

1   A bill to be entitled  
 2           An act relating to self-service storage facility  
 3           liens; amending s. 83.806, F.S.; requiring the owner  
 4           of a self-service storage space to provide certain  
 5           notice to an alternative contact person under certain  
 6           circumstances; reducing the number of times a certain  
 7           advertisement must be published; authorizing the  
 8           advertisement to be published on certain public  
 9           websites; reducing the amount of time in which a sale  
 10          or other disposition must take place after publication  
 11          of the advertisement; conforming provisions to changes  
 12          made by the act; amending s. 83.808, F.S.; providing  
 13          requirements for self-service storage space rental  
 14          agreements and applications for rental agreements;  
 15          providing an effective date.

16  
 17 Be It Enacted by the Legislature of the State of Florida:

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 19           Section 1. Subsections (1) and (4) and paragraph (e) of  
 20           subsection (2) of section 83.806, Florida Statutes, are amended  
 21           to read:

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

24           (1) (a) The owner ~~tenant~~ shall notify the tenant ~~be~~  
 25           ~~notified~~ by written notice delivered in person, by e-mail, or by

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

35 (b) If the tenant provided the owner with the contact  
36 information of an alternative contact person in his or her  
37 rental agreement or application for a rental agreement, the  
38 owner must also provide the required notice under paragraph (a)  
39 to the alternative contact person.

40 (2) The notice shall include:

41 (e) The name, street address, and telephone number of the  
42 owner whom the tenant or an alternative contact person, if  
43 applicable, may contact to respond to the notice.

44 (4) After the expiration of the time given in the notice,  
45 an advertisement of the sale or other disposition must ~~shall~~ be  
46 published once ~~a week for 2 consecutive weeks~~ in a newspaper of  
47 general circulation in the area where the self-service storage  
48 facility or self-contained storage unit is located or on a  
49 public website that customarily conducts or advertises personal  
50 property auctions.

51 (a) A lien sale may be conducted on a public website that  
52 customarily conducts personal property auctions. The facility or  
53 unit owner is not required to hold a license to post property  
54 for online sale. Inasmuch as any sale may involve property of  
55 more than one tenant, a single advertisement may be used to  
56 dispose of property at any one sale.

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

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

61 2. The address of the self-service storage facility or the  
62 address where the self-contained storage unit is located and the  
63 name of the tenant.

64 3. The time, place, and manner of the sale or other  
65 disposition. The sale or other disposition must ~~shall~~ take place  
66 at least 10 ~~15~~ days after the ~~first~~ publication of the  
67 advertisement.

68 (c) If there is no newspaper of general circulation in the  
69 area where the self-service storage facility or self-contained  
70 storage unit is located, the advertisement must ~~shall~~ be posted  
71 at least 10 days before the date of the sale or other  
72 disposition in at least three conspicuous places in the  
73 neighborhood where the self-service storage facility or self-  
74 contained storage unit is located.

75 Section 2. Subsection (4) is added to section 83.808,

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76 Florida Statutes, to read:

77 83.808 Contracts.—

78 (4) A rental agreement or an application for a rental  
79 agreement must contain a provision informing a tenant that he or  
80 she may provide the name, address, and e-mail address of an  
81 alternative contact person and that the alternative contact  
82 person may only be contacted for purposes of providing notice  
83 under s. 83.806(1) or as otherwise permitted by the rental  
84 agreement. The rental agreement or the application for the  
85 rental agreement must also inform the tenant that providing the  
86 name, address, and e-mail address of an alternative contact  
87 person does not give that person an interest in the contents  
88 stored at the self-service storage facility or in the self-  
89 contained storage unit.

90 Section 3. This act shall take effect July 1, 2023.