



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 461
[2005 Assembly Bill 1065]

Self-Service Storage Late Fees

Current law regulates self-service storage facilities (facilities) and requires, among other things, that every rental agreement for a facility be in writing.

2005 Wisconsin Act 461 allows the operator of a facility to charge a reasonable late fee for each month a lessee of the facility fails to pay rent by five weekdays after the rent is due if the amount of the late fee is contained in the rental agreement. A late fee of \$20 or 20% of the monthly rental amount, whichever is greater, is presumptively reasonable. An operator may charge a higher late fee but has the burden of proof that the higher late fee is reasonable.

Effective Date: The effective date of 2005 Wisconsin Act 461 is June 10, 2006.

Prepared by: Phil G. Cardis, Staff Attorney

June 5, 2006

PGC:tlu

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.