

Frequently Asked Questions Concerning Self Storage Lien Sales and Wrongful Auctions in California:

1. When are self-storage lien sales wrongful? Anytime the self storage landlord violates the California Self Service Storage Act (B&P 21700 et seq) in the tenancy or lien sale process.
2. What is denial of self storage access? It is when the self storage landlord doesn't let you in to your property – usually by invalidating a gate code but also by “overlocking” with a 2nd padlock.
3. Is denial of self-storage access illegal? Depends. If the self-storage company denies access without first complying with the Pre lien Notice and Notice of lien sale (the two mandatory notice letters) then it is illegal.
4. When are self storage late fees illegal? Late fees are illegal when they violate B&P 21713.5. The usual violations are charging it early by a day or two and charging more than one late fee per month.
5. What is the effect of self-storage late fee violations? In our opinion the tenant does not owe the charges so the lien sale relying on the fees is invalid.
6. What self-storage violations do you encounter? In General - Denial of access (see above) and also overstated billing are the most frequent. We also find failure to mail the mandatory notices or failure to advertise properly.

Note: These generic questions & answers and do not constitute legal advice which must be done with reference to specific facts & circumstances. Contact us for more specific information about wrongful auction and lien sales !