



843304

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Judiciary (Harrell) recommended the following:

Senate Amendment (with directory and title amendments)

Delete 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.



843304

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

14 (d) A conspicuous statement that, unless the claim is paid
15 within the time stated in the notice, the personal property will
16 be advertised for sale or other disposition and will be sold or
17 otherwise disposed of at a specified time and place.

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

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

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

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

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

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



843304

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

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

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

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

58 83.808 Contracts.—

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

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

67 (b) A warning that, if the property is advertised for sale
68 or other disposition, a description of what is believed to
69 constitute the personal property contained in the storage unit



843304

70 will be published in the advertisement.

71

72 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

73 And the directory clause is amended as follows:

74 Delete line 19

75 and insert:

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

77

78 ===== T I T L E A M E N D M E N T =====

79 And the title is amended as follows:

80 Delete line 14

81 and insert:

82 self-contained storage unit; requiring rental

83 agreements to include a warning that states, if the

84 property is advertised for sale or other disposition,

85 a description of the property will be published in the

86 advertisement; making technical changes; providing an

87 effective