

# **Justice Department settles with Massachusetts Storage Company for auctioning off servicemember's possessions**

The Justice Department reached an agreement today with PRTaylor Enterprises LLC, doing business as Father & Son Moving & Storage (Father & Son), to resolve allegations that it violated the Servicemembers Civil Relief Act (SCRA) by failing to obtain a court order before auctioning off the entire contents of a U.S. Air Force Technical Sergeant's two storage units while he was deployed overseas.

The United States' complaint alleged that among the Technical Sergeant's possessions sold by Father & Son were military gear and mementos that had belonged to a cousin killed in military action in Afghanistan, his grandfather's military service medals, all of his household furnishings, and personal photographs.

The SCRA provides financial and housing protections and benefits to military members while they are in military service. One of the SCRA's protections requires anyone holding a lien on the property of a servicemember to obtain a court order prior to auctioning off, selling or otherwise disposing of that property. Under the agreement, which must still be approved by the U.S. District Court for the District of Massachusetts, Father & Son must pay the Technical Sergeant \$60,000 in damages, and the United States a \$5,000 civil penalty. Father & Son must also implement certain new policies to prevent future SCRA violations.

"The Department of Justice is committed to vigorous enforcement of the Servicemembers Civil Relief Act to protect

the rights of those individuals who sacrifice so much for their country,” said Assistant Attorney General Kristen Clarke of the Justice Department’s Civil Rights Division. “This settlement should send a clear message to all storage facility operators that federal law prohibits them from auctioning off a servicemember’s possessions without a court order.”

“It is wrong to auction off the possessions of a servicemember who is serving our country overseas,” said Acting U.S. Attorney Nathaniel R. Mendell for the District of Massachusetts. “The law protects servicemembers from this kind of mistreatment – they have more important things to worry about when they are overseas risking their lives to protect our nation. We will enforce the rights of our military members aggressively and hold accountable people who violate the SCRA.”

Trial Attorney Tanya Kirwan of the Housing and Civil Enforcement Section of the Civil Rights Division and Assistant U.S. Attorney Torey B. Cummings of the U.S. Attorney’s Office for the District of Massachusetts’ Civil Rights Unit and handled the matter. Valuable assistance was also provided by the U.S. Department of Transportation, Office of Inspector General, Office of Investigations.

This lawsuit resulted from a referral to the Justice Department from the U.S. Air Force. The department’s enforcement of the SCRA is conducted by the Civil Rights Division’s Housing and Civil Enforcement Section in partnership with the 93 U.S. Attorney’s Offices, including the U.S. Attorney’s Office for the District of Massachusetts. Since 2011, the department has obtained over \$474 million in monetary relief for over 120,000 servicemembers through its enforcement of the SCRA. For more information about the department’s SCRA enforcement efforts, please visit [www.servicemembers.gov](http://www.servicemembers.gov).

Servicemembers and their dependents who believe that their

rights under the SCRA may have been violated should contact the nearest Armed Forces Legal Assistance Program Office. Office locations may be found at [legalassistance.law.af.mil/](http://legalassistance.law.af.mil/).