

Senate Study Bill 1149 - Introduced

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
COMMERCE BILL BY CHAIRPERSON
BOUSSELOT)

A BILL FOR

- 1 An Act concerning self-storage facilities, including acceptances
- 2 and defaults of rental agreements.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 578A.3, subsection 2, Code 2025, is
2 amended to read as follows:

3 2. An occupant shall not use a leased space for residential
4 purposes. An occupant who uses a leased space for residential
5 purposes is immediately in default and the operator may limit
6 the occupant's access to the leased space to the hours which the
7 office is open at the self-service storage facility and proceed
8 in accordance with this chapter.

9 Sec. 2. Section 578A.6, Code 2025, is amended to read as
10 follows:

11 **578A.6 Right Rental agreement — right to deny access due to**
12 **default.**

13 1. A rental agreement may be a written or oral agreement. If
14 a written rental agreement is presented to a potential occupant
15 by an operator and if the potential occupant takes possession of
16 a leased space, a failure by the occupant to execute and deliver
17 the written rental agreement to the operator within thirty days
18 from the initial date of occupancy constitutes acceptance of the
19 terms of the written rental agreement.

20 2. If the occupant is in default or if the operator does not
21 renew the occupant's rental agreement, the operator shall have
22 deliver to the occupant a written notice or an electronic mail
23 notice, if consented to by the parties in accordance with section
24 578A.5, subsection 5, to remove personal property from the leased
25 space within fifteen days. During the fifteen-day period, the
26 operator has the right to place reasonable restrictions on the
27 occupant's use of the leased space, including the right to deny
28 or limit the occupant's access to the leased space to
29 the hours which the office is open at the self-service storage
30 facility if such right is set forth in the rental agreement.

31 3. Any personal property remaining is subject to lien as
32 provided in section 578A.5 and in accordance with section 578A.7.

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 This bill provides that a person who takes possession of
2 a leased space of a self-storage facility and who receives a
3 written rental agreement from an operator but fails to execute
4 and deliver the written agreement within 30 days is considered
5 to have accepted the terms of the written rental agreement. If
6 an occupant is in default or if the operator does not renew
7 the occupant's rental agreement, the operator shall deliver to
8 the occupant a written notice or an electronic mail notice,
9 if consented to by the parties in accordance with Code section
10 578A.5(5), to remove personal property from the leased space
11 within 15 days. During the 15-day period, the operator may deny
12 or limit the occupant's access to the leased space to the hours
13 which the office is open at the self-service storage facility if
14 such right is set forth in the rental agreement. Any personal
15 property remaining is subject to lien as provided in Code section
16 578A.5 and in accordance with Code section 578A.7.

17 The bill provides that an occupant who uses a leased space for
18 residential purposes is immediately in default and the operator
19 may limit the occupant's access to the leased space to during
20 office hours at the self-service storage facility and proceed in
21 accordance with the Code chapter.