



Roll Door Review

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

18 Freeway Drive, Suite 3 Little Rock, AR 72204 | 501-607-4775 | www.arssa.org | Summer 2019

Deer Creek Mini Storage Becomes First Solar-Powered Self Storage Facility in Central Arkansas

CABOT, AR. (June 24, 2019) – Deer Creek Mini Storage is now the first solar-powered self-storage facility in Central Arkansas. Last week, Seal Solar installed 80 panels at the Cabot complex, which will produce nearly 40,000 kilowatts of power annually for more than \$140,000 in total energy savings over 30 years.

“Thanks to state and federal incentives, including the 30 percent Investment Tax Credit, solar is more affordable than ever,” said Heather Nelson, co-founder and chief operating officer of Seal Solar. “We were proud to team up with Alese Stroud and Deer Creek Mini Storage on this innovative and cost-effective solar design and installation project.”

For the project, Seal Solar helped Deer Creek Mini Storage secure several funding incentives, including a more than \$16,000 U.S. Department of Agriculture Rural Energy for America Program (REAP) Grant. To offset additional costs, Deer Creek Mini Storage will also implement site-wide energy efficiency upgrades, including LED lights and new insulation for its office building and climate-controlled units. Once complete, 90 percent of its facility will be powered by alternative energy sources.

“Deer Creek Mini Storage has expansive rooftops, abundant sun exposure and eco-conscious consumers,” said Alese Stroud, owner of Deer Creek Mini Storage. “Environmentally and financially, solar was the right choice for us.”

Located at 12 Douglas Road in Cabot, Deer Creek Mini Storage is a gated, self-storage facility with ID-controlled, 24-hour access. It offers drive up and temperature-controlled units, as well as secure parking for RVs, boats, cars and jet skis. Additional information is available at deer creekministorage.com.

About Seal Solar



Founded in 2012 by Josh Davenport and Heather Nelson, Seal Solar is a solar energy solutions firm. It brings together the latest technology and a certified team to help

homeowners, businesses, government entities and farmers control their rising energy costs and save money. For more information, visit sealsolar.com.

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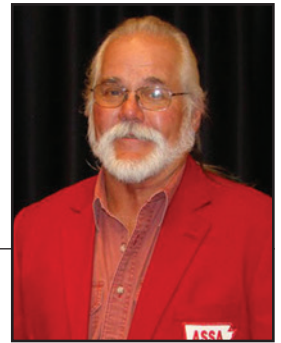
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Shelly Harris

sharris@arssa.org
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Letter From the president



Charles Snapp

This year is going by fast. It's unbelievable that the 2019 state convention is in its final stage of planning. We were wondering if we could top last year's show, and I think we've got a good chance. As you're planning for the rest of the summer and adjusting your business plans for the last two quarters, I want to discuss two things:

1. Current Economy
2. Focus on Growth in Both Large and Small Towns

Our current economic conditions are providing positives in a lot of areas. If you are buying, selling, growing, or sticking with the status quo, we are all seeing the positive effects of the US and global economies right now. Even in Arkansas, we have a lot of development going on in the small towns. Employment rates are high and infrastructure is growing. That being said, we have a lot to reflect on. How can we take advantage of this environment? What's the best use of profits right now- upgrades, buying or building another facility, adding units? How is the seller's market in my area of the state?

Feds are considering another interest rate cut, which should provide additional borrowing power if you're considering building, but lower interest rates also provides increased opportunity for those who are considering selling. Of course we will have builders and realtors at the conference again this year, so make it a point to visit with both.

Let's get together in August and sure up our leases. Let's hear from some experts and get the information we need in this season of our business to make the best decisions possible. Let's have confidence for this season of our businesses and be prepared for the next. Let's leave the state convention, with our door prizes, with new possibilities and ideas. Let's be equipped for now and tomorrow.

We've got a new guy taking on our Legal Seminar this year; we're excited to welcome Attorney Jeffrey Greenberger.

(cont'd on page 3)



Membership Dues

If you have not paid your 2019 Membership Dues, please go to our website at www.arssa.org and click Pay My Membership dues. If you have not received an invoice, call or email Shelly Harris at 501.607.4775 or sharris@arssa.org.

We've got a lot of respect for him, his knowledge of this industry is top notch, and the resources he provides for our industry are indispensable. We hope you will welcome him with open arms, and between now and the expo, head over to his website, selfstoragelegal.com and late2lien.com.

We want to thank you for your continued support. We don't exist without you, and, on behalf of the ASSA Board of Directors, we look forward to our time together in August.



Arkansas Lien HANDBOOK

A practical guide on how to conduct a lien sale in Arkansas

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PRESENTING THE 2019 ASSA STATE CONVENTION & EXPO

SPEAKERS



**LONNIE
BICKFORD**

StorageAuctions.com

Lonnie Bickford has been the owner/developer of six **Appletree Storage** facilities in the Greater Baton Rouge area and Texas. As a Board Member of the Self-Storage Association of Louisiana, Lonnie worked closely with representatives from the National SSA in passing multiple changes to the Louisiana Lien Laws. For the last 20 years he has strived to operate his business with the best practices and processes to streamline daily operations and maximize revenue.



**WARREN
DAZZIO**

Tax Reform
Strategies for Self
Storage: A Trifecta
for Improving Facility
Cash Flow

Warren Dazzio is Executive Vice President of **CSSI**. He has extensive knowledge of the tax laws surrounding commercial buildings. He travels the US providing educational webinars on tax law and solutions for accounting professionals, building owners, wealth managers and real estate professionals. Warren has spoken for numerous state and national self-storage associations. He graduated from Franciscan University in Steubenville, OH and has an MBA from Louisiana State University. He resides in Louisiana with his wife and three daughters.



**JEFFREY J.
GREENBERGER**

Legal
Workshop

Jeffrey J. Greenberger is a partner in the law firm of **Greenberger & Brewer, LLP**, where he concentrates his practice in the areas of Commercial Real Estate, with a particular concentration on the representation of owners and operators of self-storage facilities, to design and implement legal procedures, policies, and other address operational issues in most states with a focus on litigation and liability reduction and/or avoidance. His clients range from a 20 unit vehicle storage facility to some of the largest national self-storage companies



**STACIE
MAXWELL**

Income Boosting
Sales Techniques

Essential Tools for
Today's Self Storage
Manager

Stacie Maxwell is the Marketing and Training Team leader at **Universal Storage Group** overseeing the branding, design, marketing-program planning and implementation for the company, including all marketing for the entire USG portfolio of storage facilities, as well as the marketing and internal/public communications for USG corporate. With over 16 years of experience in the storage industry, Stacie is an integral part of the USG development team, working on all facility-development projects, and overseeing the company's award-winning manager training program, as well as our STARS team. Stacie enjoys speaking at industry events and contributing to industry publications, and holds a BBA in business management as well as a CSSM™ designation from the National Self Storage Association.



**JOHN
TRAVER**

It All Happens
on the Phone:
Mobile Technology
and the Tenant-
Centric Experience

A creative innovator and an engaging speaker, **John Traver** enjoys creating positive change in business. Mr. Traver has owned and operated his own companies for over 25 years and sold his last firm to Automatic Data Processing (ADP), a Fortune 300 company in 2000. His objective: To provide leadership, entrepreneurial, and executive experience to businesses ranging from start-ups, to corporate mergers and acquisitions, and including divestitures.



**BEN
VESTAL**

Investment
Market Update

Mr. Vestal has been involved with the management, development, construction, and brokerage of commercial real estate for the last 20 years. Mr. Vestal is the CEO of **Argus**, the nation's largest network of real estate professionals who specialize in self-storage. He has been involved in over \$1 Billion in self-storage transactions and is frequently asked to share his specialized expertise at self-storage industry conventions and meetings.

Schedule-At-A-Glance

(Schedule and Topics are Subject to Change)

WEDNESDAY | AUGUST 21ST

| | |
|-----------------------|--|
| 8:00 a.m. - 1:00 p.m. | Golf Tournament Shadow Valley Country Club |
| 8:30 a.m. - 1:00 p.m. | Facility Tour Lunch |
| 2:00 p.m. - 3:00 p.m. | ASSA Membership & Orientation We will review membership benefits and how to make these work for your business, welcome new members and answer questions, and review the model lease. We will close with a short open forum. |
| 3:00 p.m. - 4:00 p.m. | Income Boosting Sales Techniques Stacie Maxwell, Universal Storage Group |
| 4:00 p.m. - 5:00 p.m. | It All Happens on the Phone: Mobile Technology and the Tenant-Centric Experience John Traver, XPS Solutions |
| 5:00 p.m. - 6:30 p.m. | Welcome Reception Enjoy hors d'oeuvres and drinks, visit with ASSA members, and network with vendors. <i>Sponsored by the ASSA Board of Directors.</i> |

THURSDAY | AUGUST 22ND

| | |
|-------------------------|--|
| 8:30 a.m. - 9:30 a.m. | Manager Track <i>Essential Tools for Today's Self Storage Manager</i> Stacie Maxwell, VP Marketing & Training, Universal Storage Group |
| 8:30 a.m. - 9:00 a.m. | Owner Track Investment Market Update Ben Vestal, Argus |
| 9:00 a.m. - 9:30 a.m. | Owner Track Cost Segregation Services Warren Dazzio, CSSI |
| 9:30 a.m. - 11:00 a.m. | Vendor Roundtables |
| 9:30 a.m. - 11:30 a.m. | Vendor Hall Open |
| 11:30 a.m. - 12:30 p.m. | ASSA Annual Meeting Lunch |
| 12:30 p.m. - 1:30 p.m. | Vendor Hall Open |
| 1:30 p.m. - 2:15 p.m. | Storage Auctions.com Lonnie Bickford |
| 2:15 p.m. - 4:15 p.m. | Legal Workshop The Do's and Don'ts of Self Storage Jeffrey Greenberger |
| 4:15 p.m. - 5:00 p.m. | Prize Drawing |

ASSA Annual Golf Tournament

Shadow Valley Country Club, Rogers

Wednesday, August 21st 8:00 am

\$150 per person

Register by 8/14/19





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2019 Convention & Expo

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at www.arssa.org/events

Company or Facility Name _____

Contact Name _____ ASSA Member (Y/N)

Company Street Address _____

City, State, Zip _____

Phone _____ E-Mail Address _____

Add'l Contact Name _____

The Arkansas Self Storage Association encourages early registration. Each attendee completing registration by June 15th will be registered for the two day event including all speaking and educational events at the early bird rate. Facility Tour will be an additional \$25 and lunch will be included. The golf tournament at Shadow Valley Country Club will include lunch and will be an additional \$150 per player. After June 15th through date of the expo, attendance will be \$300 per person. The deadline for golf tournament registration and attendance for the facility tour is August 15th. Lunch will be provided on the facility tour, at the golf tournament, and the convention meeting on the 22nd.

| Attendee Name and Facility (as it will appear on the nametag) | 2 Day Event \$300 | Facility Tour \$25 | Golf \$150 | Lunch on Thursday | Total |
|--|----------------------|-----------------------|---------------|----------------------|-------|
| | | | | Y/N | \$ |
| | | | | Y/N | \$ |
| | | | | Y/N | \$ |
| | | | | Y/N | \$ |
| | | | | Y/N | \$ |

5 Ways to boost your ROI by offering online rentals

If you aren't already offering online rentals, your self storage business is missing out. Period. *End of story.*

A desire for an end-to-end shopping experience online isn't limited to Millennials and techies. A whopping 58% of all consumers say convenience is driving a preference for completing their purchases online, and the self storage business is no exception.

Read on for five ways online bookings can help put money back to your bottom line.

1. Expand your customer acquisition.

Last year, 97% of people searched for local businesses online. Imagine having that many people walk through your front door.

Adding the option to rent storage units through your website gives you a new channel to capture and convert consumers that you'd likely never touch otherwise.

2. Turn mountains into mole-hills.

From rental lease agreements to automatic payment forms, the amount of paperwork for a new self storage customer can translate into hours of administrative work for your managers.

By establishing a self-service method of data collection and digital lease signing, front-line managers can scratch this off their daily to-do list and redirect their time to customer service and other, higher-level job functions.

3. Prevent lost sales online.

Believe it or not, many people prefer doing business online. Consumers love the immediate gratification that online booking provides; and chances are, if they aren't able to buy on their schedule, they're not buying at all. At least not from you.

With a slew of competitors only a few clicks away, if you fail to convert when they're on your site, it's likely they'll purchase elsewhere.

4. Kill-it during after-hours.

Today's consumers place a premium on convenience. Online rentals allow your business to capture sales whether or not your manager is in the office.

So whether it's 10:00 p.m. on Wednesday night or 5:00 a.m. on Sunday morning, customers have the opportunity to rent space when it's most convenient for them, and you have the chance to close a sale, regardless of your office hours.

5. Expand your audience.

Whether it's appealing to a younger demographic or reaching people who live in another city, online booking will broaden your potential customer base.

Research suggests that over half of all purchases made by Millennials (born between 1981-1996) are made online. If you're not already offering online booking, you're ignoring a large segment of the market.

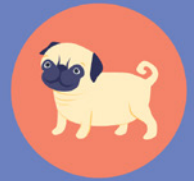
Increasing ROI for your storage facility is reason enough to start offering online booking, but the reality is that online rentals should be a major part of your marketing strategy if you want to remain relevant and competitive in today's market.

StoragePug is coming to the 2019 ASSA State Convention on August 21-22, 2019! Come by, say hi, and chat one-on-one with us to discuss your specific marketing needs and goals.



Tommy Nguyen
Co-Founder, StoragePug

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Five Things To Think About In Your Rental Agreement In The New Year



Attorney
Jeffrey Greenberger
Green & Brewer, LLP

Now that we have all survived the holidays, and before we all get busy with Spring and Summer business, it is a good time to take a look at your Rental Agreement and see if it needs a spring cleaning before you continue using it in 2019.

Here are a few things I like to look at when reviewing a Rental Agreement:

1. Am I current with the requirements of my state law? The National SSA, and your local SSA, have been on a legislative hot streak over the last several years, updating and modernizing lien statutes. Depending on your state, there may have been changes to the method by which you send your lien notice, changes to advertising requirements, allowing for towing of vehicles, clarifying contractual limitations of liability in Rental Agreements, establishing a safe harbor late fee, recognizing online auctions, tow vehicles, and giving you the ability to sell tenant insurance via a limited lines license. If you have missed an update to your lien statute, you may be in a bad position with your Tenants, and if your Rental Agreement is not updated to reflect these changes, you may be contractually obligated to do it “the old way”. An example: if your statute has been updated to allow for service of the lien notice by Verified Mail or email, this is a wonderful change in your state and you should take advantage of the much lower postage rates afforded to you by Verified Mail, or potentially email. However, if your Rental Agreement still states that you will send lien notice by Certified Mail - Return Receipt Requested, and you still charge a certified mailing fee, you have, by your contract, prevented yourself by being able to make that change, until you update your Rental Agreement and update the terms with the existing Tenants.
2. Check to make sure you have the required statutory language within your Rental Agreement. Most state statutes provide some amount of mandatory language, mandatory statements, mandatory questions, and in some states, even affirmative assent, to be part of the Rental Agreement. Missing these requirements could, in some cases, invalidate your lien rights, and prevent you from being able to sell a unit, if the Tenant goes into Default. Make sure whatever is required to be in your Rental Agreement, is in your Rental Agreement, verbatim. I see people take liberties with the mandatory language. If your statute says the Rental Agreement shall contain a statement saying “x”, use the exact terminology from your Statute. Don’t forget to notice any other requirements such as a requirement that a statement be conspicuous, in bold type, or underlined. Missing simple words can completely change the effectiveness and enforceability of your Rental Agreement.
3. Make sure your Rental Agreement discloses all of the fees and charges that a Tenant could possibly incur, especially if the Tenant goes into Default. Many Operators don’t like to list the default fees in the Rental Agreement because they do not want to scare anyone, and instead, only tell the Tenant about the default fees, when they send out a Default Notice. An example would be assessing a lock cut fee or inventory fee as a result of the Default. The problem is, when you announce those fees in your Default Notice, you are changing the actual contract while Tenant is in Default, and there is a valid question, as to whether or not those sorts of changes are actually enforceable. Do not be afraid to disclose your default requirements to the Tenant. The easiest thing to say is, “These things, they only apply if you are in Default, and you shouldn’t get into Default”. Anyone who wants to argue that point with you, should probably be rejected from tenancy in the first place.
4. Make sure your Rental Agreement clearly defines the “Rules of the Road”. If you have rules about when you stop accepting checks, whether or not you will accept cash, when you would refuse a credit card payment (for example, many Operators refuse credit card payments within a certain number of days of sale, preferring cash or cashier’s check) or if you have rules about when a payment is considered received and accepted. Let the Tenant know these rules in the Rental Agreement. The idea here is, you are trying to avoid people saying that you somehow treated

one person differently, or in a discriminatory manner over another. It is smarter to explain those sorts of rules and procedures up front, in the Rental Agreement, rather than having someone allege later, you did not accept a check, because of their color, race, etc., when in fact, it has always been your rule that you don't accept a check after someone is a certain number of days late.

5. Make sure your Rental Agreement means what it says. I see many Rental Agreements where the Rental Agreement says something that is inaccurate about how you operate your Facility. A common example comes with prepaid Rent. Many Rental Agreements say if you prepay your Rent, Operator can still raise the Rent during that term, and the prepaid Rent will simply be applied to the new Rent. Think about it, if you have a Tenant leaving the country to go in the Peace Corps for a year, and prepays her Rent at \$100.00 a month in advance for the year, and in month 3, you raise the rent to \$120.00 a month, within 5 months, your Tenant will be more than \$100.00 behind in Rent, and will be in the Default process. You knew your Tenant was leaving the country and would be unreachable, but you sell her anyway. When I ask this question of clients who have such a provision in their Rental Agreement, they always say, that is not what they actually do, and they don't even know why that language is in the Rental Agreement. If you have clauses that you do not understand what they mean, or say things that you don't actually do, clean them up or get them out. You are only setting yourself up for unnecessary legal challenges. The simplest rules are learned, as they say, in Kindergarten. If you're not actually going to do it, don't say that you're going to do it.

Consider spending a few dollars to have your local attorney or a self storage attorney give your Rental Agreement a review, and give you some recommendations about how to tune up your Rental Agreement. After all, you may be a sophisticated business operator and extremely successful at marketing, building, and developing properties, but leave review is its own special animal. Consider having someone professional help you, make sure that you are in compliance with the statute, and that your Rental Agreement represents a true representation of how you operate your Facility.

Jeffrey J. Greenberger is a Partner with the law firm of Greenberger & Brewer, LLP, in Cincinnati, Ohio and is licensed to practice in the states of Ohio and Kentucky. You can reach Jeff at (513) 698-9350 or info@selfstoragelegal.com.



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What's the Update on I-9s and E-Verify?

By Scott I. Zucker, Esq.



Form I-9 is used to verify the identity of individuals hired or employed in the United States. Under the U.S. Immigration Reform Act, all U.S. employers must have a valid and complete Form I-9 for each of their employees, whether a citizen or a non-citizen. Under the form, the employee must attest to their identity and provide proof of their identity. The documentation needed to prove identity can vary. There is a list of acceptable documents on the I-9 Form. An employer cannot limit what they will accept as proof of identification from their employee. Employees must complete their I-9 Form no later than their first day of work. Employers must complete their part of the Form no later than the employee's third day of work. Employers must retain all I-9 Forms until the later of 1) three years after the employee began work or 2) one year after the employee was terminated. The documents can be stored electronically and need not be kept in the original format.

An employer can be found to have violated immigration laws if they fail to verify the identity and eligibility of a new employee through the use of an I-9 Form. Fines for violations, depending on the number of employees involved, can range into the tens of thousands of dollars, especially for those who knowingly fail to obtain the forms as required. Criminal prosecution is also possible for repeat and flagrant offenders. ICE (Immigration and Customs Enforcement) can consider its penalties based on the size of the business, the good faith effort to comply, the seriousness of the violation, whether the violation involved undocumented workers and the history of previous violations.

E-Verify was created to allow employers to get instantaneous results for their employment verification searches. It is an internet-based system that allows employers to match information provided by employees on their I-9 Forms to records held by the Social Security Administration and the Department of Homeland Security. In the beginning, E-Verify only impacted Government employees, but it has expanded over the years to include private employers (initially only those with a large number of employees). Many states, such as Alabama, Arizona, Mississippi, South Carolina, Georgia and Tennessee, now require E-Verify for both public and private employers. The laws provide that failure to comply may subject an employer to civil penalties as well as the revocation of their business license.

There is a difference between an ICE I-9 audit and an ICE visit with a warrant. An ICE audit requires the presentation of a Notice of Inspection. In response to this, an employer has three business days to provide the documents that have been requested. An ICE warrant typically permits ICE officers to enter the workplace premises, often times with the expectation to arrest undocumented workers.

Documentation of employees hired or working for your business may be viewed as a simple paperwork headache, but over the last few years, especially with the focus on immigration issues in the United States, ICE has increased its enforcement efforts, leaving many businesses with significant fines for failing to maintain the proper records. All businesses should take the time to perform a self-audit of their employment records to insure that all employees have provided the required forms.[1]

[1] The U.S. Citizenship and Immigration Service (USCIS) released a new version of Form I-9 in 2017. Employers need to be sure that they are using a form with a "revision date" of "7/17/17".

Until next month - Happy storing!

Scott

cont'd on page 13

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.

Please note: This electronic newsletter is provided to clients and friends of Weissmann Zucker Euster Morochnik & Garber P.C. The information described is general in nature, and may not apply to your specific situation. Legal advice should be sought before taking action based on the information discussed. Applicable State Bar or Attorney Regulations may require this to be labeled as "Advertising."

Zucker, S. (May, 2019) What's the Update on I-9s and E-Verify? *Self Storage Legal Monthly Minute*.

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Increasing Demand for Technology



James Hesch
Easy Storage Solutions

Technology plays a big part in many industries; it is changing the face of self-storage as we know it. However, over the years, I've noticed that the storage industry has been a little behind on adapting technology to help run their business. In order to keep up with the increasing demand for immediate accessibility by millennials, it's important to utilize technology. A few ways to do this are to have rental information on your website as well as the ability to accept a rental online. Implementing technology-specifically websites, management software and gate access control- at your facility can provide many financial and time saving benefits.

As a co-owner of a 129 unit storage facility in Littlefield, AZ, I have realized that technology plays a big part in the day-to-day operations of my facility. We utilize a self-storage management software that is cloud based and fully integrates with our website. We have the ability to accept online rentals, process recurring billing, automate invoices, notices, and the late/lien process. This means we don't need to hire an employee to keep track of who is in which unit, who is late and which units are available. Our management software takes care of all of that for us. Since our software is cloud based, we can access and manage it from our home, office, or while we're traveling. This is important, as our facility is in a different city than where we live and it's rare that we are on-site.

There are other pieces of technology that can help automate your facility and save you a lot of time as well. An integrated gate system is helpful because when someone rents a unit online the software is able to generate a gate code and notify the tenant via text or email. The software can also communicate with the gate system when someone is "locked out", disabling their code and restricting access to the facility until they're no longer past due.

Technology has saved us a lot of time and money with our storage facility and has given us peace of mind knowing that notices are being sent out, statuses are being changed and late fees are being applied automatically. I couldn't imagine running our facility without technology and the ability to access and manage things remotely.

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