

RÉSUMÉ DIGEST

ACT 468 (SB 165)

2026 Regular Session

Abraham

Existing law provides for the regulation of self-service storage facilities.

Existing law provides for definitions.

New law retains existing law and defines the term "default" and adds in the definition of "rental agreement" that a rental agreement may be delivered and accepted electronically.

Existing law provides that a lessee of a self-storage unit shall be given a notice of privilege before enforcement of the privilege by an owner. Provides that notification of the privilege is satisfied by either inclusion on an executed written agreement or by written notification sent to the lessee via verified mail to the lessee's last known address, by electronic mail to the lessee's primary and secondary email addresses listed in the rental agreement, and by text message to the lessee's wireless telecommunications device if listed in the rental agreement.

New law retains existing law requiring delivery of notice of privilege by verified mail to the lessee's last known address and specifies that delivery by electronic mail is sent to the email address provided by the lessee and listed in the rental agreement.

Existing 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 privilege is mailed to the lessee.

New law maintains existing law requirement that an owner without a written rental agreement containing a notice of privilege may not initiate enforcement until 30 days after written notice is sent to the lessee.

Existing law provides 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.

Existing law provides 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 existing law and changes delivery of notice to verified mail to the last known address of the lessee and by electronic mail to the email address listed in the rental agreement.

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

New law retains existing law and adds requirement that the publicly accessible website to regularly advertise and conduct personal property auctions or sales.

Prior law provided that the owner may tow certain movable property upon which a lien is claimed when rent and other charges remain unpaid for 60 days.

New law allows the owner to tow certain movable property upon which a lien is claimed when the lessee is in default for 60 days.

New law requires that written notice of termination be delivered to the lessee and provides that the notice shall include all of the following information:

- (1) Lessee has 15 days to remove personal property from the self-service storage.

- (2) The owner may limit access to the self-storage facility to the owner's posted office hours.
- (3) Failure of the lessee to remove all personal property shall constitute a default of the rental agreement by the lessee.

New law provides that upon default of the lessee, the owner may assert a lien privilege on any personal property remaining at the self-service storage facility and may enforce the lien by sale or public auction as provided in existing law except the advertisement requirement.

New law provides that upon nonrenewal of a lease, any personal property remaining 15 days after expiration of the rental agreement is deemed abandoned and may be disposed of by the owner without notice.

Effective August 1, 2026.

(Amends R.S. 9:4757, 4758.1(A)(2) and (B), 4759(3), (5)(a), and (9); adds R.S. 9:4759.1 and 4759.2)