

By Senator Ring

29-00915A-13

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1 A bill to be entitled
2 An act relating to liens on personal property in self-
3 service storage facilities and self-contained storage
4 units; amending s. 83.806, F.S.; revising notice
5 requirements for enforcement of liens by the owner of
6 the self-service storage facility or self-contained
7 storage unit; specifying a limit on the value of
8 property stored in the tenant's storage unit;
9 authorizing the towing of a vehicle in a storage unit
10 under certain circumstances; limiting the liability of
11 the owner of a self-service storage facility or self-
12 contained storage unit after a vehicle is towed from
13 such facility or unit; providing an effective date.

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

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17 Section 1. Subsection (4) of section 83.806, Florida
18 Statutes, is amended, and subsections (9) and (10) are added to
19 that section, to read:

20 83.806 Enforcement of lien.—An owner's lien as provided in
21 s. 83.805 may be satisfied as follows:

22 (4) After the expiration of the time given in the notice,
23 an advertisement of the sale or other disposition shall be
24 published once a week for 2 consecutive weeks in a newspaper of
25 general circulation in the area where the self-service storage
26 facility or self-contained storage unit is located or posted for
27 2 consecutive weeks on an Internet website accessible to the
28 public. Inasmuch as any sale may involve property of more than
29 one tenant, a single advertisement may be used to dispose of

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30 property at any one sale.

31 ~~(a)~~ The advertisement shall include:

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

35 (b)2. The address of the self-service storage facility or
36 the address where the self-contained storage unit is located and
37 the name of the tenant.

38 (c)3. The time, place, and manner of the sale or other
39 disposition. The sale or other disposition shall take place not
40 sooner than 15 days after the first publication.

41 ~~(b) If there is no newspaper of general circulation in the~~
42 ~~area where the self-service storage facility or self-contained~~
43 ~~storage unit is located, the advertisement shall be posted at~~
44 ~~least 10 days before the date of the sale or other disposition~~
45 ~~in not fewer than three conspicuous places in the neighborhood~~
46 ~~where the self-service storage facility or self-contained~~
47 ~~storage unit is located.~~

48 (9) If the rental agreement contains a limit on the value
49 of property stored in the tenant's storage unit, the limit is
50 deemed to be the maximum value of the property stored in that
51 unit.

52 (10) If the personal property is a vehicle and the
53 vehicle's title is deemed to have no prior lienholder, the owner
54 of the self-service storage facility or self-contained storage
55 unit may have the vehicle towed. An owner of a self-service
56 storage facility or self-contained storage unit is not liable
57 for the vehicle or any damages to the vehicle after the wrecker,
58 tow truck, or car carrier removes the vehicle.

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Section 2. This act shall take effect July 1, 2013.