



ROLL DOOR REVIEW

The only newsletter that gives a “HOOT” about the self storage industry in Arkansas.

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Managing Client Conduct at Self-Storage Facilities

By Scott Zucker, Esq.



The role of a self-storage operator as a “landlord” is often more complicated than it needs to be, but especially when issues arise concerning the poor conduct of a tenant. Since self-storage is primarily focused on the storage of property, whether that be personal property or business property, one would think that conduct issues would be less frequent compared to the leasing of residential property. But unfortunately, the issue of poor tenant conduct seems to be escalating in the self-storage industry.

More and more, self-storage operators are reporting violations of the use provision of their self-storage rental agreements, where tenants are storing property that may be hazardous or flammable and then refusing to remove the dangerous materials upon request. And, sadly, more and more properties have observed the illegal use of a storage unit for habitation or extended loitering in the absence of available residential housing or shelter. Although adding provisions to your rental agreement may not prevent the occurrence of these use violations, a good rental agreement can help an operator address its rights of lease termination and tenant removal if these situations arise. The following are some “best practices” language that may need to be added to your self-storage rental agreement to manage the growing challenges of poor tenant conduct.

Conduct: Occupant and Occupant’s guests and invitees shall behave, conduct themselves, and communicate with Owner, Owner’s employees and agents, and other occupants in a professional, businesslike manner

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New Resources on ARSSA.org

Property Tax Guide

Having trouble with your Property Tax assessment?
Use this download as a guide.

2022 Expo Presentations

Attorney Scott Zucker, Ben Vestal, Alex Clark, Rick Beal

MEMBERSHIP NEWS

The 2022 Addition to the Lien Sale Handbook is now available. HB1027, the law repealing the newspaper ad requirement, is included along with a Quick Reference for Arkansas Storage Laws. It is available as a download or we can mail it to members for \$5 plus shipping.

Membership renewals for 2023 will be mailed and emailed starting December 1st. If you have had any changes in contact information, please let us know as soon as possible. Thank you for your continued support!

SAVE THE DATE

The 2023 State Convention & Expo will be held in Rogers at the Embassy Suites August 23rd and 24th 2023.

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Dan Lusk
ARSSA President
 danluskar@comcast.net

LETTER FROM THE PRESIDENT

Dear ARSSA Members,

This year has ushered in a lot of change for the ARSSA. We are finally returning to a sense of normalcy after two years of disruption to our events, day to day business, and market shifts. We have also had a change in leadership. Charles Snapp, who served as our previous President from 2016 to 2021, recently

sold his facility in Walnut Ridge. As serving Vice President, I moved into that role to finish out his term until our current officers were elected at this year's Annual Expo in August.

We have seen a shift in membership this year as well. As of September 15th - we have gained thirty-four new members. Several of these new members are new owners who purchased existing facilities from owners who have been with the ARSSA for years. We are truly grateful for the positive words and references these members have made on our behalf. If you happen to be one of our new members - Welcome! We hope you know you have a home with the ARSSA and that we are here to support you and your business any way we can.

One of the ways we support our members and the self-storage industry in Arkansas is through our educational seminars, which are presented at the State Convention & Expo. This year, we welcomed six experts in self-storage, covering topics from security to feasibility studies, along with two legal

seminars put on by Scott Zucker and Joe Doherty, Legal Counsel for the SSA. If you were not able to attend, you can access our seminar resources through our website (ARSSA.org).

Plans are already in the works for the next Expo, which will be hosted August 23rd and 24th in Rogers at the Embassy Suites. We are looking forward to returning to Rogers next year, seeing as how the last time that we were there was in 2019.

We are continuing to work on Property Tax issues. While we continue to seek a solution to these issues, please keep us informed about any problems you encounter personally. Also, you can access our Property Tax Guide in the Member Downloads tab on our website (ARSSA.org). This resource contains information concerning what steps you can take to appeal your property taxes, and contacts you can reach out to for help. Thanks again to Board Member Jim White for his help with this!

You will see a new look to the ARSSA website this Fall. Our goal is to make it easier to access resources and register for events. We anticipate a smooth transition, but if you have any questions or concerns, please don't hesitate to reach out.

Each year, we continue to look for ways to better serve our membership. If you have any suggestions or ideas about how we could improve, please send them to us.

Thank you for being a part of the ARSSA! We are proud to represent the best association in the State!



Charles Snapp

**ARSSA
 Board Member**

10 Years of Service

repealing the newspaper ad requirement, and worked on fire code changes. Charles and his wife, Jackie, worked on and sponsored each State Convention & Expo since 2016.

Charles owned Storage in a Snapp. He sold his property in December of 2021 and is currently running for re-election of Mayor of Walnut Ridge unopposed.

We want to give a special thanks for his work and contributions to the ARSSA and the self storage industry in our state. Charles received the Man of the Year Award at the 2022 State Convention in August.

Special Thanks

Charles Snapp served on the ARSSA Board of Directors for ten years and as President for six of those. He represented members from Walnut Ridge, Lawrence County, and surrounding areas in the northeast corner of the state.

Charles prioritized growth of the ARSSA and focused on creating value for our members. Under his leadership, the ARSSA grew to be the 30th largest association in the state (2017). He made sure new members were welcomed and supported. Among the Board, Charles prioritized input, discussion, and rules of order and made guidance, growth and development of the board a priority. His main goal was increasing the value of the ARSSA to each member, emphasizing that having a united voice is our best chance for protecting our businesses and maintaining a strong industry for all owners in Arkansas. He also helped our members and association navigate through Covid, led the legislation



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Continued from Front Cover

while at the Facility. Abusive or harassing language or conduct by Occupant or Occupant's guests or invitees is a breach of this Agreement. If any provision of this paragraph is violated, Owner shall have the right to immediately terminate this Agreement (including denial of vehicle gate access to the Facility and denial of access to the Space) and to exercise any other remedies provided at law or in equity, including immediate removal of Occupant's property from the Space and the Facility. If Occupant or Occupant's guests or invitees are in violation of this paragraph, Owner has the right to control Occupant's access on the Facility, including, but not limited to, requiring Occupant to be escorted by Owner's agents or employees while at the Facility.

Termination: This Agreement shall continue from month to month, automatically renewing at the end of each monthly term, unless the Occupant or Owner delivers to the other party a written notice of its intention to terminate the Agreement at least five (5) days prior to the end of the then current rental period. Owner may also exercise immediate termination rights (including denial of vehicle gate access to the Facility and denial of access to the Space) in the event that Occupant utilizes the Space for an unlawful or criminal purpose or is found to be engaged in illegal or criminal activity at the Facility. If Owner terminates this Agreement as provided for herein, Owner has the right to deny vehicle access entry to the Facility during the termination period and control Occupant's access on the Facility, including, but not limited to, requiring Occupant to be escorted by Owner's agents or employees while at the Facility.

Again, these provisions won't necessarily stop these problems from happening, like solutions that are focused on maintaining sufficient security oversight and regular facility site inspections. But these provisions will go a long way toward identifying manageable solutions when such a problem occurs.

Stay Safe and Happy Storing!
Scott

Zucker, S. "Managing Client Conduct at Self-Storage Facilities." Legal Monthly Minute. August 2022.

We are happy to welcome these new members to the ARSSA Family.

Sto-Rite
Jonesboro

Storage City
Mountain Home

Greers Ferry
Storage

Kodiak Holdings
Little Rock

Joe Mendoza
San Marcos, CA

Springbank Self Storage
Fouke

James Rogers
Fordyce

Razorbox @ Chaffee Crossing
Fort Smith

Razorbox @ Gravette
Gravette

Wagon Wheel Storage
Springdale

Storemore Lawson
Lawson

Blue Sky Self Storage
Pine Bluff

ARK-LA-TEX Self Storage LLC
Texarkana

Meeker Properties
Greenwood

Pottsville Self Storage
Pottsville

Fayetteville Self Service Storage
Fayetteville

Artifacts Self Storage
Rogers

Springhill Storage
Greenbrier

HWY 59 Mini Storage
Siloam Springs

LockBox Storage
Huntsville

Schrader Homes LLC
Benton

Blue Sky Self Storage
Siloam Springs

Spa City Distribution
Hot Springs National Park

Ladybug Storage
Elaine

The Ranch Storage
Prairie Grove

White Hall Storage
White Hall

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Arkadelphia

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of Malvern

Roll Up Storage
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Cabot Community Storage
Cabot

Mustang Mini Storage
Walnut Ridge

Country Place Storage
Laramie, WY

B+ Storage Solutions
Booneville

Tim Smith Properties LLC
Brookland

State Convention & Expo



*Alonna Ross
Business Development Manager
StorageAuctions.com*

Online Auctions

No self-storage operator likes to lose money, but sadly, all it takes is just one delinquent tenant. If a customer refuses pay, you're often left with one option to recoup your loss and reclaim your space: hold a lien sale. After you've followed all state protocols for contacting the customer and publicly announcing your intention to sell his goods, you need to host an auction. The question is, what's the best way to go about it?

For years, operators have been debating the merits of live vs. online auctions. There's a lot to consider, and the conversation has only become more complex in the wake of the Coronavirus pandemic. Today, facility operators are increasingly turning to web-based lien sales vs. holding traditional live auctions at the property.

This has many tangible benefits, but there are also some best practices you should follow to ensure your sales are successful. They rely on the power of the Web to attract a large bidder base. Individual units can easily exceed 300 viewers. I've seen some units with clearly visible, desirable contents reach more than 1,000 viewers! The beauty of doing lien sales online is they can attract shoppers from a larger market, often up to 120 miles. So long as the winning bidder is willing to come pick up the goods within your designated timeframe, he can really come from anywhere.

With an online auction, you don't need to worry about crowds, the mess they can bring (i.e., coffee cups and cigarette butts), or related security and health risks. You don't need to concern yourself about social distancing or disruption to staff or existing tenants. With an online platform, auction marketing is typically included with the service; and data shows that online sales tend to get higher bids, too.

There are a lot of benefits to hosting auctions online, though like a live event, they do require some preparation. For example, consider your end time and date; you don't want your auction to end in the middle of the night when people are generally sleeping. You also need to make sure you have good, high-quality photos so people can see the unit contents and are enticed to bid. Mostly, the most common drawback is self-storage operators' reluctance to try something new.

Alonna is the Business Development Manager at StorageAuctions.com. Contact her at 866-944-8530 or alonna@storageauctions.com with questions. StorageAuctions.com is a vendor partner with the ARSSA.

Arkansas Self Storage Association

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2022-2023



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