may be particularly vulnerable to these rescue scams.

If you are in danger of foreclosure, avoid any individual or company that:

- **Requires a fee in advance.** Never pay anybody who promises to prevent foreclosure or guarantees you a new mortgage. These "foreclosure rescue companies" may ask for hefty fees in advance, and then, once you pay, stop returning your calls. Others may string you along before disclosing their charges. There is *never* a fee to receive assistance or information from your lender or a housing counselor approved by the U.S. Department of Housing and Urban Development. Cut off all dealings with anyone who insists on a fee in advance.
- **Promises to find mistakes in your loan documents that will force your lender to cancel or modify your loan.** Cancelling your loan will not allow you to stay in your home, and in most cases, lenders are not required to modify your loan to make it more affordable simply because of mistakes in your loan documents.
- **Advises you to stop paying your mortgage company or stop talking to your mortgage company.** Some scammers offer to handle financial arrangements for you, and then pocket your mortgage payment instead of sending it to your mortgage company. Send your mortgage payments *only* to your mortgage company. Scammers may advise you not to communicate with your mortgage company. That's a bad idea because you may not find out until it's too late that the scammer has done nothing for you, that your mortgage company was willing to modify your loan, or even that foreclosure is just days away. It's best to keep the lines of communication open with your mortgage company.
- **Requires you to sign over the deed to your house to avoid foreclosure.** Scammers claim that they can "save" your home if you sign or transfer over the deed to your house to them. In exchange for the deed, they will allow you to stay in your house as a renter and buy back your house later. Never sign over the deed to your property to any organization or individual unless you are working directly with your mortgage lender or attorney.

Report cases of fraud or predatory lending to:

- Maryland Department of Labor: 1-888-784-0136, www.dllr.state.md.us; or
- Maryland Office of the Attorney General's Consumer Protection Division: 410-528-8662 or toll-free 1-888-743-0023, www.marylandattorneygeneral.gov.

Continue reading this chapter for information about legitimate, free foreclosure assistance programs specifically for military homeowners that may help you to avoid foreclosure.

FORECLOSURE ASSISTANCE SERVICE AND PROGRAMS

Military Forbearance Through Fannie Mae



If you are a servicemember struggling with your mortgage payment, you may qualify for special military options. Military servicemembers also have protection against foreclosure for 12 months following termination of active duty.

A forbearance is an agreement between you and your mortgage company to temporarily suspend or reduce your monthly mortgage payments during the forbearance period (which can continue for the entire term of your active duty and for another three months after you are released from military service). This option lets you deal with your short-term financial problems by giving you time to get back on your feet and bring your mortgage current.

Military hardship forbearance may be an option if:

- You have received Permanent Change of Station (PCS) orders;
- You are in active duty service (or just left); or
- You (or your spouse) have been injured in active duty.

During the forbearance period, there is no adverse impact to your credit score (all credit reporting related to your mortgage loan will be suspended during the forbearance period). If you qualify for forbearance, you and your mortgage company will sign an agreement that will outline the forbearance terms:

- Length of forbearance period;
- Reduced payment amount (if the payment is not suspended); and
- The terms of repayment.

After the forbearance period has ended, you will need to repay the amount that was reduced or suspended. However, you usually have a few ways you can repay: moving the payments to the end of your mortgage, which will lengthen the term; making a one-time payment for the amount; or adding a specific amount to your payments each month until the entire amount is repaid. If you are still struggling with your mortgage payments after the forbearance period is over, you may be able to qualify for a modification that would permanently change the terms of your mortgage.

If you need additional information or are interested in receiving a military forbearance, contact the Fannie Mae Military Support Hotline at 1-800-2FANNIE (1-800-232-6643). Tell them you are in the military. Be ready to outline your current hardship and explain why you are having trouble making your mortgage payment and if this is a short-term or long-term problem.

Financial Counseling from VA Regional Loan Centers

To help veterans in serious financial trouble, VA Regional Loan Centers have financial counselors available. These counselors can assist veterans with VA-guaranteed loans avoid foreclosure through counseling and special financing arrangements. Depending on individual circumstances, the VA counselors may intercede on your behalf to pursue options such as repayment plans, forbearance, and loan modifications that would allow you to keep your home. To contact a VA Regional Loan Center counselor, call 1-877-827-3702.



For a veteran or servicemember who may have obtained a conventional or sub-prime loan that is *not* a VA-guaranteed home loan, the VA does *not* have the legal authority to intervene on your behalf. It's imperative that you contact your loan servicer as quickly as possible if you are having trouble making your mortgage payments.

Beware of “Sign on the Dotted Line” Refinance Offers

The federal Consumer Financial Protection Bureau and the VA have been warning servicemembers and veterans with VA home loans about unsolicited offers to refinance their mortgage that appear official—and may sound too good to be true. Some lenders offering VA mortgage refinance offers may use aggressive and potentially misleading advertising and sales tactics. Many of these solicitations promise:

- Extremely low interest rates
- Thousands of dollars in cash back
- Skipped mortgage payments
- No out-of-pocket costs
- No waiting period

Individuals who are not familiar with real estate transactions have fallen victim to shady deals, usually called “milking” or “equity skimming.” In one form of this racket, unknown individuals will approach a veteran who is behind on their VA loan payments with an offer to pay the delinquent installments if the homeowner will “sign on the dotted line.” The homeowner later learns that they have signed a deed and can get the property back only by signing another contract at a much higher price. When they find that they can't meet the stiff terms of the new contract, legal action is started to take possession of their home.

In other cases, door-to-door canvassers visit housing developments to find veterans who are having trouble meeting their VA loan payments. These individuals will offer a small amount of cash for the equity in the property, plus the privilege of buying another home in a lower-cost neighborhood on a land sales contract. The homeowner agrees to give possession in 60 days and “signs on the dotted line,” not realizing that they are signing a deed to the property. When the 60 days are up, the homeowner is told that no houses are available in the lower-cost development, and they are then evicted from their home.

A third variation of this scheme occurs in states where there is a long foreclosure or mortgage redemption period. A veteran falling behind in home loan payments is offered a small sum of cash for a quit claim deed to the property, with a promise that all back payments will be made up. They move out believing that the loan will be brought up to date. Instead, the individual holding the quit claim deed rents the house without making up back payments. Most of the money received as rent is profit to the individual holding the quit claim deed until the foreclosure is final. The former homeowner, not realizing what has happened, may still owe the mortgage servicer and, quite possibly, the U.S. government if the VA pays a claim on the loan.

Anyone who receives any of these types of solicitations can report them to their mortgage servicer or the Loan Guaranty Division of the nearest VA regional office. Please note, however, that the VA cannot give you legal advice.

Housing Counseling

The Maryland DHCD supports a statewide network of nonprofit HUD-approved housing counseling agencies that assist homeowners with avoiding foreclosure. Housing counselors provide clear guidance about your options for avoiding foreclosure based on your specific circumstances. Housing counselors can also help you navigate the foreclosure process and communicate with your mortgage company. Additionally, there is never a fee to receive foreclosure counseling services from these organizations. To be connected to a HUD-approved nonprofit housing counseling agency in your area, call the HOPE Hotline at 1-877-462-7555 or visit www.mdhope.org.

Foreclosure Mediation

When two conflicting parties meet to resolve a dispute outside of a courtroom, with the help of a neutral third party, this is called mediation. In foreclosure mediation, communication between both sides and the neutral third party helps ensure that every alternative to foreclosure is strongly considered. The neutral third party in a foreclosure mediation is an Administrative Law Judge with the Maryland Office of Administrative Hearings.

You have the right to request mediation once the lender initiates foreclosure proceedings with the court system. Once that happens, the lender must send a “Request for Foreclosure Mediation” form in the packet that also includes the Order to Docket (OTD) and Final Loss Mitigation Affidavit. You will have 25 days to complete the form and file it with the Circuit Court to have your request for mediation granted. The Office of Administrative Hearings will schedule mediations around the state depending on where the foreclosure action has been filed.

Keep these points in mind when deciding on whether to request mediation:

- Maryland’s Foreclosure Mediation Law applies to foreclosures filed in the court on or after July 1, 2010.
- Homeowners must pay a non-refundable \$50 fee to the Circuit Court when they formally file this request for mediation.
- Both the \$50 fee and “Request for Foreclosure Mediation” form must be sent to the Circuit Court in the county or city where the foreclosure action has been filed. The form must also be sent to the lender’s attorney.
- **This is the only time you will be offered the opportunity to request foreclosure mediation.** If you don’t submit your “Request for Foreclosure Mediation” form and non-refundable \$50 fee during the 25-day time frame, you won’t be given another chance to do so.
- Only homeowners who are living in the foreclosed property as their primary residence can participate in the mediation program. The mediation program is not open to owners of rental or commercial properties.

DHCD also supports a network of nonprofit legal services providers that provide free or reduced-fee foreclosure prevention legal services. Low- and moderate-income households may be eligible for this assistance from one of the following organizations:

Legal Services Organization	County Where Property Is Located
Allegany Law Foundation 301-722-3390	Allegany
Civil Justice, Inc. 410-706-5649	Statewide: Reduced-fee legal assistance for moderate income households
Community Legal Services 240-391-6370	Prince George's
Maryland Volunteer Lawyers Service 410-547-6537	Anne Arundel, Baltimore County, Carroll, Cecil, Charles, Frederick, Garrett, Harford, Howard, Calvert, St. Mary's, Somerset, Washington, Wicomico
Mid-Shore Pro Bono 410-690-8128	Caroline, Dorchester, Kent, Talbot, Queen Anne's
St. Ambrose Housing Aid Center 410-366-8550, ext. 249	Central Maryland – Anne Arundel, Baltimore City, Baltimore County, Carroll, Cecil, Harford, Howard

You should not wait until you can request mediation before attempting to save your home. The opportunity to participate in mediation occurs at a late stage in the foreclosure process and doesn't guarantee that you can avoid foreclosure. Contact your lender and a housing counselor at the earliest sign of financial difficulty. Remember, you can get a list of the housing counseling agencies near you by calling the HOPE Hotline at 1-877-462-7555 or visiting www.mdhope.org.

For additional information about foreclosure mediation, visit <https://dhcd.maryland.gov/Residents/Pages/HOPE/ForeclosureMediation.aspx>.

Maryland Legal Aid's Foreclosure Legal Assistance Project

The Foreclosure Legal Assistance Project represents low-income homeowners throughout Maryland at all stages of the foreclosure process, including mediations, motions to stay and dismiss sales, bankruptcies, exceptions to sales, motions for order of possessions, and evictions. Advice and referrals are provided to those whom they are unable to represent. For more information, call 1-888-213-3320.

CHAPTER 6: MARYLAND TAX EXEMPTIONS AND CREDITS



A number of state exemptions and credits are available for veterans, active duty military personnel, and surviving spouses, including certain property tax exemptions for individuals meeting the criteria and tax credits for vehicle and vessel registration. To learn more about these exemptions and credits, visit <http://veterans.maryland.gov/maryland-tax-benefits/>.

To speak with the Maryland Taxpayer Service call 410-260-7980 from Central Maryland or 1-800-638-2937 (1-800-MD-TAXES) from all other areas of Maryland.

For more information on Maryland refund and taxpayer assistance, visit http://taxes.marylandtaxes.com/Resource_Library/Taxpayer_Assistance/Contact_Information/.

For information about federal tax benefits, visit <https://www.irs.gov/individuals/military> or <https://irs.gov/individuals/information-for-veterans>.

CHAPTER 7: MISCELLANEOUS RIGHTS AND PROTECTIONS



VOTER REGISTRATION

The Maryland State Board of Elections website allows residents to register to vote in federal, state, county, and city elections in Maryland; to request an absentee ballot; and to update voter registration if your name or address has changed. You can also update your registration if you want to change to a new political party.¹⁷ To learn more about eligibility and registration, visit <https://voterservices.elections.maryland.gov/OnlineVoterRegistration/InstructionsStep1>.

MOTOR VEHICLES

Expedited Licensing Process for Commercial Driver's License

To assist veterans and active duty personnel who are transitioning to a civilian career, the Federal Motor Carrier Safety Administration (FMCSA) adopted regulations that expedite the licensing process for a commercial driver's license (CDL). For more information, visit <https://www.fmcsa.dot.gov/commercial-drivers-license/military-driver-programs>.

¹⁷ "Freedom to Vote Act: Online Voter Registration Information." Maryland Department of Veterans Affairs, <http://veterans.maryland.gov/freedom-to-vote-act-online-voter-registration-information/> (accessed 19 July 2019).

The Maryland Motor Vehicle Administration will waive the CDL skills test requirements for a class A or B commercial license for veterans who have been discharged within the previous 12 months, active duty personnel, reservists, and National Guard personnel who meet specific criteria. To learn more, visit www.mva.maryland.gov/drivers/apply/cdl/commercial.htm.

Absentee Driver's License Renewals and Vehicle Registration for Active Duty Personnel

Active duty members of the U.S. Foreign Services and their dependents (who temporarily reside with the active duty member outside of Maryland) may apply for a renewal, duplicate, or corrected driver's license. To apply for an absentee driver's license, call 410-768-7442 or email mvacs@mdot.state.md.us to request an application. Proof of active duty status may be required. To learn more about MVA military and veteran's services, visit www.mva.maryland.gov/drivers/apply/military.htm.

FREE COPY OF VITAL RECORDS

Marriage licenses and divorce certificates are available from the Maryland Department of Health's Vital Statistics Administration (VSA), free of charge in most cases (proof of service in the U.S. Armed Forces must be provided). To contact the VSA by telephone, call 410-764-3038 or toll free 1-800-832-3277.

Applications for birth, death, marriage, and divorce certificates are available from the VSA.¹⁸ There is no fee for:

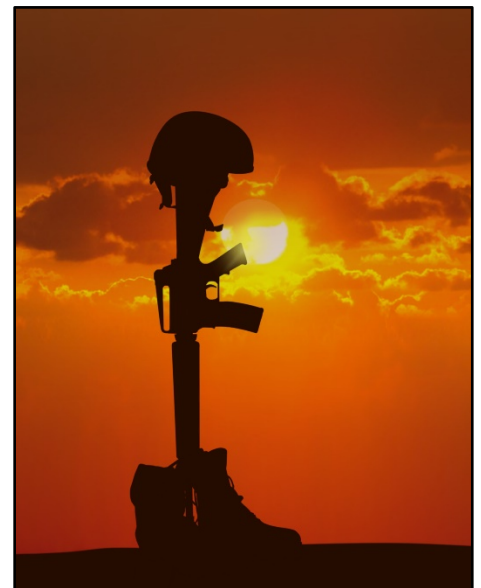
- A copy of a certificate of a current or former armed forces member that is requested by the member; or
- A copy of a certificate of a current or former armed forces member or of a surviving spouse or child of the member, if the copy will be used in connection with a claim for a dependent or beneficiary of the member.

A veteran or the veteran's surviving spouse can also obtain one free copy of marriage licenses and divorce decrees from the clerk of the Circuit Court of the county in which it was issued, including Baltimore City. To locate your county Circuit Court, visit <https://www.courts.state.md.us/circuit>.

DEATH BENEFIT TO SURVIVING SPOUSE OR ESTATE OF MARYLAND RESIDENT KILLED IN ACTION

The Department of Public Safety and Correctional Services (DPSCS) may award a death benefit of up to \$125,000 to the surviving spouse, children, dependent parents, or estate of any Maryland servicemember who is killed in action or as a direct result of a wound suffered in action.

For more information on how to obtain this benefit, contact the Human Resources Division of DPSCS at 410-339-3270.



¹⁸ Visit <https://health.maryland.gov/vsa/Pages/certs.aspx> to download and print a certificate request form or for instructions on ordering online (VitalCheck), by phone, or in person. Fees are not waived on certificates ordered online through the VitalCheck network.

CHAPTER 8: HELPFUL RESOURCES



VETERANS PROGRAMS

U.S. Department of Veterans Affairs

1-800-827-1000

MyVA311 (1-844-698-2311), TTY 711

<https://www.va.gov/>

Maryland Department of Veterans Affairs

<https://veterans.maryland.gov/>

Service and Benefits Program: 1-800-446-4926, ext. 6450

Charlotte Hall Veterans Home: 301-884-8171

Cemetery and Memorial Program: 410-923-6981

Outreach and Advocacy Program: 410-260-3842

Maryland Veterans Trust: 410-230-4444, ext. 6460

Veterans Crisis Line

For 24-hour crisis intervention: 1-800-273-8255,
and then press 1

Help for Homeless Veterans Hotline

For immediate housing assistance: 1-877-424-3838
(1-877-4-AID-VET)

Maryland's Commitment to Veterans

Assists veterans and their families with coordinating behavioral health services, including mental health and substance abuse, with either the VA or Maryland's public health system.

1-877-770-4801, 24 hours a day, 7 days a week.

<https://veterans.health.maryland.gov/Pages/home.aspx>

Help for Women Veterans

At each VA medical center, a Women Veterans Program Manager coordinates services such as primary medical care, mental health, and sexual abuse counseling for women veterans.
1-855-829-6636 (1-855-VA-WOMEN)

VETERANS EDUCATION AND TRAINING

U.S. Department of Education

Education Benefits for Military Families and Veterans
<https://www.ed.gov/veterans-and-military-families/information#benefits>

Maryland Higher Education Commission

https://mhec.maryland.gov/institutions_training/Pages/acadaff/veteransbenefits/index.aspx

EMPLOYMENT

Maryland Department of Labor

www.dllr.state.md.us/employment/veteranservices.shtml

- **Maryland's American Job Centers** offer employment, training, and placement services to assist veterans, transitioning military personnel, and other qualified individuals. For locations:
<https://www.dllr.state.md.us/employment/onestops.pdf>.
- **Disabled Veterans Outreach Program (DVOP):** The Department of Labor facilitates the Maryland Jobs for Veterans Program. Veterans' services representatives, specifically Disabled Veterans Outreach Placement Specialists (DVOPs) and Local Veterans Employment Representatives (LVERs), provide specialized employment services to veterans.

U.S. Department of Labor, Veterans Employment and Training Service (VETS)

1-866-4-USA-DOL
<https://www.dol.gov/agencies/vets>

LEGAL ASSISTANCE

National Veterans Legal Services Program (NVLSP)

202-265-8305
<https://www.nvlsp.org/>

The Bob Parsons Veterans Advocacy Clinic at University of Baltimore, School of Law
<http://law.ubalt.edu/clinics/veteransadvocacy.cfm>

Maryland Legal Aid's Joining Forces Project Veterans Hotline
443-863-4040
www.mdlab.org/get-help-services/joining-forces-project

Maryland Volunteer Lawyers
410-547-6537 or toll-free 1-800-510-0050
<https://mvlslaw.org/get-legal-help/>

The Homeless Persons Representation Project
Coordinates pro bono assistance to veterans for veterans' benefits cases.
410-685-6589, ext. 21 or 1-800-773-4340
www.hprplaw.org

Civil Justice, Inc.
410-706-0174
www.civiljusticenetwork.org

HOUSING

Maryland Department of Housing and Community Development

301-429-7400 or toll free at 1-800-756-0119

- **Maryland Mortgage Program**
301-429-7852 or toll-free 1-800-638-7781
<https://mmp.maryland.gov/Pages/default.aspx>
- **Maryland Homefront: The Veterans and Military Family Mortgage Program**
<https://mmp.maryland.gov/Pages/Homefront.aspx>

Housing Counseling Hotline for Foreclosure Assistance

1-877-462-7555

www.mdhope.org

Financial Counseling from VA Regional Loan Centers for Foreclosure Assistance

1-877-827-3702

<https://www.va.gov/housing-assistance/home-loans/trouble-making-payments/>

Fannie Mae/Military Forbearance

Military Support Hotline at 1-800-232-6643 (1-800-2FANNIE)

<https://knowyouroptions.com/get-help-overview/military-options>

Maryland Legal Aid's Foreclosure Legal Assistance Project

888-213-3320

www.mdlab.org/get-help-services

VA Home Loans

<https://www.benefits.va.gov/homeloans/>

CONSUMER PROTECTION

Maryland Office of Attorney General's Consumer Protection Division

- Complaints about deceptive or misleading business practices (Mediation Unit)
410-528-8662 or toll free 1-888-743-0023
www.marylandattorneygeneral.gov/Pages/CPD/complaint.aspx
- Private health insurance coverage, billing, or enrollment disputes (Health Education and Advocacy Unit)
410-528-1840 or toll free at 1-877-261-8807
www.marylandcares.org

Maryland Office of Attorney General's Identity Theft Unit

410-576-6491

IDTheft@oag.state.md.us

www.marylandattorneygeneral.gov/Pages/IdentityTheft/default.aspx

Credit Reports

- For free copies of your credit reports, visit www.annualcreditreport.com
- To place a fraud alert or credit freeze on your credit report, call
Equifax: 1-800-525-6285, Experian: 1-888-397-3742, TransUnion: 1-800-680-7289

Financial Institution, Lender, or Debt Collector Complaints

Maryland Department of Labor's Commissioner of Financial Regulation

410-230-6077

<http://www.dllr.state.md.us/finance/consumers/frcomplaints.shtml>

Consumer Financial Protection Bureau

855-411-2372

<https://www.consumerfinance.gov/complaint/>

Federal Financial Protections for Veterans and Active Duty Servicemembers

Consumer Financial Protection Bureau

<https://www.consumerfinance.gov/practitioner-resources/servicemembers/>

Military OneSource 24/7 Financial Counseling Help Line

1-800-342-9647

https://www.militaryonesource.mil/financial-legal/personal-finance?content_id=269402

Military Consumer Online Resource of Financial Information

<https://www.militaryconsumer.gov/>

Insurance

For insurance rates on auto, health, life, homeowners, or renter's insurance, or to file a complaint against an insurer.

Maryland Insurance Administration

410-468-2340 or 1-800-492-6116 (Auto and Homeowners Insurance)

410-468-2244 or 1-800-492-6116 (Life and Health Insurance)

<https://insurance.maryland.gov/Pages/default.aspx>



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