



# HEADLINE NEWS

GASSA QUARTERLY NEWSLETTER

DECEMBER 2011

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HELP GROW THE GASSA. BRING IN A NEW MEMBER TODAY!

***Season's Greetings and Best Wishes for 2012 from the GASSA Board***



## Membership Drive

The 2012 Membership Drive is underway. Dues are still \$250 per calendar year (Jan. - Dec.) - renew (or join) now! Our 2011 membership reached 234 members - thank you your support.

## Advertising Campaign

The GASSA Ad Campaign is underway. Contact the GASSA today to find out how to best optimize your advertising dollars with the GASSA in 2012.

## Membership Directory

Directory ad sales close on January 15, 2012. And, 2012 Directories will be mailed to all 2011 members in March 2012.

## GASSA CALENDAR

**December 13, 2011**  
**Luncheon & Board Meeting**  
*Annual 'Talking Heads' Panel Discussion*

**January 10, 2012**  
**Luncheon & Board Meeting**  
*Bob Copper Self Storage 101*

**February 14, 2012**  
**Luncheon & Board Meeting**  
*Markus Hecker SMD Software / SiteLink*

**March 13, 2012**  
**Luncheon**  
*M. Anne Ballard Universal Management Company*

**Date TBD**  
**Educational Seminar #1**

**April 10, 2012**  
**Luncheon & Board Meeting**  
*Stacey Gorman Marcus & Millichap*

**Spotlight on: 2012 GASSA President**



**Glen Nicotra**

Glen Nicotra, City Storage founder and Managing Partner, has leveraged two decades of development experience in commercial, multi-family, and single-family real estate to create a new niche in self-storage development that reaffirms his commitment to the customer, the community, and City Storage corporate partners.

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## Technology, Self Storage and the Law

by *Carlos Kaslow and Scott Zucker*

Self storage, like many businesses, is going through a technological revolution. There has been a shift in how the industry gets business done. Many of the changes are due to the growth of the internet. The use of on-line advertising in lieu of phone book advertising was one of the first significant shifts. It changed the way that operators marketed their properties. Now operators battle for the top spot on Google Search as compared to negotiating for large ads in Yellow Page directories.

Websites have shifted from static pages to interactive business centers where self storage customers can handle all of their business needs with their local operator. Changes in the law, including the passage of the Electronic Signatures in Global and National Commerce Act (ESIGN) and the Uniform Electronic Transactions Act, have facilitated the movement to on-line rental contracting and on-line bill payments, and are moving the industry closer to on-line lien auction sales. The law is adapting to the technological developments and self storage operators must also adapt their internal procedures to take advantage of advances in technology.

The most significant technological change is e-mail communication between a facility and its customers. Operators around the country are now using e-mail to communicate with their customers regarding all facets of their rental relationship. Customers can now be informed of rate changes, delinquent payments, and in some cases, impending lien sales via e-mail. However, as with all developing technology, the changes concerning the use of e-mail have legal consequences for storage operators that can directly affect the relationship between the operator and their customers. E-mail is a fast, reliable and low cost method of communication. Self storage customers are often transient and their physical contact information may not be current. This is especially true of military and student customers. E-mail addresses, like cell phone numbers, are portable and tend to be more stable than physical addresses. An e-mail can be retrieved anywhere in the world there is an internet connection. It allows operators and their customers to stay connected. Storage operators are collecting customer e-mail addresses as part of the rental process to enhance their customer communication.

Before using e-mail to send notices to customers storage operators should modify their rental agreements to specifically state that the facility owner may use e-

mail to send notices to the customer and that the customer agrees to receive such notices by e-mail. This raises a question: How does the facility operator establish that the lien notice was actually sent and delivered to the e-mail address provided by the customer? The answer is to use a product like Registered E-mail provided by RPost ([www.RPost.com/selfstorage](http://www.RPost.com/selfstorage)). RPost is a private company that provides advanced e-mail tracking capability. With RPost, the operator gets an archived record that the e-mail was sent and that it actually was delivered to the intended address in a format consistent with the law's requirements. Just as important, RPost's Registered E-mail will alert the storage operator if the lien notice could not be received by the intended addressee. The operator will then know that the e-mail address needs to be checked for accuracy so that the e-mail can either be resent or the notice can be sent by another method authorized by law. The RPost Registered E-mail service provides a verifiable record of the e-mail, confirming delivery, attachment contents and when it was delivered. E-mail sent in this way creates a record that is legally admissible in court. This is not true with all e-mail communications.

It is likely that additional states, like Georgia will authorize the sending of lien notice to be sent by e-mail in the coming years. As states move toward permitting lien notices to be sent by e-mail, self storage operators who adopt the use of e-mail for lien notices will need to set up protocols like those provided through RPost to document that the notice has been sent and that it went to the e-mail address provided by the customer. Even in states that have not enacted legislation that authorizing facility owners to send lien notices by e-mail, e-mail notification of the lien sale can still (and likely should be) used as an additional method of notification. Experience demonstrates that delinquent customers often refuse certified letters. By also sending the lien notice by e-mail, the delinquent customer may actually receive the lien notice. The cost is minimal and if the customer receives the notice there is a chance that the payment problem can be resolved without sale.

Self storage operators who are considering the use of the latest technology need to carefully plan its implementation. New policies and procedures will need to be developed and even simple changes may require new internal procedures.

*Scott Zucker and Carlos Kaslow are partners in the Self Storage Legal Network, a legal information service available to members of the SSA and members of state self storage associations affiliated with the SSA. More information can be found at [www.selfstoragelaw.com](http://www.selfstoragelaw.com).*

## GASSA 2012 Strategic Plan Highlights

### Vision

The source for the advancement and success of the self storage industry in Georgia.

### Mission

Provide a forum for those interested in the self-storage industry by providing education and training services, networking opportunities, a legislative agenda to protect and improve business interests, while enhancing the image of our profession and increasing the value and profitability of our member's assets.

### Goals

- ❖ **Board Structure & Governance:** Provide leadership and governance to achieve GASSA vision; and, promote continued viability and growth of the organization.
- ❖ **Membership:** Maximize the growth, satisfaction and retention of GASSA membership.
- ❖ **Communication:** Enhance the value of the GASSA through effective communication.
- ❖ **Education:** Provide targeted education using industry standard best practices to Georgia owners, operators and managers.
- ❖ **Legislative:** Promote the legislative interests of self storage owners and vendors in Georgia that advance, enhance and protect the industry.
- ❖ **Technology & Operations:** Leverage the use of Technology (such as website, internet and security systems) to enhance communication, operations and education for the benefit of its members.
- ❖ **Industry & Professional Image:** Enhance the image of the Georgia self storage industry by providing data to targeted business sources.

(Continued from Page 1.)

### Spotlight on: 2012 GASSA President Glen Nicotra

Nicotra's creation of the City Storage investment model draws from his experience with Atlanta, GA-based Post Properties and the Calibre Company for whom he opened business units in Washington, DC and southeast Florida.

City Storage is part of the Williams Group, Atlanta, GA. Formed in 2004 and led by John Williams, this real estate investment platform is focused on quality real estate development and acquisition opportunities across a variety of real estate sub-types and markets.

A native of Atlanta, GA, Nicotra holds a BA in Management, and MBA with emphasis in International Business and Finance. He holds both Georgia and Florida Real Estate Broker licenses.

Glen has been a member of the GASSA since 2003, a board member for 2 years, and served as Vice President for 2011. He is our 2012 GASSA President.

## GASSA 2012 Legislative Initiatives

The General Assembly did NOT pass sales tax legislation that would impact the self storage industry in 2011, however, they could take it under consideration again in the 2012 session. With your support, the GASSA will continue actions to protect the self storage industry. Please contribute to the 2012 GASSA Legislative Fund Raising Campaign.

### ✓ Sales Tax Defense

- GASSA will represent our industry and proactively defend against any attempts by the General Assembly to pass sales tax legislation on self storage rents

### ✓ Lien Law Legislation – HB 649

- Sending Lien Notices – electronic mail or first class mail with certificate of mailing
- Delivery of Notices – notice considered delivered when sent
- Advertising of Lien Sale – shift from newspaper listings to electronic media
- Alternative to Vehicle Lien Sales – allow towing of abandoned vehicles

### ✓ Rental Insurance License – HB 463

- Allows self-storage managers to legally write tenant insurance contracts and receive commissions

# SUPPORT OUR ADVERTISERS!

From Concept to Reality,  
It's the New Direction  
in Self Storage.

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Note: GASSA accepts VISA & MasterCard credit cards - we do not accept AMEX nor debit cards.

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