

RÉSUMÉ DIGEST

ACT 111 (SB 101)

2021 Regular Session

Abraham

New law defines "wireless telecommunication device" as a cellular telephone, a text messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device.

New law provides that a lessee of a self-service storage unit shall be given a notice of privilege either written in their rental agreement or through their wireless telecommunications device.

New law provides that if an owner of a self-storage unit does not have a written rental agreement that includes a notice of the privilege, he shall not initiate an enforcement action until 30 days after the written notice of the privilege is mailed to the lessee.

New law requires that an owner include in the rental agreement a request for the lessee to provide two email addresses and the number of the lessee's wireless telecommunications device which the lessee shall initial by the request in the rental agreement.

Prior law provided relative to the regulation of self-service storage facilities and an owner's options if a lessee is in default of the rental agreement.

Prior law provided that in the event of a default by a lessee, the owner of a self-service storage facility has the option to enforce judicially all of his rights under the rental agreement, including, if the agreement so provides, his right to accelerate all rentals that will become due in the future for the full term of the lease or to cancel the lease and enforce his privilege for the debt due him.

Prior law provided that to cancel the lease and enforce the privilege for debt due him, the owner shall compile a list of the property subject to the privilege, provide notice to the lessee that he intends to enforce his privilege, and advertise the sale or other disposition of the property subject to the privilege.

New law retains prior law and includes notice through wireless telecommunications devices if the information is listed by the lessee in the rental agreement.

Prior law required the advertisement of the sale or other disposition of movable property subject to the privilege be published on at least one occasion in a newspaper of general circulation where the self-service storage facility is located and allows the owner to publish an advertisement of the sale on a publicly accessible website that conducts personal property auctions.

New law retains prior law and revises the advertising requirements to give the owner the option to advertise the sale or other disposition of the movable property on at least one occasion in a newspaper of general circulation where the self-service storage facility is located or on a publicly accessible website that conducts personal property auctions.

Effective January 1, 2022.

(Amends R.S. 9:4759(3) and (5)(9)(a); adds R.S. 9:4759(9) and 4758.1)