

AMENDED IN SENATE JUNE 22, 2000

AMENDED IN ASSEMBLY MAY 10, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2263

Introduced by Assembly Member Correa

February 24, 2000

An act to amend Section 21702 of, and to add Section 21713.5 to, the Business and Professions Code, relating to self-service storage facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2263, as amended, Correa. Self-service storage facilities.

The California Self-Service Storage Facility Act defines self-service storage facilities, regulates rental agreements for these facilities, and authorizes the imposition of liens on personal property located at a self-service storage facility for the payment of rent, charges, and other costs.

This bill would authorize the owner of a self-storage facility to assess occupants a late payment fee for delinquent rental fee payments, as specified, and would ~~specify~~ *provide* that liens imposed pursuant to this act include ~~the costs of enforcing the lien~~ *late payment fees*.

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 21702 of the Business and
2 Professions Code is amended to read:

3 21702. The owner of a self-service storage facility and
4 his or her heirs, executors, administrators, successors, and
5 assigns have a lien upon all personal property located at
6 a self-service storage facility for rent, labor, *late payment*
7 *fees*, or other charges, present or future, incurred
8 pursuant to the ~~rental agreement for all fees, costs, and~~
9 ~~other expenses of enforcing the lien, and for all other~~
10 ~~expenses necessary for the rental agreement and for~~
11 ~~expenses necessary for~~ preservation, sale, or disposition of
12 personal property subject to the provisions of this
13 chapter. The lien may be enforced consistent with the
14 provisions in this chapter.

15 SEC. 2. Section 21713.5 is added to the Business and
16 Professions Code, to read:

17 21713.5. (a) The owner of a self-service storage
18 facility may assess a reasonable late payment fee ~~each~~
19 ~~time~~ *if* an occupant does not pay the entire amount of the
20 rental fee specified in the rental agreement, subject to
21 the following requirements:

22 (1) No late payment fee shall be assessed ~~until~~ *unless*
23 *the rental fee remains unpaid for at least 10 days after the*
24 *date specified in the rental agreement for payment of the*
25 *rental fee.*

26 (2) The amount of the late payment fee shall be
27 specified in the occupant’s rental agreement.

28 (3) Only one late payment fee shall be assessed for
29 each rental fee payment that is not paid on the date
30 specified in the rental agreement.

31 (b) For purposes of this section, a “reasonable late
32 payment fee” is one that does not exceed the following:

33 (1) Ten dollars (\$10), if the rental agreement provides
34 for monthly rent of ~~fifty sixty~~ dollars ~~(\$50)~~ *(\$60)* or less.

35 (2) Fifteen dollars (\$15), if the rental agreement
36 provides for monthly rent greater than ~~fifty sixty~~ dollars
37 ~~(\$50)~~ *(\$60)*, but less than one hundred dollars (\$100).



1 (3) Twenty dollars (\$20) or 15 percent of the monthly
2 rental fee, whichever is greater, if the rental agreement
3 provides for monthly rent of one hundred dollars (\$100)
4 or more.

5 ~~An owner may impose a late payment fee greater than~~
6 ~~the foregoing amounts if the late payment fee is~~
7 ~~permissible under all other applicable provisions of law.~~

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