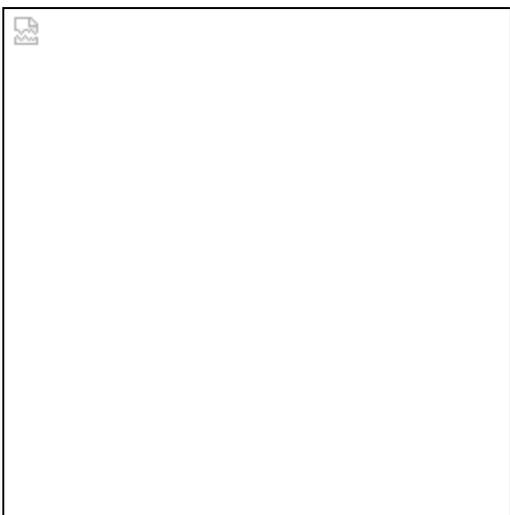


Subject: August Newsletter - Liens and things
From: MD Smith <mdsmith@hiwaay.net>
Date: 8/8/2008 5:34 PM
To: "M.D. Smith-Hiwaay" <mdsmith@hiwaay.net>



August, 2008 Newsletter

"Back to School time !â€

October is a big month, kicking off on the 1st, with our Huntsville State Meeting. The next week, ISS meets in Nashville at Opryland Hotel, and the middle of the month is the Myrtle Beach Conference and meeting. All links and detailed info can be had from our home page, <http://www.alabamassa.org/> . **We do NOT have any booked sponsors or speakers as of today for the**

October 1st meeting. I will do that very soon. If you have a suggestion as to a speaker or topic you'd like to hear discussed. Reply to this email immediately or sooner. Visit <http://www.alabamassa.org/oct1-08-meeting.htm> for details of the Huntsville State Meeting.

I have taken several calls in the past few months, including one from one of our new members in Athens. These calls have been related to Liens, overdue tenants, auctions, and other legal matters related to someone who has not paid or has disappeared and you can not find. In this newsletter, I want to share some thoughts on liens. The Alabama Lien Law is available on line at <http://www.alabamassa.org/members/lien.htm> and you should read it occasionally to stay familiar with all the requirements to prevent a reverse lawsuit against you or your business.

If you are a member of the SSA, you get the monthly SSA Legal Review. I hope you read it cover to cover, it's very good. This month there was a discussion of the "No Value Lien." There is one section from it I want to pass along to you that you may find helpful. *"Rather than go through the time and effort of a sale, the storage operator can make an offer the customer may not be able to refuse. The self storage facility owner can offer the customer the opportunity to pick up the property without waiving the operator's right to collect all back rent and other charges due and owing. If the delinquent customer accepts the offer, he or she cleans out the storage unit and the operator can still pursue collection of the outstanding debt. This may not sound like a great deal to many storage operators, but it may be better than the alternative. First, the customer has emptied the space, a better situation than a no bid space where the owner must incur this expense. Second, the storage operator can still pursue alternative methods of collection. This may include turning the debt over to a collection agency or suing the customer in small claims court. Most importantly, the owner has eliminated any possibility of a wrongful sale lawsuit."* (and you can now rent that space

again - if you choose to do this, get it all in writing).

If this kind of information is helpful to you, let me know and perhaps we can have a lawyer join us again at our October meeting to discuss lien issues and answer questions from those present. Let me know.

Next year, our EXPO '09 (<http://www.alabamassa.org/expo-09.htm>) will be in **MONTGOMERY**, at the **Renaissance Montgomery Hotel & Spa at the Convention Center**. This new location will be a big change for us, but we are really expecting a major event, and thanks to Ben Terrell for serving as the Expo Chairman again for 2009. Visit this link to this brand new, wonderful location for the Expo.

In the Members Only section of our web site, there is lot of good things, in particular lien law facts and information. The NEW password is "storage2008". The name is still "member" (**write this info down**)

This newsletter report will soon reside in our "members-only" pages section, where previous newsletters can be found.

For new members, go there and update yourself on past happenings.

Regards,

M.D. Smith, President

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(let me hear from you if you have any questions)