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Kansas Self Storage Owners Association • 7321 NW Rochester Rd. • Topeka, Ks 66617

Chairman Kinzer and members of the Committee thank you for the time to present testimony in support of House Bill 2647 relating to the Self Service Storage Act. I am Larry Goldman and I am appearing here today as the current President of the Kansas Self Storage Owners Association. The KSSOA has requested this bill to bring the section of the Act in KSA 58-817 in line with current industry practice. This section of the Act had not been amended since 1984 and the industry has changed dramatically in the intervening 28 years. There are three key components in House Bill 2647 I would like to ask you to support.

#### **Restricted Mail Delivery of Notices**

Currently the Kansas Act requires the use of restricted mail for all notices unless otherwise specified. Kansas is the only state in the country that requires lien sale and other notification to tenants to be sent by restricted mail delivery. Today's notice delivery practice in the industry is First Class Mail or Email at an address provided by the tenant for that purpose.

- Restricted mail costs approximately \$12 per letter.
- The Kansas Act was written in 1983 before email was even on the scene in our society.
- This outdated requirement is expensive and ineffective:
  - For example a 35,000 square foot property sends approximately 10 restricted letters a month, or \$120/month, or close to \$1,440 a year.
  - Since restricted mail is hand delivered to the person on the letter, much like service of process, the intended recipients often avoid taking delivery.

#### **Electronic Notification of Auctions**

The Kansas Act also limits the options of the industry to provide notice of auctions in modern and effective ways by requiring notice of lien sales be placed in print newspapers. The KSSOA would appreciate your consideration of adding other commercially reasonable advertisement methods that result in at least three independent bidders at the sale at the designated time and place. There are publically accessible websites and databases for the publication of self storage and other lien sales that reach the correct audience and result in suitable attendance at the sales.

#### **Liability Protection for Tenant Information in Storage Units**

The third and last request by KSSOA is the language on Page 2, lines 31- 37 intended to protect owners from liability issues regarding confidential information, such as medical patient records or attorney's client files, discovered, disclosed or disseminated stemming from lien sales of the contents of storage units.