



Roll Door Review

The only newsletter that gives a "HOOT" about the self storage industry in Arkansas

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A Reminder About the Protections Available Under the Servicemembers Civil Relief Act

By Scott I. Zucker, Esq.



A recent case, U.S. Department of Justice v. PR Taylor Enterprises, LLC, should act as a quick reminder to self-storage companies that they must recognize and defer to the Servicemembers Civil Relief Act (SCRA) before attempting to enforce their lien rights against their tenants for rent default.

Section 307 of the SCRA specifically addresses the enforcement of storage liens and provides as follows:

(a) LIENS-

(1) LIMITATION ON FORECLOSURE OR ENFORCEMENT - A person holding a lien on the property or effects of a servicemember may not, during any period of military service of the servicemember and for 90 days thereafter, foreclose or enforce any lien on such property or effects without a court order granted before foreclosure or enforcement.

(2) LIEN DEFINED - For the purposes of paragraph (1), the term 'lien' includes a lien for storage, repair, or cleaning of the property or effects of a servicemember or a lien on such property or effects for any other reason.

A Reminder About the Protections Available Under the Servicemembers Civil Relief Act
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2021 Membership Renewals

Membership Renewals for 2021 will be sent starting December 1st. Look for an email reminder in early December with a link to pay online. If you receive a renewal in the mail and have already renewed online, your account will be updated (no need to take action).

If you have questions, please contact us at (501) 607-4775 or sharris@arssa.org

Legislative News

Amendment to 18-16-407, that will provide alternatives to newspaper advertisement for lien or public sales is currently in the Bureau of Legislative Research.

We hope to have a final written amendment in January to present before the State Legislature. Please be on the lookout for communication from us, as we will need your support through calls to your representatives to insure this bill is successful.

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Membership News

- View all of the 2020 webinars at ARSSA.org. Click the Events Tab and select Webinar Library. Stay tuned for more upcoming webinars.
- We are updating resources in the Member Download section of ARSSA.org. Be sure to check your email for specific uploads you may want for lien sales and online auctions.
- If you haven't updated your rental agreement, get our most recent sample version (January 2020) in the Member Downloads at ARSSA.org.
- See the information above about upcoming legislation and 2021 Membership Renewals.

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Letter From the president

Dear ASSA Members,

As we near the end of 2020, it's hard to reflect how different this year is from others, with one BIG exception! Yes, that one BIG exception is the fact that for most areas of Arkansas and even the United States, the self-storage industry continues to withstand business adversity and the wild swings in the stock market, not to mention political unrest. I'm aware there are isolated areas with significant problems, but I hope facility owners, managers and employees find comfort and reassurance that our industry has continued to prove resilient.

I want to express my appreciation to the association membership and to our Board of Directors for coming together so quickly and responding with necessary changes that assisted our members in navigating our industry through this portion of the health care crisis. In the same thought, I want to show appreciation for the support we received from our Vendor Partners in getting information out about contactless rentals and the storage market. We certainly don't want to forget the SSA and their information and support on lien sale restrictions and moratoriums. We can look back and hope that, as an association, open communication and receptiveness



Charles Snapp

has provided some level of security to our membership.

No doubt, I've learned a lot this year and I'm sure most of you have as well. First, webinars are effective and provide a safe environment for continued education and communication to our members and the board. ASSA will continue to have our State Convention & Expo, but we will also make online education a priority. Next, many of the ASSA members have asked what we're doing about newspaper ads for lien sales, seeing that our major publication is now online and most areas do not have local print circulation for newspapers.

In response to the legal notice question and newspapers, I am pleased to let you know we have drafted the amendment to 18-16-407 Sale and Removal Procedure and we are working its way through the Bureau of Legislative

Research. From there we hope to have a formal and final written amendment to present before the State Legislature. We will keep you posted on our progress and at some point, I would anticipate a copy of the final legislative draft being emailed to everyone, along with a request for each of you to call or email your legislator in support of the changes we are proposing.

Across the state, we have worked together for 16 years to make our businesses stronger, and in doing so, we have made the industry stronger in our state. The five pieces of legislation the ASSA has gotten passed are a critical part of making our association

and industry stronger. Please know the legal notice legislation will be an uphill battle and we want you to respond to your legislators in a timely and informed fashion, but not before we have provided you with detailed information on the final legislative draft.

In closing, I encourage you to stay up to date on our progress with our monthly e-newsletters and website publications. If you need to update or add an email address, get in touch with Shelly. Make sure to take a look at the Membership News on the front page. We have big plans for 2021, and we look forward to another great year for the ASSA.



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A Reminder About the Protections Available Under the Servicemembers Civil Relief Act

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(b) **STAY OF PROCEEDINGS** - In a proceeding to foreclose or enforce a lien subject to this section, the court may on its own motion, and shall if requested by a servicemember whose ability to comply with the obligation resulting in the proceeding is materially affected by military service--

- (1) stay the proceeding for a period of time as justice and equity require; or
- (2) adjust the obligation to preserve the interests of all parties.

The provisions of this subsection do not affect the scope of section 303.

(c) PENALTIES

(1) **MISDEMEANOR** - A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.



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A Reminder About the Protections Available Under the Servicemembers Civil Relief Act

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(2) PRESERVATION OF OTHER REMEDIES - The remedy and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including any consequential or punitive damages.

In the PR Taylor case, the moving and storage company that had actually picked up their tenant's property at an Air Force Base and corresponded with the tenant through the Air Force, auctioned off the contents of the tenant's storage unit without first obtaining a court order as is required by the SCRA. The Justice Department attorney who filed the lawsuit issued a press release which stated: "This servicemember was called overseas to serve our country and returned home to find his personal possessions, family heirlooms and military awards auctioned off to the highest bidder. That is unacceptable. We will continue to protect the rights of servicemembers who dedicate their lives to preserving our security and freedom."

So, what if you do not know the military status of a customer? The structure of the SCRA strongly suggests that the storage operator must have notice of the delinquent customer's military status to be governed by the law. The operator does not have an obligation to actively research to learn whether a customer is in the military but the operator cannot ignore facts that may indicate that the customer is in the service. It is good practice to have a question in the rental agreement or rental application asking this question:

Are you or your spouse on active duty military service? Yes _____ No _____

If the answer is yes, it is helpful for the operator to provide the tenant with a supplemental information sheet to allow the tenant the opportunity to furnish additional information regarding alternate contacts in case the unit goes into delinquency. Those alternate contacts should include the base where the tenant is stationed and the name, address, phone number and e-mail of the servicemember's commanding officer.

Stay Safe and Happy Storing!
Scott

Scott Zucker is a partner in the law firm of Weissmann Zucker Euster Morochnik & Garber P.C. in Atlanta, Georgia. Scott specializes in business litigation with an emphasis on real estate, landlord-tenant and construction law. Scott is a frequent lecturer at national conventions and is the author of Legal Topics in Self Storage: A Sourcebook for Owners and Managers. He is also a partner in the Self Storage Legal Network, a subscription-based legal service for self storage owners and managers. Scott can be reached at 404-364-4626 or at scott@wzlegal.com.

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Zucker, S. Self Storage Legal Monthly Minute. November 2020

For more information on the Servicemember Civil Relief Act, visit ARSSA.org.

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Online Reputation Management for Self-Storage

By Tommy Nguyen



Tommy Nguyen
StoragePug

You're likely familiar with managing your reputation in person, but what about online? You can gain or lose a significant amount of business on a select few websites, and if you aren't even aware of it, you can't possibly manage it or improve it. This article will be about the importance of your online reputation, how to start gaining control over it, and a guide on how to manage it properly.

Why Is Your Online Reputation Important?

For a traditionally in-person industry like self-storage, it can be difficult to conceptualize just how important an online reputation can be. Customers view the unit, sign the contract, and move their items onsite. How could a well-managed online presence impact that, and how could you benefit from a better online presence?

Consider your average customer: as of 2018, 84% of customers will not only look up online reviews, they will read at least ten online reviews before they feel like you are trustworthy, and 85% will give those reviews the same weight as if they had come from friends and family.

All of the feedback your potential customers can find online about you makes up your online reputation. And if it's terrible, or simply non-existent, they will choose someone else. Because customers trust reviews so much, it acts as social proof of the quality of your business and lends you credibility.

Mostly, online reviews have a similar impact as word-of-mouth marketing. When someone gets a word-of-mouth recommendation from a friend for a brand or product, they are five times more likely to buy. If 85% of your potential customers are giving reviews from strangers the same weight as a recommendation from a friend, then it stands that good reviews can do a lot for your self storage business.

Aside from the effect reviews have on potential customers, it is also one of the only places you can get unsolicited, real feedback from actual customers. Customers are indeed more likely to write a review if they have a negative experience- two to three times more likely- but you can even turn negative reviews into a benefit. That feedback will not only be helpful to you to point towards areas that could be improved, it will also give you a chance to respond in a way that rebuilds your credibility - and 89% of consumers read business' responses to reviews.

Finally, your online reputation affects your online search engine optimization (SEO), particularly locally. When potential customers are searching for self storage options in their area, they're very likely to turn to google. When they input the search terms, they'll get what's called the "local pack," which is the top three recommended stores on Google. Google determines who gets in the local pack using a variety of metrics, and one metric is reviews - specifically quantity, frequency, and diversity of reviews. The better those are, the better chance you have of getting in that coveted spot.

How to Manage Your Online Reputation

Your online reputation may feel a bit out of your control, knowing that it comes from customers and visitors who take time out of their day to leave you a review. However, there is a lot you can do to improve your online reputation by taking a few simple steps, especially if you're starting from scratch. Here is a step-by-step guide to managing your online reputation:

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StorageAuctions.com New Timeline Guarantee

Since our very first auction we've always had one goal – give our customers our very best. This has led us to making sure that **Every** single **Unit** gets our best, **Every** single **Day**. To help ensure we continue giving our customers our very best we are always working on new features. Our latest feature added is the Timeline Guarantee.

One of the most frequent concerns we hear from self-storage owners and operators is making sure that they have followed their states lien laws as far as when they are sending letters, posting newspaper ads and sending a tenant to auction. The '[Timeline Guarantee](#)' helps storage facilities navigate the lien sale process and ensures that the appropriate steps and time frame have been followed in accordance to their state laws to have a legal auction.

What is this?

- This technology is built to ensure your auction follows your state's legally required timeframe. Our software will populate the necessary minimum timeframe for an auction in your state to help your facility stay in compliance with its auction timeframe.

How does it work?

- Simply opt-in to the service from your profile and any auction event you have will be cross checked with the requirements for your specific state laws
- Example – If your store is located in Georgia, when you create your auction event it will automatically populate the timeframe (*date rent was first due and missed, demand letter date, newspaper ad dates*) needed for you to follow Georgia's timeline for a legal auction. It will notify and deter you from having an auction too early and possible wrongful sale.

What does it cost?

- There is no additional cost for this service. We feel you deserve the best from your auctions partner and this software offering is a reflection of that.

What if my portfolio is in several states?

- We use the physical address for that particular location having the auction and apply the state rules accordingly

Why is this important?

- To help prevent a wrongful sale due to insufficient timeline and avoid a potential lawsuit

Where can I sign up?

- The main account holder can sign up by selecting the checkbox under the "My Profile" section

How do I know it's working?

- If you are opted in and never notice it that's a great thing! That means your in compliance. But in the event there is ever an error, it is there to catch and notify you.

What happens if legal action is taken against my store for a wrongful sale?

- If you have opted in to this service and followed the timeline parameters installed by our system and legal action is taken against your store in the form of a wrongful sale claim due to insufficient timeline we will reimburse you up to \$5,000 for the claim.

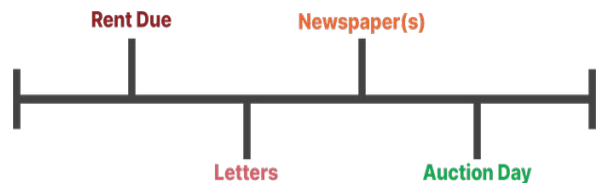
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"We love the Timeline Guarantee! This software helps our managers ensure they are always following the proper steps and timeframe for a legal auction in their state."

Another example of why we love StorageAuctions.com!"

-Anne Ballard



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Online Reputation Management for Self-Storage

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1. Claim Your Listings

There are multiple listings around the internet that you should be claiming as the owner - Google My Business, Facebook, and Yelp are the big three you should focus on, but there are many more. First, most of your traffic will come from Google, so if you don't exist on Google, most of your potential customers will be completely unable to find you.

Second, Facebook. Business owners can be reticent to be active on Facebook - they worry that there is an expectation of posting and being active on the site. Not to worry, you don't need to post or be active! You need a page for your business that has accurate information so that people can find you. While most of your customers will come from Google, it's still important to have your information available for those looking on Facebook.

Third, you need to claim your listing on Yelp. DO NOT encourage users to use Yelp, but DO claim your listing so you can respond to reviews on the platform. Yelp is still relatively widely used, especially to read reviews, so your presence there is essential. The problem with Yelp is that they pick and choose reviews in a way that tends to make businesses look bad.

Additionally, most people don't know that Siri pulls from Yelp before it pulls from Google. If anyone is doing a voice search for self-storage units in their area, Siri will check Apple Maps first, and then Yelp. Considering that voice search is on the rise, you want to claim your Yelp listing and update all your information on there as soon as possible.

The most important information to have is your phone number, address, hours you're open, and a link to your website. It is best always to keep these accurate and up-to-date - nothing will ensure a lousy review faster than having the wrong hours listed, and not actually being open when your website says you will be.

2. Monitor Reviews

We addressed above how important it is to respond to reviews - how can you react if you don't know when they even exist? It's better to respond late than never, but it's always best to respond as quickly as possible. Multiple services will alert you when a new review comes in, including Reputation.com and Yext. StoragePug also offers local SEO and real-time notifications for reviews. Aside from the potential customers who will read your review responses, Google also takes the length of time you take to respond into account when ranking you.

3. Respond to Reviews the Right Way

With so much riding on your response to reviews, particularly bad ones, it can be nerve-wracking to write up a reply. After all, it's your livelihood, and you may perceive the reviewer to be exaggerating or lying, or you may just be upset that the situation happened in the first place. Learning how to respond to negative reviews is an important skill to have, and can only help you.

If the review is real, which you should always assume it is, you'll need to take steps to rectify the situation. First, always stay calm and polite. Even if you feel like you aren't in the wrong, it never excuses responding angrily. Second, offer a solution. You can provide any solution that would be appropriate, like a call from you to talk further. That leads to the third step, which is to take the conversation offline. Offer an email or phone conversation about what went wrong to follow up; there's no use hashing it out online. Here is a script that you can use:

"I'm sorry to hear that you were not happy with our [service/policy/bill]. I let's discuss this issue with you in more detail to find a solution that meets your needs. Please call me at xxx-xxx-xxxx or email me directly at your@emailaddress.com at your earliest convenience."

Fourth, ask for an update. Set a reminder for yourself to follow up with the reviewer to ask how things went on their second visit if they ended up scheduling one with you. Finally, learn and improve. Being that you are treating it as a real review, you'll need to do some research internally. If it is real and the situation did happen, you'll need to make sure it never happens again. If the review is fake, reframe your response as an opportunity to gain back the trust of everyone who will Google you, read that review, and have second thoughts. Whether real or fake, your response matters.

4. Get More Reviews

With all this emphasis on reviews, you may be wondering how you can get them in the first place. Aside from taking the steps we've already listed - claiming your listings and making sure you're active and accurate on as many sites as possible - there are ways you can increase the likelihood of getting more reviews.

The first way is to ask your customers. If you don't ask, it probably won't even enter their minds to do it. When they leave, you can tell them your name again, and let them know you'd appreciate a review about their experience, and leave it at that.

The second way, which is related, is to incentivize your managers to solicit reviews. That way, everyone is asking visitors and customers, and you can make a small competition out of it. It doesn't need to be a considerable investment, something like a little gift card for the highest numbers of reviews in a month or a quarter. The important thing is to get everyone in the habit of asking for reviews.

The third way is to showcase your reviews on your website. When previous visitors or customers visit your website, they'll see reviews left by others and inspired to leave a review too. It's easy enough to set up a way for customers to leave a review through your website, or even just link to your Google page or Yelp page for them to leave the review there.

Finally, you can follow up with customers by email or text. If they've given you the information and enabled texts or emails, it can't hurt to send a quick automated follow-up thanking them for their business, and reminding them how much you would appreciate a review (with a link to do it, of course).

In the end, it's about encouraging all reviews, the more, the better. Do not pressure your customers to give you good reviews, and don't incentivize your managers based on good reviews. You already know how to respond to reviews based on the advice in this article, so don't be afraid of them!

Conclusion

Online reputation management is vital for every business, but the self-storage industry seems to be a bit late to the party. You may notice that other facilities in your area are hesitant to bring their business online - like online rentals and payments - so this is your chance to get ahead of the game. Claim your listings, make sure all your information is accurate, and practice soliciting and responding to reviews. Your online reputation is one of the most important representations of your business, so don't wait any longer to manage it the right way.



About Tommy

Tommy Nguyen is co-founder and COO of StoragePug, a self storage software company making online rentals easier. StoragePug combines modern marketing with our ecommerce platform, connecting customers to self storage through online rentals, bill pay, and digital lease signing. He's a husband to an amazing lady and father to three cats.



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