

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 275

An Act to amend and reenact § 55-418 of the Code of Virginia, relating to the Virginia Self-Service Storage Act; liens.

[H 1522]

Approved March 20, 2005

Be it enacted by the General Assembly of Virginia:

1. That § 55-418 of the Code of Virginia is amended and reenacted as follows:

§ 55-418. Lien.

A. The owner shall have a lien on all personal property stored within each leased space for rent, labor, or other charges, and for expenses reasonably incurred in its sale pursuant to this chapter. Such lien shall attach as of the date the personal property is stored within each leased space, and, to the extent the property remains stored within such leased space, as hereinafter provided, shall be superior to any other existing liens or security interests to the extent of \$250, ~~and the~~ *or, if the leased space is a climate-controlled facility, \$500. In addition, such* lien shall extend to the proceeds, if any, remaining after the satisfaction of any perfected liens and the owner may retain possession of such proceeds until the balance, if any, of such charges is paid.

B. In the case of any motor vehicle or watercraft which is subject to a lien, previously recorded on the certificate of title, the owner, so long as the motor vehicle or watercraft remains stored within such leased space, shall have a lien on such vehicle or watercraft as provided for herein to the extent of \$250 *or \$500 if the leased space is a climate-controlled facility.* In addition, such lien shall extend to the proceeds, if any, remaining after the satisfaction of any recorded liens and the owner may retain possession of such proceeds until the balance, if any, of such charges is paid.

C. The rental agreement shall contain a statement, in bold type, advising the occupant of the existence of such lien, and that the personal property stored within the leased space may be sold to satisfy the lien if the occupant is in default.