

March 5, 2009

S 448. SELF-SERVICE STORAGE FACILITIES. Filed 3/5/09. *AMENDING THE LAWS REGULATING SELF-SERVICE STORAGE FACILITIES.*

Amends GS 44A-41 to clarify and change the rights of self-service storage facility owners to ensure payment by specifying the type of search that suffices for identifying existing security interests in stored property. Amends GS 44A-42 by establishing a presumption that any limit on the value of stored property in the rental agreement is the maximum value of the property in the space. Amends GS 44A-43 by providing a process for enforcement of self-service storage liens on motor vehicles and allowing notice by first-class mail to other lien holders for other types of property (was, registered or certified mail), terminating an occupant's tenancy at the expiration of a 10-day notice and allowing the lienor to move the property to another place for safekeeping; providing for notice of public sales by publication, and authorizing a storage facility owner to deny access to stored property if rent or other charges remain unpaid for one day. Amends GS 44A-44 by providing that partial payment of rent does not satisfy a lien unless the owner agrees. Enacts new GS 44A-44.1 clarifying that, absent an agreement to the contrary, the care, custody, and control of personal property in a self-service storage facility belongs to the occupant until the property is sold or otherwise disposed of; and categorizing the owner of a self-service storage facility as a commercial landlord who rents space.

Intro. by Hoyle.

GS 44A

May 4, 2009

S 448. SELF-SERVICE STORAGE FACILITIES. Filed 3/5/09. Senate committee substitute makes the following changes to 1st edition. Removes proposed language in GS 44A-42, which provided that if a rental agreement includes a limit on the value of property stored in the occupant's storage space, then the limit is presumed to be the maximum value of the stored property. Makes a conforming change. Amends proposed language in GS 44A-43(b)(1a) to provided that if a motor vehicle is towed because rent and other charges are unpaid for 60 days following the obligation, then the lienor is not liable for any damage to the vehicle once the towor takes possession of the property. Makes clarifying changes and also removes the requirement that the vehicle be towed in accordance with the provisions of GS Chapter 20, Article 7A. Removes proposed GS 44A-43(e), which allowed denying access to personal property located in the self-service storage facility if rent or other charges remain unpaid for one day, until the rent and other charges are paid in full. Amends proposed GS 44A-44.1 to provide that while personal property remains on the owner's premises, the owner is liable for damages caused by the intentional acts or negligence by the owner or the owner's employees.

May 27, 2009

S 448. SELF-SERVICE STORAGE FACILITIES. Filed 3/5/09. House committee substitute makes the following changes to 2nd edition. Clarifies in GS 44A-44.1 that the owner of a self-service storage facility is liable for damage resulting from the intentional acts or negligence of the owner or the owner's employees to personal property stored in a storage space, *unless* the rental agreement for the storage space specifically provides otherwise. Makes technical changes.

June 29, 2009

SL 2009-201 (S 448). SELF-SERVICE STORAGE FACILITIES. AN ACT AMENDING THE LAWS REGULATING SELF-SERVICE STORAGE FACILITIES. Summarized in *Daily Bulletin* 3/5/09, 5/4/09, and 5/27/09. Enacted June 26, 2009. Effective October 1, 2009.