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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3152

02/03/2022

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The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act

1.2 relating to storage units; providing notice to a tenant about storage unit access;

1.3 providing a cause of action for access to a storage unit; amending Minnesota

1.4 Statutes 2021 Supplement, section 514.972, subdivision 5.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2021 Supplement, section 514.972, subdivision 5, is amended

1.7 to read:

1.8 Subd. 5. **Access to certain items.** (a) Any occupant may remove from the self-storage

1.9 facility personal papers and health aids upon demand made to any of the persons listed in

1.10 section 514.976, subdivision 1.

1.11 (b) An occupant who provides documentation from a government or nonprofit agency

1.12 or legal aid office that the occupant is a recipient of relief based on need, is eligible for legal

1.13 aid services, or is a survivor of domestic violence or sexual assault may remove, in addition

1.14 to the items provided in paragraph (a), personal clothing of the occupant and the occupant's

1.15 dependents and tools of the trade that are necessary for the livelihood of the occupant that

1.16 has a market value not to exceed \$125 per item.

1.17 (c) The occupant shall present a list of the items and may remove the items during the

1.18 facility's ordinary business hours prior to the sale authorized by section 514.973. If the

1.19 owner unjustifiably denies the occupant access for the purpose of removing the items

1.20 specified in this subdivision, the occupant is entitled to request relief from the court for an

1.21 order allowing access to the storage space for removal of the specified items. The self-service

1.22 storage facility is liable to the occupant for the costs, disbursements, and attorney fees

1.23 expended by the occupant to obtain this order, except the occupant is not required to present

a list of personal papers the occupant seeks to remove. A storage facility refusing to allow access under paragraph (a) or (b) must provide the occupant with the following verbatim notice: "For the reason(s) listed below, we refuse to allow you to get into your storage unit to get your things. You may want to contact a private lawyer or Legal Aid to learn about your rights. (Reason for refusal must be provided in this notice.)" A storage facility must provide the reason for refusing to allow access to the storage unit with this notice.

(d) For the purposes of this subdivision, "relief based on need" includes but is not limited to receipt of a benefit from the Minnesota family investment program and diversionary work program, medical assistance, general assistance, emergency general assistance, Minnesota supplemental aid, Minnesota supplemental aid housing assistance, MinnesotaCare, Supplemental Security Income, energy assistance, emergency assistance, Supplemental Nutrition Assistance Program benefits, earned income tax credit, or Minnesota working family tax credit. Relief based on need can also be proven by providing documentation from a legal aid organization that the individual is receiving legal aid assistance, or by providing documentation from a government agency, nonprofit, or housing assistance program that the individual is receiving assistance due to domestic violence or sexual assault.

(e) If the owner unjustifiably denies the occupant access for the purpose of removing the items specified in this subdivision, the occupant is entitled to request relief from the court for an order allowing access to the storage space for removal of the specified items. If the owner unjustifiably sells or disposes of the occupant's property, the facility is liable to the owner for statutory damages in the amount of \$2,000. The self-service storage facility is liable to the occupant for the costs, disbursements, and attorney fees expended by the occupant to obtain an order under this subdivision.