

Sub. H.B. 33
As Passed by the Senate
COMCD36

_____ moved to amend as follows:

In line 195 of the title, after "5321.01," insert "5322.01," 1

In line 274 of the title, after "5301.94," insert "5322.06," 2

In line 904, after "5321.01," insert "5322.01," 3

In line 962, after "5301.94," insert "5322.06," 4

After line 108607, insert: 5

"**Sec. 5322.01.** As used in ~~sections 5322.01 to 5322.05 of the~~ 6
~~Revised Code~~ this chapter:" 7

(A) "Self-service storage facility" means any real property 8
that is designed and used only for the purpose of renting or 9
leasing individual storage space in the facility under the 10
following conditions: 11

(1) The occupants have access to the storage space only for 12
the purpose of storing and removing personal property. 13

(2) The owner does not issue a warehouse receipt, bill of 14
lading, or other document of title, as defined in section 1301.201 15
of the Revised Code, for the personal property stored in the 16
storage space. 17

"Self-service storage facility" does not include any garage 18

used principally for parking motor vehicles, any garage or storage
area in a private residence, an establishment licensed pursuant to
sections 915.14 to 915.24 of the Revised Code, or any property of
a bank or savings and loan association that contains vaults, safe
deposit boxes, or other receptacles for the uses, purposes, and
benefits of the bank's or savings and loan association's
customers.

(B) "Owner" means a person that is the owner or operator of a
self-service storage facility, the lessor or sublessor of an
entire self-service storage facility, the agent of any of the
foregoing, or any other person authorized by any of the foregoing
to manage the facility or to receive rent from an occupant
pursuant to a rental agreement.

(C) "Occupant" means a person that rents storage space at a
self-service storage facility pursuant to a rental agreement that
the person enters into with the owner.

(D) "Rental agreement" means any written agreement that is
entered into by the owner and the occupant and that establishes
the terms and conditions of the occupant's use of storage space at
a self-service storage facility.

(E) "Personal property" means money and every animate or
inanimate tangible thing that is the subject of ownership, except
anything forming part of a parcel of real estate, as defined in
section 5701.02 of the Revised Code, and except anything that is
an agricultural commodity, as defined in division (A) of section
926.01 of the Revised Code.

(F) "Late fee" means any fee or charge assessed for an
occupant's failure to pay rent when due. "Late fee" does not
include interest on a debt, reasonable expenses incurred in the
collection of unpaid rent, or costs associated with the

enforcement of any other remedy provided by statute or contract. 49

(G) "Last known address" means either of the following: 50

(1) The mailing address provided by the occupant in the most 51
 recent rental agreement or the mailing address provided by the 52
 occupant in a subsequent written notice of a change of address; 53

(2) The mailing address of any of the persons described in 54
 division (A) of section 5322.03 of the Revised Code that is 55
 provided by any of those persons to the owner of a self-service 56
 storage facility or that is discovered by the owner of a 57
 self-service storage facility. 58

Sec. 5322.06. (A) Except as otherwise provided in this 59
 section, if the rental agreement entered into between the owner 60
 and the occupant contains a provision placing a limit on the value 61
 of personal property that may be stored in the occupant's storage 62
 space, that limit is the maximum value of the stored property, 63
 provided that the provision is printed in bold type or underlined 64
 in the rental agreement. 65

(B) A limit on the value of personal property under division 66
 (A) of this section shall not be less than one thousand dollars. 67

(C) The rental agreement may provide that the occupant may 68
 increase the limit on the value of property with the written 69
 permission of the owner. 70

(D) Nothing in a rental agreement shall limit an occupant's 71
 claim for damages based on the loss or destruction of personal 72
 property stored in the occupant's storage space, when those 73
 damages are the result of negligence by, or on behalf of the 74
 owner." 75

In line 124728, after "5321.01," insert "5322.01," 76

The motion was _____ agreed to.

SYNOPSIS

Self-service storage facilities - liability	77
R.C. 5322.01 and 5322.06	78
Restores a House provision that allows a rental agreement to	79
limit the value of property that may be stored in a self-service	80
storage facility, and specifies that such limit is the maximum	81
value of the stored property.	82
Modifies the provision by prohibiting a rental agreement from	83
limiting a claim for damages based on the loss or destruction of	84
stored property if the loss or damage is the result of negligence	85
by, or on behalf of, the self-storage facility owner.	86