

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; requiring that rental  
15          agreements include a specified warning; providing an  
16          effective date.

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

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20           Section 1. Subsections (1) and (4) of section 83.806,  
21   Florida Statutes, are amended, and paragraph (f) is added to  
22   subsection (2) of that section, to read:

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

25           (1) The tenant must ~~shall~~ be notified by written notice

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

40 (2) The notice shall include:

41 (f) If the advertisement for sale will be published on a  
 42 public website that customarily conducts or advertises personal  
 43 property auctions, the name of the website on which the  
 44 advertisement will be published.

45 (4) After the expiration of the time given in the notice,  
 46 an advertisement of the sale or other disposition must ~~shall~~ be  
 47 published once a week for 2 consecutive weeks in a newspaper of  
 48 general circulation in the area in which ~~where~~ the self-service  
 49 storage facility or self-contained storage unit is located or  
 50 for 7 consecutive full days on a public website that customarily

51 conducts or advertises personal property auctions.

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

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

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

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

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

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

76 self-contained storage unit is located.

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

79 83.808 Contracts.—

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

81 (a) A provision authorizing the tenant to designate an  
82 optional alternate contact person, which person may be contacted  
83 only for purposes of providing notice under s. 83.806(1) or as  
84 otherwise authorized by the rental agreement. Designating an  
85 alternate contact person does not give such person an interest  
86 in the contents stored at the self-service storage facility or  
87 in the self-contained storage unit.

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

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