

New York City Department of Consumer and Worker Protection

Notice of Adoption

Notice of adoption to add rules to implement Local Law 162 of 2025 and Local Law 171 of 2025 (the “Licensing Laws”), and to require certain disclosures, and prohibit deceptive and unconscionable practices in the self-storage sector.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer and Worker Protection by sections 1043 and 2203(f) of the New York City Charter and Sections 20-104(b) and 20-702 of the New York City Administrative Code and in accordance with the requirements of section 1043 of the New York City Charter, that the Department amends Title 6 of the Rules of the City of New York.

The rules were proposed and published on April 17, 2026. A public hearing was held on May 18, 2026. The department received substantial comments from 7 industry representatives and a consumer advocate organization.

Statement of Basis and Purpose of Rules

The Department of Consumer and Worker Protection (“DCWP” or “Department”) is adding rules to implement the Licensing Laws, which require self-storage facilities to obtain a license, and further require that self-storage facilities provide certain fee disclosures to consumers. The Department is also adding rules requiring certain disclosures in the self-storage sector pursuant to the commissioner’s general powers with respect to licensing and with respect to prohibiting deceptive and unconscionable trade practices. Finally, the Department is updating its storage warehouse rules for consistency with the Licensing Laws.

Self-Storage Facility Rules

Local Law 171 of 2025 added a new licensing requirement for self-storage facilities and requires self-storage facilities to provide a schedule of rates to consumers prior to entering an occupancy agreement, as well as to the Department upon request. It also prohibits self-storage facilities from collecting any rate or charge not included in the schedule of rates without prior notice to the consumer.

Local Law 162 of 2025 requires self-storage facilities to provide at least 60 days’ notice to a consumer prior to increasing their occupancy fee, and to provide an explanation for any termination of occupancy.

These rules designate the expiration date for self-storage facility licenses, set forth license application requirements for self-storage facilities, specify the records that self-storage facilities must maintain for inspection by the Department, and provide clarification regarding notices that self-storage facilities must provide to occupants. The rules create a penalty schedule for violations of the self-storage facility licensing law and rules.

Pricing Transparency, Deceptive and Unconscionable Trade Practices, and Promoting Fair Trade Practices – Self-Storage Facilities

Self-storage facility operators have engaged in “bait-and-switch” tactics, attracting consumers with low advertised prices and then repeatedly and dramatically increasing the rate once the consumer has moved their personal property into the facility. These tactics are especially concerning because they target

potentially vulnerable consumers,¹ and unfairly take advantage of the significant financial and logistical difficulties consumers face in moving their personal property to other facilities. The rules address this issue through increased transparency and by clarifying what practices are deceptive or unconscionable.

The Department has authority to promulgate these rules under 1043 and 2203(f) of the New York City Charter and Sections 20-104(b) and 20-702 of the New York City Administrative Code. Specifically, paragraph 2, of subdivision b of section 20-104 authorizes the Department to promulgate rules with respect to licensees to “prevent unconscionable dealing, and to promote fair trade practices,” and paragraph 3 of subdivision b of section 20-104 to “require adequate disclosure by those engaging in licensed activities of both the terms and conditions under which they perform licensed activities,” and paragraph 6 “with respect to licensed activities, to protect the health, safety, convenience and welfare of the general public.” In addition, the Department has authority under Section 20-702 to promulgate rules to prohibit deceptive or unconscionable trade practices, including practices that are false or misleading, or practices that “unfairly take[] advantage of the lack of knowledge, ability, experience or capacity of a consumer.”

Pricing Transparency, Unconscionable Dealings and Fair-Trade practices

These rules focus on increasing transparency around unexpected and dramatic price increases that often follow the introductory rate offered to consumers and intend to alert consumers to the potential consequences of nonpayment or late payment.

They also require recordkeeping and price increase disclosures that will allow the Department to assess the need for additional rulemaking, including prohibiting unconscionable price increases, and the possible need for affirmative reporting obligations to the Department of licensees’ price increases to ensure price competition across the industry. These rules require a self-storage facility to post information related to the average price increase for all occupants over the prior two calendar years. This disclosure ensures consumers have the knowledge necessary to understand a self-storage facility’s history of increasing prices over time. This disclosure is aimed at providing consumers with the knowledge they need to make informed decisions regarding the likely long-term cost of a particular self-storage facility. Notably, a self-storage facility’s failure to provide this critical information to consumers unfairly takes advantage of consumers’ lack of knowledge regarding price increases, and often results in a gross disparity between the price paid after a price increase, and the value received. This is particularly problematic because of the logistical difficulty consumers face in protecting their interests by moving their belongings to another location after occupying a unit.

Deceptive and Unconscionable Trade Practices

The Department is clarifying prohibitions of deceptive and unconscionable trade practices in the self-storage facility sector due to the high number of consumer complaints it has received regarding this sector, particularly as it pertains to pricing and cleanliness of the facilities.²

¹ See. Alexander Harris, *The Four D’s*, SELF STORAGE ASSOCIATION (June 21, 2017)

(The self-storage industry is aware that many of its customers are in a potentially vulnerable stage in their life as shown by “The Four D’s” that are used to explain demand for self-storage, these are “death, divorce, dislocation” with the 4th D being alternatively disaster, density, or downsizing), <https://www.selfstorage.org/Blog/ArticleID/44/The-Four-D-39-s>; Francis Chantree, *A Fifth of Americans Rent Self-Storage With Gen Xers in The Lead*, STORAGECAFE (April 25, 2023) (While The Four D’s explain a significant portion of demand, much of demand is also people who do not have enough space at home), <https://www.storagecafe.com/blog/a-fifth-of-americans-rent-self-storage-gen-xers-lead/>

² As of March 10, 2026, the Department has received 232 complaints against self-storage companies looking back a year.

Specifically, the rules require a self-storage facility to annually disclose the maximum rate that it will charge a specific occupant for the upcoming year, thus alerting the consumer to the range of potential occupancy fee increases. Any increase above this maximum rate is prohibited as a deceptive trade practice.

These rules also ensure transparency in advertising, including requirements regarding price disclosures and claims concerning cleanliness. Specifically, these rules prohibit self-storage facilities from claiming that occupied self-storage units are kept clean when they have no access or ability to keep such units clean.

These rules prohibit as an unconscionable trade practices the failure of self-storage facilities to retrieve prescription medication and government identification on behalf of occupants even when the occupant is not current on their billing. Such practices enable merchants to unfairly take advantage of consumers' inability or capacity to reasonably protect their interests. Losing access to a government identification can "jeopardize money or property beyond the money or property immediately at issue" as such identifications are either needed for, or greatly facilitate, access to employment and public benefits.³ Withholding medication shocks the conscience and could cause substantial harm to consumers without producing any real countervailing benefit to any party.

Other Rules for Self-Storage Facilities

In addition, these rules protect consumers by ensuring fairness in occupancy agreements, by prohibiting provisions that would exempt a self-storage facility operator from liability for damages caused by their own negligence.

Storage Warehouse Rules

Local Law 162 of 2025 and Local Law 171 of 2025 also amend the existing storage warehouse licensing scheme, notably requiring at least 60 days' notice to a consumer prior to increasing their storage fee and giving the Department discretion to set certain civil penalties for violations up to \$1,000. The rules add violations of this notice requirement to the storage warehouse penalty schedule, reduce penalties for operating without a storage warehouse license, and make minor edits to be consistent with the usage of the new defined term "storage fee" in the Administrative Code.

Public Comments

A public hearing was held on May 18, 2026, and the Department received substantial comments from one consumer advocacy organization and from 7 industry representatives.

The Department reviewed and considered all comments and decided to make some revisions to these final rules. Specifically, as discussed more fully below, the Department made the following changes to these final rules:

1. Delayed the effective date of certain provisions to allow the self-storage facilities additional time for implementation;
2. Required that communications pertaining to the lien process be clear and conspicuous;
3. Removed the simple cancellation mechanism provision;
4. Created new defined terms of "schedule of rates" and "master schedule of rates;"
5. Removed the requirement that promotions be in the schedule of rates or master schedule of rates;
6. Clarified that essential goods are limited to prescription medications and government IDs;

³ § 20-701(b) of the New York City Admin. Code.

7. Clarified that the self-storage facility must retrieve prescription medications and government IDs goods but need not provide access;
8. Reduced the frequency of cleanliness certifications from a weekly to monthly basis;
9. Clarified that remediation need not be carried out by an employee;
10. Removed the requirement that records be produced immediately; and
11. Clarified that information required to be included in the first page of the occupancy agreement can extend to the following pages of such agreement.

Testimony from a consumer advocacy group suggested that the rules be modified to address issues with Human Resource Administration (HRA) payments being made on behalf of certain persons using self-storage facilities. It is not within the DCWP's jurisdiction to manage or modify the practices of a fellow City agency. The consumer advocacy group also suggested that communications pertaining to the lien process be clearly marked so as to alert consumers of the risk that their stored property may be auctioned, and this suggestion is incorporated into the adopted rules.

Industry representatives raised various concerns with the proposed rules.

Industry representatives suggested that the regulations went beyond the parameters laid out in Local Law 162 of 2025 and Local Law 171 of 2025. The Department notes that by requiring a license to engage in self-storage these local laws also empowered the Department to act under its general authority with respect to licensing codified in § 20-104 of the Administrative Code.⁴ Moreover, the Department may also utilize its preexisting, concurrent authority under the Consumer Protection Law to prohibit unfair trade practices.

Industry representatives argued that a simple cancellation mechanism was inappropriate in the context of the lease of real property for the purpose of storing goods. Industry representatives note that consumers utilizing such simple cancellation mechanisms could cancel their lease without having removed their goods creating issues for both consumers and self-storage facilities. They also suggested that such a provision was not necessary because the industry generally operates on a month-to-month lease basis, which gives consumers the option to cancel each month. The Department takes note of these concerns and has removed the simple cancellation method from the final rules.

Industry representatives uniformly asked that the Department define the term "schedule of rates." They also expressed a concern that should a schedule of rates include the rates for all the units it may overwhelm or confuse the consumer. Industry representatives also expressed confusion about whether the schedule of rates should include the rate charged to a specific consumer or the rates available for the public. The Department has revised these final rules taking these concerns into account. Because the licensing laws envisioned the schedule of rates being provided to both the individual requesting the use of the self-storage facility and to the Department, the adopted rules bifurcate the schedule of rates and creates two definitions. A "schedule of rates" is to be provided to the consumer showing the applicable occupancy fee for the specific class of unit selected and other charges incidental to the lease. The "master schedule of rates" provided to the Department and posted on the self-storage facility's website is to include the public rates for all classes of units and other charges incidental to their use.

Relatedly, industry representatives argued that the schedule of rates should not include promotions, particularly targeted promotions, since listing such promotions on the schedule of rates would mean that

⁴ Particularly, paragraph (b)(3) permits the Commissioner to "require adequate disclosure by those engaging in licensed activities of both terms and conditions under which they preform licensed activities" and (b)(6) with "respect to licensed activities, to protect the health, safety, convenience and welfare of the general public."

they are no longer targeted and thus there would be no incentive for the self-storage facilities to engage in promotions. The new “master schedule of rates” definition does not require the inclusion of promotions.

Industry representatives also expressed concern with the provision allowing consumers to access storage units in order to retrieve essential goods. Particularly they expressed concern that it was unclear what would constitute an essential good, that providing access could cause conflict among occupants and self-storage employees, and lastly that the proposed rules conflicted with the Lien Law. The Department revised these final rules to specify that essential goods are limited to prescription medications and government identifications (the term essential goods is no longer used in the rules) and that the self-storage facility is not required to provide the occupant with access to the unit but only to permit the occupant to request the retrieval of these items. The Department does not believe that the final rules conflict with the Lien Law.

With regard to cleanliness requirements, industry representatives argued that it was inappropriate to apply standards taken from the residential context to the self-storage context. The Department disagrees. Because consumers store household goods at these self-storage facilities and bring those goods back and forth between their self-storage unit and their home, the same policy interests that justified the imposition of standards in the residential context applies in the self-storage context.

Industry representatives also had some practical critiques of the cleanliness requirement, particularly concerns about the frequency of certifications and about the lack of qualifications of their employees in carrying out the needed remediation. The Department revised these final rules to reduce the frequency of cleanliness certifications from a weekly to monthly basis and to clarify that an employee need not carry out the remediation. Nonetheless, an employee remains responsible for certification, as this responsibility should ultimately fall upon the self-storage company and not a third-party contractor; this certification is also now made to the best of that employee’s knowledge.

On recordkeeping, industry representatives noted their concern that extensive recordkeeping requirements would be costly and argued that the requirement that such records be made immediately available was unworkable. The Department emphasizes the importance of recordkeeping requirements to ensure compliance with the requirements of the licensing laws and additional protections to consumers provided for under these rules. However, the Department has revised these final rules to remove the requirement that these records be produced “immediately.” Instead, records must be made available to the Department upon demand.

Industry representatives posited that too much information is required to be shared in the first page of the occupancy agreement. In response, the Department has revised these final rules to allow such information to be included in the pages following the first page.

Industry representatives also expressed concern that the price disclosures (historical price increase averages, current schedule of rates, and 12-month maximum rates) would have potentially anticompetitive effects. The Department disagrees and believes that price transparency generally benefits consumers and has pro-competitive effects. In fact, self-storage companies already post prices for each class of unit on their websites. Moreover, the 12-month maximum rates are given to the occupants, are not shared publicly, and are a maximum rate, rather than an actual future rate. Finally, publishing information regarding the average price increase *from the past* would not hinder competition. On the contrary, it would help consumers select providers with a strong track record in keeping their units affordable – leveraging competition to restrain surprise price increases.

The Department understands that self-storage facility operators will need time to prepare to comply with the requirements imposed by these rules. For that reason, the effective date for the rules is bifurcated. Rules

that are necessary for the immediate implementation of the licensing laws as it relates to self-storage facilities are to be effective thirty days from the date of publication of the rules in the City Record. These are the following provisions:

- 2-491 (Definitions)
- 2-492 (License applications)
- 2-493(a)(1)-(5), (d)(Recordkeeping for notices required by licensing laws)
- 2-494(d)(Specifying timeframe for notice required by licensing laws)
- Penalty Schedule⁵

Other rules pertaining to self-storage facilities are delayed until November 1, 2026 (see section 10 of these rules for a breakdown). All rules pertaining to storage warehouses, which do not require substantial adjustments in operations, take effect thirty days from the date of publication in the City Record.

Lastly, one commentor asked whether the proposed rules cover a distribution center for package delivery located in a mixed-use building. Neither the law nor these adopted rules cover distribution centers.⁶

Authority

Sections 1043 and 2203(f) of the New York City Charter and Sections 20-104(b) and 20-702 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these rules.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Adopted Rules

Section 1. Section 2-321 of subchapter BB of chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 2-321. Definitions.

For purposes of this subchapter:

Bill for services. "Bill for services" means a [writing] document signed by the storage warehouse operator or his authorized agent stating the total costs for the following:

- (1) the monthly [charge] storage fee for storage of the goods;
- (2) if applicable, the charge for a minimum number of months' storage;

⁵ Note that although the penalty schedule references other provisions because these provisions are not effective until November 1, 2026, the Department will not seek to impose penalties until such provisions are in effect.

⁶ Distribution centers can be said to perform the opposite function of storage warehouses and self-storage facilities in that they distribute goods *to* consumers instead of accepting *from* consumers goods for storage.

(3) the charge for packing, containers, warehouse labor in, transportation to the warehouse, padding or sanitizing;

(4) any charges imposed by the storage warehouse operator, including the charges for warehouse labor out and transportation from the warehouse, if applicable.

Inventory. "Inventory" means an itemized list, signed by the storage warehouse operator or his authorized agent, indicating the condition of each item which is being stored.

Written estimate. "Written estimate" means a [writing] document signed by the storage warehouse operator or his authorized agent setting forth:

(1) the charge, if applicable, but not exceeding \$20 for the written estimate based upon an actual physical inspection;

(2) a tally of the household goods included in the estimate, which shall not be construed to be an inventory as defined by 6 RCNY § 2-321 "Inventory";

(3) the estimated monthly [charge] storage fee for storage of the goods;

(4) if applicable, the estimated charge for packing, containers, warehouse labor in transportation to the warehouse, padding or sanitizing;

(5) if applicable, the minimum monthly [charge] storage fee or the minimum number of months' storage charge;

(6) any other charges imposed by the storage warehouse operator, including a statement that there will be a charge for "warehouse labor out" and "transportation from the warehouse" and a description of how these charges will be calculated;

(7) any limitation on liability for loss or damage to household goods;

(8) the name, principal place of business and telephone number of the storage warehouse operator, and the street address, borough and telephone number where the goods will be stored.

§ 2. Paragraph 4 of subdivision a of section 2-322 of subchapter BB of chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

(4) whether there is a minimum monthly storage [charge] fee or charge for a minimum number of months' storage and, if so, the amount of the charges;

§ 3. Subparagraph i of paragraph 3 of subdivision a of section 2-323 of subchapter BB of chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

(i) the monthly [charge] storage fee for storage of the goods (including any minimum number of months' storage charge);

§ 4. Subdivision (d) of section 2-326 of subchapter BB of chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

(d) increase the rate charged a consumer for monthly storage unless the consumer has been notified at least [45] 60 days prior to the effective date of the rate increase.

§ 5. Subdivision (b) of section 2-327 of subchapter BB of chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

(b) It is a deceptive practice for the storage warehouse operator to charge or attempt to charge the consumer any additional amount for transportation of the consumer's goods which has not been requested by the consumer, unless the storage warehouse shall have first given the consumer [45] 60 days written notice of the amount of such charge prior to the date of such transportation.

§ 6. Subdivision a of section 1-02 of chapter 1 of Title 6 of the Rules of the City of New York is amended by adding the following entry in alphabetical order to read as follows:

<u>Self-Storage Facility</u>	<u>April 1 of Even Years</u>
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§ 7. Chapter 2 of Title 6 of the Rules of the City of New York is amended by adding a new Subchapter NN to read as follows:

Subchapter NN: Self-Storage Facilities

§ 2-491 Definitions

As used in this subchapter, the terms “Occupancy agreement,” “Occupancy fee,” “Occupant,” “Self-storage facility,” and “Self-storage facility operator” shall have the same meaning as set forth in section 20-566 of the Administrative Code.

As used in this subchapter, the terms “Harborage,” “Indoor allergen hazard,” “Indoor mold hazard,” “Integrated pest management,” “Remediation or remediate,” and “Underlying defect” shall have the same meaning as set forth in section 27-2017 of the Administrative Code.

As used in this subchapter, the following terms have the following meanings:

Schedule of rates. “Schedule of rates” means a list including the occupancy fee that an occupant will be charged and the difference in price, if any, between such occupancy fee and the occupancy fee then listed on the schedule of rates, and all other rates or charges that may be imposed in connection with the occupancy or use of such storage units including, but not limited to, late payment fees and other penalty fees. For each rate or charge, the schedule of rates must include a description of each such charge, whether the charge is mandatory or optional, and the amount of each charge expressed in dollars.

Master schedule of rates. “Master schedule of rates” means a list of all occupancy fees charged for each class of storage units sharing material attributes, such as size, type, or location, and all other rates or charges that may be imposed in connection with the occupancy or use of such storage units including, but not limited to, late payment fees and other penalty fees. For each rate or charge, the master schedule of rates must include a description of each such charge, whether the charge is mandatory or optional, and the amount of each charge expressed in dollars.

§ 2-492 License Application Requirements.

(a) Self-storage facility operator licenses expire on April 1 in even numbered years.

(b) An application for a self-storage facility license includes the Department's basic license application and any other documents or information the Department requires.

(c) A self-storage facility operator must obtain a separate license for each premises where it operates a self-storage facility in the City of New York, notwithstanding common ownership or operation of multiple self-storage facilities. The self-storage facility operator license issued by the Department shall include the address of the self-storage facility premises to which it pertains.

§ 2-493 Records.

(a) For each occupant with whom it has entered into an occupancy agreement, a self-storage facility operator must maintain for a period of at least three years the following records:

(1) The signed and dated occupancy agreement;

(2) The signed and dated schedule of rates provided to the occupant as required by Administrative Code section 20-566.3;

(3) A copy of any notice required by Administrative Code section 20-566.3 provided to the occupant to inform them of a new rate or charge that was not previously included in the schedule of rates;

(4) A copy of any notice of an increased occupancy fee provided to the occupant, as required by Administrative Code section 20-566.4;

(5) A copy of any explanation of a termination of occupancy provided to the occupant, as required by Administrative Code section 20-566.5;

(6) A copy of each billing statement provided to the occupant;

(7) A copy of any notice provided to the occupant pursuant to subdivision 7 of section 182 of the New York Lien Law; and

(8) A log of all agreements, notices, and explanations required by paragraphs (1), (2), (3), (4), and (5) of this subdivision, which must include the following for each such agreement, notice, or explanation:

(i) date transmitted;

(ii) method of transmission;

(iii) occupancy fee, as of the date of such agreement, notice, or explanation;

(iv) if applicable, effective date of occupancy fee change and new occupancy fee as of that date; and

(v) if applicable, effective date and amount of a new rate or charge not included in the schedule of rates.

(b) A self-storage facility operator must maintain for a period of at least three years records sufficient to demonstrate compliance with the price increase disclosure requirements of subdivision i of section 2-494 of this subchapter, including but not limited to:

(1) a copy of every price increase disclosure posted to the self-storage facility website;

(2) for each price increase disclosure, all data for the period covered by such disclosure disaggregated by occupant indicating the occupancy fee increase for each occupant of the self-storage facility expressed in dollars and as a percentage increase; and

(3) records clearly demonstrating the calculation used to arrive at the percentage included in such price increase disclosure.

(c) A self-storage facility operator must maintain for a period of at least three years records sufficient to demonstrate compliance with the requirements to maintain self-storage facilities free of indoor allergen hazards and remediate indoor allergen hazards as required pursuant to subdivision a of section 2-495 of this subchapter, including but not limited to certifications regarding cleanliness and documentation of any remediation efforts related to indoor allergen hazards.

(d) A self-storage facility operator must keep the records required to be maintained pursuant to subdivisions (a), (b) and (c) of this section in an electronic format and make such records available for inspection by the Department at the self-storage facility and, as required by section 1-14 of chapter 1 of this Title, produce such records when demanded by the Department.

(e) A self-storage facility operator's failure to maintain, retain, or produce a record that is required to be maintained under this section that is relevant to a material fact alleged by the Department in a summons, petition, or other notice of hearing creates a presumption that such fact is true.

§ 2-494 Notices, Explanations, and Disclosures

(a) Excepting the notice required pursuant to subdivision (g) of this section a self-storage facility operator must provide dated disclosures, notices and explanations required pursuant to this section or Administrative Code sections 20-566.3, 20-566.4, and 20-566.5 in writing, using a method designated by the occupant, which may include mail, electronic mail, or text message. In addition to English, all such disclosures, notices, or explanations must be made in any other language which the self-storage facility operator uses to attract consumers.

(b) Occupancy Agreement

(1) This subdivision shall apply only to occupancy agreements entered into after the effective date of these regulations.

(2) Each occupancy agreement must include the disclosures required by subdivision 2 of section 182 of the New York Lien Law.

(3) An occupancy agreement must not include any provision exempting the self-storage facility operator from liability for damages for injuries to person or property caused by or resulting from the negligence of the self-storage facility operator, their agents or employees, in the operation or maintenance of the subject storage unit or the self-storage facility, that would be void and wholly unenforceable pursuant to section 5-321 of the New York General Obligations Law.

(4) Each occupancy agreement must include a disclosure regarding the self-storage facility operator's policies for:

(i) denying an occupant's access to their personal property;

(ii) initiating a process for the public or private sale of an occupant's personal property, including what notice period the self-storage facility will provide to the occupant to cure or remove the property; and

(iii) disputing or curing the reasons for such denial or sale.

(5) The first page(s) of each occupancy agreement must clearly and conspicuously include:

(i) the disclosures required by subparagraphs (iii) and (iv) of paragraph (a) of subdivision 2 of section 182 of the New York Lien Law;

(ii) the final amount the occupant must pay for the initial transaction, including an itemization of all charges actually imposed, including the occupancy fee and any non-recurring fees or charges;

(iii) the guaranteed duration of the occupancy fee in effect for the first month of the occupancy agreement;

(iv) the maximum occupancy fee that the self-storage facility operator could charge during the first 12 months following the date of the occupancy agreement; and

(v) the following statement in bold lettering:

Notice: If you fail to pay your occupancy fee or other charges, [name of self-storage facility operator] may deny you access to your personal property and, after providing notice, sell your personal property to recover unpaid charges.

(c) A self-storage facility operator must post the current master schedule of rates on its website in a clear and conspicuous manner.

(d) A self-storage facility operator must provide the notice to the occupant to inform them of a new rate or charge that was not previously included in the schedule of rates required by Administrative Code section 20-566.3 at least 60 days prior to imposing such new rate or charge.

(e) Each notice of an increased occupancy fee provided to the occupant, as required by Administrative Code section 20-566.4, must include instructions for how to cancel the occupancy agreement.

(f) Each billing statement must contain the following statement:

If you fail to pay your occupancy fee or other charges by [insert date], [name of self-storage facility operator] may deny you access to your personal property and, after providing notice, sell your personal property to the extent necessary to recoup unpaid charges.

(g) A self-storage facility operator must provide notice of its enforcement of a lien via a public or private sale as required pursuant to subdivision 7 of section 182 of the New York Lien Law and in addition through text message if (i) the occupancy agreement states that the occupant has consented to receive late or lien notices by text message, and (ii) the occupant has provided the occupant's phone number in at least two locations within the occupancy agreement. Such notices must in a clear and conspicuous manner disclose that they are from a self-storage facility and that they pertain to the enforcement of liens.

(h) At least 60 days prior to the 1-year anniversary of the date the occupant entered into the occupancy agreement, and every year thereafter, the self-storage facility operator must provide notice of the maximum occupancy fee that the self-storage facility operator could charge during the next 12 months. Such notice must provide the occupant with instructions for how to cancel such occupancy agreement.

(i) A self-storage facility operator must disclose the average percentage increase, as calculated in a manner prescribed by the Department on its website, imposed on individual occupants over the prior two calendar years beginning with the period from January 1, 2026 to December 31, 2027. Such information must be posted no later than February 1 of each year, providing the data from the prior two calendar years, in a clear and conspicuous manner on the self-storage facility website and a copy of such information must be provided to any occupant before entering an occupancy agreement at the self-storage facility.

§ 2-495 Cleanliness and Retrieval of Prescription Medications and Government Identifications

(a) Cleanliness.

(1) A self-storage facility operator must designate an employee that must certify to the best of their knowledge each month that the common areas of the self-storage facility and unoccupied units remain free of indoor allergen hazards and that the self-storage facility operator has remediated or is in the process of remediating indoor allergen hazards that have arisen, including remediating underlying defects and using integrated pest management practices to eliminate pests.

(2) The requirements in this subdivision shall not be construed to require that the self-storage facility operator access occupied storage units or that remediation must be carried out directly by employees of the self-storage facility.

(b) Retrieval of Prescription Medications and Government Identifications. Irrespective of the status of a consumer's account, including during the notice period in advance of any public or private sale of an occupant's personal property, it is an unconscionable trade practice for a self-storage facility operator to refuse to permit occupants to request that the self-storage facility retrieve for them any prescription medication or governmental identification stored in a storage unit.

§ 2-496 Advertisements

(a) It is a deceptive trade practice for a self-storage facility operator to advertise, display, or offer storage units for lease without disclosing occupancy fees more prominently than other pricing information, except as provided in this subdivision, and clearly and conspicuously disclosing all material exclusions, reservations, limitations, modifications or conditions on such occupancy fee, as required by 6 RCNY § 5-09, including but not limited to:

(1) a description of any conditions to obtain such occupancy fee;

(2) the guaranteed duration of such occupancy fee; and

(3) the total price of any non-recurring mandatory charge or fee required prior to occupancy, which must be as prominent as the occupancy fee.

(b) It is a deceptive trade practice for a self-storage facility operator to advertise that occupied storage units are kept clean.

(c) It is a deceptive trade practice for a self-storage facility operator to advertise that its facilities are clean, unless it is ensuring that its facilities are clean as required under 6 RCNY §2-495(a).

§ 2-497 Price Increases

It is a deceptive trade practice for a self-storage operator to charge an occupancy fee that exceeds the maximum occupancy fee stated in the applicable notices required under 6 RCNY §2-494.

§ 8. The table of penalties in section 6-34 of subchapter B of chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin. Code § 20-476	Operating without a storage warehouse license	[\$1,000] <u>\$750</u> per day	\$1,000 per day	[\$1,000] <u>\$900</u> per day	\$1,000 per day	\$1,000 per day	\$1,000 per day
<u>Admin. Code § 20-477</u>	<u>Failure to provide notice at least 60 days prior to increasing a storage fee</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
Admin. Code § 20-478	Failure to comply with schedule of rates requirement(s)	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin. Code § 20-480	Failure to comply with insurance requirement(s)	\$1,000 (plus 0 to 15 day suspension)**	\$1,000 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$1,000 (plus revocation)**	\$1,000 (plus revocation)
6 RCNY § 2-322	Failure to comply with oral disclosures	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-323	Failure to comply with written estimate requirement(s)	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-324	Failure to comply with inventory requirement	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-325	Failure to comply with cancellation requirement	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-326	Improper bill for services	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-327	Failure to comply with relocation of household goods requirements	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-328	Failure to meet advertisement requirements	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000

6 RCNY § 2-329(a)	Failure to provide liability insurance	\$1,000 (plus 0 to 15 day suspension)**	\$1,000 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$1,000 (plus revocation)**	\$1,000 (plus revocation)
6 RCNY § 2-329(b)	Failure to meet insurance requirements	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-330	Failure to provide a written storage contract before accepting household goods	\$1,000 (plus 0 to 15 day suspension)**	\$1,000 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$1,000 (plus revocation)**	\$1,000 (plus revocation)
6 RCNY § 2-331	Failure to provide consumer with access to household goods	\$1,000 (plus 0 to 15 day suspension)**	\$1,000 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$1,000 (plus revocation)**	\$1,000 (plus revocation)
6 RCNY § 2-332	Failure to meet general release requirement(s)	\$1,000 (plus 0 to 15 day suspension)**	\$1,000 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$1,000 (plus revocation)**	\$1,000 (plus revocation)
6 RCNY § 2-333	Improper sale of consumer goods	\$1,000 (plus 0 to 15 day suspension)**	\$1,000 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$1,000 (plus revocation)**	\$1,000 (plus revocation)
6 RCNY § 2-334	Failure to meet requirements to act as an agent	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000

§ 9. Subchapter B of chapter 6 of Title 6 of the Rules of the City of New York is amended by adding a new section 6-90 to read as follows:

§ 6-90 Self-Storage Facility Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, and any other provisions contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Pursuant to Section 20-703(d) of the Administrative Code of the City of New York, the knowing violation of any provision of Subchapter 1 of Chapter 5 of Title 20 of the Administrative Code of the City of New York or of any rule promulgated thereunder is subject to a penalty of \$3,500. Sections 2-496 and 2-497 of subchapter NN of chapter 2 this Title are promulgated under Subchapter 1 of Chapter 5 of Title 20 of the Administrative Code of the City of New York.

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Unless otherwise specified by law, a second, or third and subsequent violation means a violation by the same respondent, or such respondent's successor(s) as defined by section 20-564 of the Administrative

Code, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

<u>Citation</u>	<u>Violation Description</u>	<u>First Violation</u>	<u>First Default</u>	<u>Second Violation</u>	<u>Second Default</u>	<u>Third and Subsequent Violation</u>	<u>Third and Subsequent Default</u>
<u>Admin Code § 20-566.1</u>	<u>Operating a self-storage facility without a license</u>	<u>\$750 per day</u>	<u>\$1,000 per day</u>	<u>\$900 per day</u>	<u>\$1,000 per day</u>	<u>\$1,000 per day</u>	<u>\$1,000 per day</u>
<u>Admin Code § 20-566.6(d)</u>	<u>Unlicensed self-storage facility advertising, claiming or representing to operate a self-storage facility</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Admin Code § 20-566.3</u>	<u>Failure to provide schedule of rates</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Admin Code § 20-566.3</u>	<u>Failure to provide notice of a new rate or charge not included in schedule of rates</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Admin Code § 20-566.4</u>	<u>Failure to provide notice at least 60 days prior to increasing an occupancy fee</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Admin Code § 20-566.5</u>	<u>Failure to provide explanation of the termination of an occupancy agreement</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>6 RCNY § 2-493</u>	<u>Failure to maintain or produce required records</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>6 RCNY § 2-494(a)</u>	<u>Failure to provide notice or explanation via written method designated by occupant</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>6 RCNY § 2-494(a)</u>	<u>Failure to provide disclosures in language used to attract consumers</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>6 RCNY § 2-494(b)</u>	<u>Failure to meet requirements for content of occupancy agreement</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$900</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>

6 RCNY § 2-494(c)	Failure to post master schedule of rates	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(d)	Failure to provide notice at least 60 days prior to a new rate or charge not included in schedule of rates	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(e)	Failure to include cancellation instructions in increased occupancy fee notice	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(f)	Failure to include nonpayment warning in billing statement	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(g)	Failure to provide public or private sale notices	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(h)	Failure to provide notice of maximum occupancy fee	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(i)	Failure to comply with average percentage increase average posting requirements	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-494(i)	Failure to provide price increase prior to entering into occupancy agreement	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-495(a)	Failure to clean or remediate indoor allergen hazards	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-495(b)	Failure to provide retrieve essential goods	\$525	\$525	\$1,050	\$1,050	\$3,500	\$3,500

6 RCNY <u>§ 2-496</u>	<u>Failure to meet advertisement requirements</u>	<u>\$525</u>	<u>\$525</u>	<u>\$1,050</u>	<u>\$1,050</u>	<u>\$3,500</u>	<u>\$3,500</u>
6 RCNY <u>§ 2-497</u>	<u>Engaging in a deceptive price increase</u>	\$525	\$525	\$1,050	\$1,050	\$3,500	\$3,500

§ 10. This rule takes effect thirty days from publication in the City Record, except that paragraphs 6, 7, 8 of subdivision a of section 2-493, subdivisions b, c, e of section 2-493, subdivisions a, b, c, e, f, g, h, i of section 2-494, section 2-495, section 2-496, and section 2-497 as added by section seven of this rule, take effect on November 1, 2026.