

ASSEMBLY BILL

No. 2331

Introduced by Assembly Member Rendon

February 21, 2014

An act to amend Section 21707 of the Business and Professions Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

AB 2331, as introduced, Rendon. Business: self-service storage facilities.

Existing law, the California Self-Service Storage Facility Act, specifies remedies and procedures for self-service storage facility owners when occupants are delinquent in paying rent or other charges. Existing law requires that a lien sale of property at a self-service storage facility be advertised in a newspaper of general circulation in the judicial district where the sale is to be held, or posted in conspicuous places in the neighborhood of the proposed sale, as specified.

This bill would alternatively permit the advertisement of the lien sale to be posted on a publicly accessible Internet Web site if there is no newspaper of general circulation published in the judicial district where the sale is to be held.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21707 of the Business and Professions
- 2 Code is amended to read:

1 21707. After the expiration of the time given in the notice of
2 lien sale, pursuant to subdivision (b) of Section 21705, or following
3 the failure of a claimant to pay rent or obtain a court order pursuant
4 to Section 21709, an advertisement of the sale shall be published
5 once a week for two weeks consecutively in a newspaper of general
6 circulation published in the judicial district where the sale is to be
7 held. The advertisement shall include a general description of the
8 goods, the name of the person on whose account they are being
9 stored, and the name and location of the storage facility. If there
10 is no newspaper of general circulation published in the judicial
11 district where the sale is to be held, the advertisement shall be
12 posted at least 10 days before the sale in not less than six
13 conspicuous places in the neighborhood of the proposed sale, *or*
14 *on a publicly accessible Internet Web site*. The sale shall be
15 conducted in a commercially reasonable manner. After deducting
16 the amount of the lien and costs of sale, the owner shall retain any
17 excess proceeds of the sale on the occupant’s behalf. The occupant,
18 or any other person having a court order or other judicial process
19 against the property, may claim the excess proceeds, or a portion
20 thereof sufficient to satisfy the particular claim, at any time within
21 one year of the date of sale. Thereafter, the owner shall pay any
22 remaining excess proceeds to the treasury of the county in which
23 the sale was held.

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