

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 283**

**Senator Schaffer**

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To amend section 5322.03 and to enact section 1  
5322.07 of the Revised Code to modify the law 2  
governing self-service storage facilities. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 5322.03 be amended and section 4  
5322.07 of the Revised Code be enacted to read as follows: 5

**Sec. 5322.03.** An owner's lien created by division (A) of 6  
section 5322.02 of the Revised Code for a claim that has become 7  
due may be enforced only as follows: 8

(A) The following persons shall be notified in accordance 9  
with divisions (B) and (C) of this section: 10

(1) All persons whom the owner has actual knowledge of and 11  
who claim an interest in the personal property; 12

(2) All persons holding liens on any motor vehicle or 13  
watercraft amongst the property; 14

(3) All persons who have filed security agreements in the 15  
name of the occupant evidencing a security interest in the 16  
personal property with either the secretary of state or the 17  
county recorder of the county in which the self-service storage 18  
facility is located or the Ohio county of the last known address 19

of the occupant. 20

(B) (1) Except as otherwise provided in division (B) (2) of 21  
this section, the notice shall be delivered in person, sent by 22  
certified mail or sent by first-class mail or private delivery 23  
service with a certificate or verification of mailing to the 24  
last known address of each person who is required to be notified 25  
by division (A) of this section; 26

(2) (a) The notice may be sent by electronic mail to the 27  
occupant only if both of the following apply: 28

(i) The occupant agreed to receive the notice via 29  
electronic mail and provided an electronic mail address to the 30  
owner in the original agreement or in a subsequent amendment to 31  
the agreement. 32

(ii) The owner sends the notice via electronic mail in 33  
such a way as to establish, with a response or return receipt, 34  
that the message was delivered to the occupant's electronic mail 35  
address. 36

(b) If it cannot be established in accordance with 37  
division (B) (2) (a) of this section that the notice was 38  
delivered, the owner shall make a reasonable effort to find the 39  
occupant's address or electronic mail address in order to send 40  
notice. 41

(c) If it cannot be established in accordance with 42  
division (B) (2) (a) or (b) of this section that the notice was 43  
delivered, the owner shall use another method of delivery 44  
authorized by division (B) (1) of this section. 45

(C) The notice shall include all of the following: 46

(1) The name and last known address of the occupant who 47

rented the storage space in which the personal property was 48  
stored; 49

(2) An itemized statement of the owner's claim showing the 50  
sum due at the time of the notice and the date when the sum 51  
became due; 52

(3) A brief and general description of the personal 53  
property subject to the lien. The description shall be 54  
reasonably adequate to permit the person notified to identify it 55  
except that any container including, but not limited to, a 56  
trunk, valise, or box that is locked, fastened, sealed, or tied 57  
in a manner that deters immediate access to its contents and 58  
that has not been opened by the owner prior to the date on which 59  
the notice is given may be described as such without describing 60  
its contents. 61

(4) A notice of denial of access to the personal property, 62  
if a denial of access is permitted under the terms of the rental 63  
agreement, which notice provides the name, street address, and 64  
telephone number of the person whom the person notified may 65  
contact to pay the claim and to either obtain the personal 66  
property or enter into a rental agreement for the storage of the 67  
personal property; 68

(5) A demand for payment within a specified time not less 69  
than ~~ten~~ninety days after delivery of the notice; 70

(6) A conspicuous statement that unless the claim is paid 71  
within that time the personal property will be advertised for 72  
sale and will be sold by auction and that, if no person 73  
purchases the personal property at the auction, the personal 74  
property may be sold at a private sale or destroyed; 75

(7) The street or internet address of the place at which 76

the sale will be held, if the sale will be held at a place other 77  
than the self-service storage facility in which the personal 78  
property was stored. 79

(D) (1) Any notice given pursuant to this section that is 80  
sent by first-class mail or private delivery service with a 81  
certificate or verification of mailing shall be deemed delivered 82  
when it is deposited with the United States postal service or 83  
private delivery service and properly addressed with proper 84  
postage prepaid. 85

(2) Any notice given pursuant to this section that is sent 86  
by electronic mail to an occupant shall be deemed delivered when 87  
the owner receives a response or return receipt. 88

(E) The sale of the personal property shall conform to the 89  
terms of the notice as provided for in this section. 90

(F) The sale of the personal property may be held at the 91  
self-service storage facility or, if the street or internet 92  
address of the place was included in the notice as required by 93  
division (C) (7) of this section, on the internet or at the 94  
nearest suitable place to the self-service storage facility at 95  
which the personal property is stored. 96

(G) After the expiration of the time given in the notice\_ 97  
or, if the notice is not delivered, ninety days after the last 98  
attempt to give notice, an advertisement of the sale shall be 99  
published once a week for two consecutive weeks in a newspaper 100  
of general circulation in the county in which the self-service 101  
storage facility is located or any other commercially reasonable 102  
manner. The manner of advertisement shall be deemed commercially 103  
reasonable if at least three independent bidders register for, 104  
view, or attend the sale. The advertisement shall include all of 105

the following: 106

(1) A brief and general description of the personal 107  
property as required by division (C)(3) of this section, except 108  
that the description shall describe the contents of any trunk, 109  
valise, or box that is locked, fastened, sealed, or tied in a 110  
manner that deters immediate access to its contents, if the 111  
trunk, valise, or box is opened by the owner prior to the date 112  
on which the advertisement of sale is published; 113

(2) The name and last known address of the occupant who 114  
rented the storage space in which the personal property was 115  
stored; 116

(3) The street address of the self-service storage 117  
facility; 118

(4) The time, place, and manner of the sale. 119

The sale shall take place at least fifteen days after the 120  
first publication. 121

(H) (1) Any person who has a security interest in, or who 122  
holds a lien against, a motor vehicle or watercraft may pay the 123  
amount necessary to satisfy the lien created by division (A) of 124  
section 5322.02 of the Revised Code and the reasonable expenses 125  
incurred under this section. That person, upon payment of the 126  
amount necessary to satisfy the lien plus expenses, may enter 127  
into a new rental agreement for the storage of the motor vehicle 128  
or watercraft. Any person who presents proof of a security 129  
interest in or lien on a motor vehicle or watercraft or a court 130  
order authorizing the person to take possession of a motor 131  
vehicle or watercraft may immediately remove the motor vehicle 132  
or watercraft from the self-service storage facility without 133  
satisfying the lien or expenses of the owner. 134

(2) Before any sale of personal property other than a 135  
motor vehicle or watercraft pursuant to this section, any person 136  
who has a legal interest or a security interest in, or who holds 137  
a lien against, any personal property other than a motor vehicle 138  
or watercraft may pay the amount necessary to satisfy the lien 139  
created by division (A) of section 5322.02 of the Revised Code 140  
and the reasonable expenses incurred under this section and 141  
remove the personal property in which the person has the 142  
interest or against which the person holds the lien. After 143  
removal of all the personal property, including any motor 144  
vehicle or watercraft, from the storage space of the self- 145  
service storage facility by any means under this section, the 146  
owner may enter into a rental agreement with a new occupant for 147  
the storage space, and the owner has no obligation to the prior 148  
occupant of that storage space. 149

(3) Upon receipt of the payment from a person other than 150  
the occupant, the owner may, at the owner's sole discretion, 151  
enter into a new rental agreement for the storage of the 152  
personal property or, if the person meets the conditions set 153  
forth in division (H)(2) of this section, shall permit the 154  
person to remove the personal property from the self-service 155  
storage facility. 156

(4) If the occupant pays the amount necessary to satisfy 157  
the lien created by division (A) of section 5322.02 of the 158  
Revised Code and the reasonable expenses incurred under this 159  
section, the occupant shall immediately remove all of the 160  
occupant's personal property from the self-service storage 161  
facility, unless the owner of the self-service storage facility 162  
agrees to enter into a new rental agreement for the storage of 163  
the property. 164

(I) (1) If property on which there is a lien under division 165  
(A) of section 5322.02 of the Revised Code is not sold at 166  
auction, but is claimed under division (H) of this section and 167  
the owner's lien is satisfied, then all legal or security 168  
interest in, or any other liens held against, the property shall 169  
remain intact. 170

(2) A purchaser at auction in good faith, except an owner 171  
or an owner's agent, of the personal property sold to satisfy an 172  
owner's lien created by division (A) of section 5322.02 of the 173  
Revised Code takes the property free and clear of any rights of 174  
persons against whom the lien was valid, or any persons who had 175  
an interest in, or who held, any other lien against the 176  
property, despite noncompliance by the owner with the 177  
requirements of this section. 178

(J) The owner may examine any personal property to be sold 179  
pursuant to this section. The examination may include, but is 180  
not limited to, the opening of any trunk, valise, box, or other 181  
container that is locked, fastened, sealed, tied, or otherwise 182  
closed in a manner that deters immediate access to its contents. 183

(K) (1) If the property upon which division (A) of section 184  
5322.02 of the Revised Code creates a lien is a motor vehicle, 185  
trailer, or a watercraft, the owner may, at the owner's sole 186  
discretion, have the motor vehicle, trailer, or watercraft towed 187  
from the premises if any of the following circumstances applies: 188

(a) The notice was delivered or sent pursuant to division 189  
(B) of this section to all persons holding a lien on the motor 190  
vehicle, trailer, or watercraft, and thirty days have elapsed 191  
since the notice was delivered or sent. 192

(b) Rent and other charges related to the property remain 193

unpaid or unsatisfied by the occupant for sixty days, and no 194  
lien holders have been identified. 195

(c) The owner is planning to hold or has held a sale for 196  
the personal property that was stored in the self-service 197  
storage space with that motor vehicle, trailer, or watercraft, 198  
in which case the motor vehicle, trailer, or watercraft may, at 199  
the owner's sole discretion, be towed prior to or following the 200  
sale. 201

(2) The owner shall not be liable for the motor vehicle, 202  
trailer, or watercraft or any damages to the motor vehicle, 203  
trailer, or watercraft once the towing service or storage 204  
facility takes possession of the property. The notice delivered 205  
or sent pursuant to division (B) of this section to all persons 206  
holding a lien on the motor vehicle, trailer, or watercraft 207  
shall include the name of the towing service or storage 208  
facility. The name and the street address of the towing service 209  
or storage facility shall also be made available to the occupant 210  
or any lien holder upon the presentation of a document of title 211  
or another document that confirms an interest in the motor 212  
vehicle, trailer, or watercraft. 213

As used in this division, "towing service or storage 214  
facility" means any for-hire motor carrier that removes a motor 215  
vehicle, trailer, or watercraft from a self-service storage 216  
facility pursuant to this division and any place to which that 217  
for-hire motor carrier delivers the motor vehicle, trailer, or 218  
watercraft. 219

(L) The owner may satisfy the owner's lien from the 220  
proceeds of any sale held pursuant to this section, but shall 221  
mail the balance, if any, by certified mail, or by first class 222  
mail or private delivery service with a certificate or 223



verification of mailing, to the occupant at the occupant's last 224  
known mailing address. If the balance is returned to the owner 225  
after the owner mailed the balance by certified mail, first 226  
class mail, or private delivery service to the occupant or if 227  
the mailing address of the occupant is not known, the owner 228  
shall hold the balance for two years after the date of the sale 229  
for delivery on demand to the occupant or to any other person 230  
who would have been entitled to possession of the personal 231  
property. After the expiration of the two-year period, the 232  
balance shall become unclaimed funds, as defined in division (B) 233  
of section 169.01 of the Revised Code, and shall be disposed of 234  
pursuant to Chapter 169. of the Revised Code. 235

(M) An owner may buy at any public sale held pursuant to 236  
this section. 237

(N) The rights provided by this section shall be in 238  
addition to all other rights allowed by law to a creditor 239  
against a debtor. 240

(O) (1) If the owner complies with the requirements for 241  
sale under this section, the owner's liability to persons who 242  
have an interest in the personal property sold is limited to the 243  
balance of the proceeds of the sale after the owner has 244  
satisfied the owner's lien. 245

(2) The owner is liable for damages in the amount of the 246  
fair market value of the disposed personal property caused by 247  
the failure to comply with the requirements for sale under this 248  
section and is liable for conversion for ~~willful~~ negligent 249  
violation of the requirements for sale under this section. 250

(P) If no person purchases the personal property at the 251  
auction and if the owner has complied with this section, the 252

owner may do any of the following:	253
(1) Advertise and sell the personal property pursuant to	254
divisions (F) to (O) of this section;	255
(2) Sell the personal property at a private sale;	256
(3) Dispose of the personal property in any manner	257
considered appropriate by the owner including, but not limited	258
to, destroying the personal property.	259
<u>Sec. 5322.07. An owner shall provide notice to all</u>	260
<u>occupants of any change of ownership in a self-service storage</u>	261
<u>facility.</u>	262
<b>Section 2.</b> That existing section 5322.03 of the Revised	263
Code is hereby repealed.	264