In today’s law, public-storage facilities have the right to seize their renters’ property and sell it all for a fraction of their worth when bills are not properly paid. No court or officer of the law is required. Renters must give away this right of sale when they sign storage contracts.

In the place of judicial oversight, lawmakers many years ago ordered personal notice to renters and public notice published in a newspaper to provide checks and balances against the power held by the industry. By providing this notice to the public, facility owners introduce transparency into a commercial arrangement that is otherwise one-sided. The notices improve the chances that, when personal notice has failed or the facility has grievously erred, an auction will be noticed by the public and any wrongs will be averted.

The public notice serves multiple purposes.

1. It provides oversight in lieu of a judge–who is no longer part of the process–to keep seizures and auctions from happening in secrecy.

2. It allows the public an opportunity to bid for property. A bigger market means more compensation for the consumer.

3. It notifies the friends and neighbors when a renter can not be found, increasing the chance that someone will reach the owner of the property before it is too late.

4. It provides one more direct notice to the consumer in a belt-and-suspenders system when notice by mail or email fails.

5. It gives a community, consumer advocates and interest ed neighbors an opportunity to act as private attorneys general, generally overseeing an important business in their community and permitting them to encourage best business practices as the facilities carry out their own business obligations to move beyond defaulting customers.

Public notice is a triple win–for the storage business, the consumer and the community.

Independent surveys show that the public counts on newspapers to provide public notice. But the self-storage industry is fighting to eliminate this public notice to the community. In state after state, the self-storage industry is arguing that the industry should further enhance its power over its renters by providing little public notice of a property seizure and auction, other than on a facility owner’s own website.

To concerns about few bidders showing up to provide fair value to the losing consumer, the storage facility owner may advertise the sale in any other commercially reasonable manner that is likely to attract at least three (3) independent bidders to the sale.

**Granting the industry’s wish would reverse a half-century of transparency and consumer-oriented due process. The industry’s thumb is already heavy on the scale of justice where its consumers are concerned. Eliminating transparency would add more weight that puts consumers at greater risk.**