

1                           A bill to be entitled  
 2           An act relating to self-service storage facility  
 3           liens; amending s. 83.806, F.S.; revising written  
 4           notice requirements relating to the satisfaction of an  
 5           owner's lien; revising publication requirements  
 6           relating to advertising the sale or other disposition  
 7           of self-service storage facilities; amending s.  
 8           83.808, F.S.; requiring that rental agreements  
 9           authorize tenants to designate an optional alternate  
 10          contact for purposes of providing specified notice;  
 11          specifying that designating an alternate contact does  
 12          not give such person an interest in the contents  
 13          stored at a self-service storage facility or in a  
 14          self-contained storage unit; providing an effective  
 15          date.

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 17   Be It Enacted by the Legislature of the State of Florida:

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 19          Section 1. Subsections (1) and (4) of section 83.806,  
 20   Florida Statutes, are amended to read:

21          83.806 Enforcement of lien.—An owner's lien as provided in  
 22   s. 83.805 may be satisfied as follows:

23          (1) The tenant must ~~shall~~ be notified by written notice  
 24   delivered in person, by e-mail, or by first-class mail with a  
 25   certificate of mailing to the tenant's last known address and

26 | the last known address of the alternate contact person  
27 | designated by the tenant under the rental agreement, if any, and  
28 | conspicuously posted at the self-service storage facility or on  
29 | the self-contained storage unit. If the owner sends notice of a  
30 | pending sale of property to the tenant's and the alternate  
31 | contact person's last known e-mail address and does not receive  
32 | a response, return receipt, or delivery confirmation from the  
33 | same e-mail address, the owner must send notice of the sale to  
34 | the tenant and the alternate contact person by first-class mail  
35 | with a certificate of mailing to the tenant's and the alternate  
36 | contact person's last known address before proceeding with the  
37 | sale.

38 | (4) After the expiration of the time given in the notice,  
39 | an advertisement of the sale or other disposition must ~~shall~~ be  
40 | published once a week, for a full day, for 2 consecutive weeks  
41 | in a newspaper of general circulation in the area in which ~~where~~  
42 | the self-service storage facility or self-contained storage unit  
43 | is located or on a public website that customarily conducts or  
44 | advertises personal property auctions.

45 | (a) A lien sale may be conducted on a public website that  
46 | customarily conducts personal property auctions. The facility or  
47 | unit owner is not required to hold a license to post property  
48 | for online sale. ~~Inasmuch~~ As any sale may involve property of  
49 | more than one tenant, a single advertisement may be used to  
50 | dispose of property at any one sale.

51 (b) The advertisement must ~~shall~~ include:

52 1. A brief and general description of what is believed to  
53 constitute the personal property contained in the storage unit,  
54 as provided in paragraph (2) (b).

55 2. The address of the self-service storage facility or the  
56 address at which ~~where~~ the self-contained storage unit is  
57 located and the name of the tenant.

58 3. The time, place, and manner of the sale or other  
59 disposition. The sale or other disposition shall take place at  
60 least 15 days after ~~the first~~ publication.

61 (c) If there is no newspaper of general circulation in the  
62 area in which ~~where~~ the self-service storage facility or self-  
63 contained storage unit is located and the owner does not publish  
64 the advertisement on a public website that customarily conducts  
65 or advertises personal property auctions, the advertisement must  
66 ~~shall~~ be posted at least 10 days before the date of the sale or  
67 other disposition in at least three conspicuous places in the  
68 neighborhood in which ~~where~~ the self-service storage facility or  
69 self-contained storage unit is located.

70 Section 2. Subsection (4) is added to section 83.808,  
71 Florida Statutes, to read:

72 83.808 Contracts.—

73 (4) A rental agreement must contain a provision that  
74 authorizes the tenant to designate an optional alternate contact  
75 person. The alternate contact person may be contacted only for

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76 | purposes of providing notice under s. 83.806(1) or as otherwise  
77 | authorized by the rental agreement. Designating an alternate  
78 | contact person does not give such person an interest in the  
79 | contents stored at the self-service storage facility or in the  
80 | self-contained storage unit.

81 | Section 3. This act shall take effect July 1, 2024.