

Minnesota Lien Law Amended – Action Required

A Minnesota [commerce bill](#) passed on June 28, 2021 and is effective on August 1, 2021. A section of the law amends the Minnesota self storage lien law as follows:

- It changes what property certain occupants can remove following default and lockout;
- As with current law, the law permits any self storage occupant (including those in default) to remove from the facility personal papers and health aids upon demand;
- Unlike current law, an occupant in default who wants to remove personal clothing of the occupant or occupant's dependents or tools of the trade that are necessary for the occupant's livelihood must provide documentation from a government or nonprofit agency or legal aid office that the occupant is a recipient of relief based on need, is eligible for legal aid services, or is a survivor of domestic violence or sexual assault;
- The maximum market value of clothing and tools that may be removed was increased from \$50 per item to \$125 per item;
- The bill clarifies the process to evict a tenant for reasons other than nonpayment;
- The bill also clarifies that only one default notice is required (some previously read the law to require two); and,
- The bill changes the contents of the newspaper advertisement to require only a "general" description of the occupant's stored property. This is particularly beneficial when an occupant removes property after the advertisement and before the sale. Operators may still opt to provide a detailed description but are not required to do so.

Most importantly, starting August 1, lien notices must contain **all** the following elements:

- (1) a statement of the amount owed for rent and other charges and demand for payment within a specified time not less than 14 days after delivery of the notice;
- (2) pursuant to section 514.972, subdivision 4, a notice of denial of access to the storage space, if this denial is permitted under the terms of the rental agreement;
- (3) the date that the occupant will be denied access to the occupant's personal property in the self-service storage facility;
- (4) a statement that access will be denied until the owner's claim has been satisfied;
- (5) a statement that any dispute regarding denial of access can be raised by an occupant beginning legal action in court;
- (6) the name, street address, and telephone number of the owner, or of the owner's designated agent, whom the occupant may contact to respond to the notice;
- (7) a conspicuous statement that unless the claim is paid within the time stated in the notice, the personal property will be advertised for sale. The notice must specify the time and place of the sale; and
- (8) a conspicuous statement of the items that the occupant may remove without charge pursuant to section 514.972, subdivision 5, if the occupant is denied general access to the storage space.

The revised annotated Minnesota self storage lien law booklet will be available soon that explains all of the new amendments in depth. Please contact [Joe Doherty](#) or [Daniel Bryant](#) with any questions.