

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Borrero offered the following:

Amendment (with directory and title amendments)

Remove lines 38-80 and insert:

(2) The notice shall include:

(a) An itemized statement of the owner's claim, showing
 the sum due at the time of the notice and the date when the sum
 became due.

(b) The same description, or a reasonably similar
 description, of the personal property as provided in the rental
 agreement.

(c) A demand for payment within a specified time not less
 than 14 days after delivery of the notice.

(d) A conspicuous statement that, unless the claim is paid
 within the time stated in the notice, the personal property will

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17 be advertised for sale or other disposition and will be sold or
18 otherwise disposed of at a specified time and place.

19 (e) If the advertisement for sale will be published on a
20 public website that customarily conducts or advertises personal
21 property auctions, the name of the website on which the
22 advertisement will be published.

23 (f) The name, street address, and telephone number of the
24 owner whom the tenant may contact to respond to the notice.

25 (4) After the expiration of the time given in the notice,
26 an advertisement of the sale or other disposition must ~~shall~~ be
27 published once a week for 2 consecutive weeks in a newspaper of
28 general circulation in the area in which ~~where~~ the self-service
29 storage facility or self-contained storage unit is located or
30 for 7 consecutive full days on a public website that customarily
31 conducts or advertises personal property auctions.

32 (a) A lien sale may be conducted on a public website that
33 customarily conducts personal property auctions. The facility or
34 unit owner is not required to hold a license to post property
35 for online sale. ~~Inasmuch~~ As any sale may involve property of
36 more than one tenant, a single advertisement may be used to
37 dispose of property at any one sale.

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

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

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42 2. The address of the self-service storage facility or the
43 address at which ~~where~~ the self-contained storage unit is
44 located and the name of the tenant.

45 3. The time, place, and manner of the sale or other
46 disposition. The sale or other disposition shall take place at
47 least 15 days after the first publication.

48 (c) If there is no newspaper of general circulation in the
49 area in which ~~where~~ the self-service storage facility or self-
50 contained storage unit is located and the owner does not publish
51 the advertisement on a public website that customarily conducts
52 or advertises personal property auctions, the advertisement must
53 ~~shall~~ be posted at least 10 days before the date of the sale or
54 other disposition in at least three conspicuous places in the
55 neighborhood in which ~~where~~ the self-service storage facility or
56 self-contained storage unit is located.

57 Section 2. Subsection (4) of section 83.808, Florida
58 Statutes, is created to read:

59 83.808 Contracts.—

60 (4) A rental agreement must contain the following:

61 (a) A provision authorizing the tenant to designate an
62 optional alternate contact person, which person may be contacted
63 only for purposes of providing notice under s. 83.806(1) or as
64 otherwise authorized by the rental agreement. Designating an
65 alternate contact person does not give such person an interest
66 in the contents stored at the self-service storage facility or

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67 in the self-contained storage unit.

68 (b) A warning that, if the property is advertised for sale
69 or other disposition, a description of what is believed to
70 constitute the personal property contained in the storage unit
71 will be published in the advertisement.

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74 **D I R E C T O R Y A M E N D M E N T**

75 Remove line 19 and insert:

76 Section 1. Subsections (1), (2), and (4) of section 83.806,

77

78 -----

79 **T I T L E A M E N D M E N T**

80 Remove line 14 and insert:

81 self-contained storage unit; requiring that rental agreements
82 warn that, if the property is advertised for sale or other
83 disposition, a description of the property will be published in
84 the advertisement; providing an effective