

IC 32-33-3

Chapter 3. Cleaning Lien for Services on and Storage of Clothing and Household Goods

IC 32-33-3-1

Persons subject to lien; sale to pay charges

Sec. 1. (a) A person doing any cleaning, glazing, washing, alteration, repair, or furnishing any materials or supplies for or upon any garment, clothing, wearing apparel, or household goods has a lien on the item for the reasonable value of the unpaid work, labor or material, and supplies used. The lien may be foreclosed in the manner provided by this chapter if at the time of receiving the clothing, garment, wearing apparel, or household goods a written receipt is given to the person or customer leaving the item.

(b) Any garment, clothing, wearing apparel, or household goods remaining in the possession of a person, firm, partnership, limited liability company, or corporation:

(1) on which cleaning, pressing, glazing, or washing has been done; or

(2) upon which alterations or repairs have been made, or on which materials or supplies have been used or furnished;

for a period of at least ninety (90) days after the cleaning, pressing, glazing, or washing has been done, the alterations or repairs have been made, or the materials or supplies have been used or furnished may be sold to pay the reasonable or agreed charges and the costs of notifying the owner or owners. However, the person, firm, partnership, limited liability company, or corporation to whom the charges are payable and owing must first notify the owner or owners of the time and place of the sale.

(c) Property that is to be placed in storage after any of the services or labors referred to in subsection (a) or (b) is not affected by this section.

As added by P.L.2-2002, SEC.18.

IC 32-33-3-2

Sale to pay storage charges

Sec. 2. (a) This section does not apply to persons, firms, partnerships, limited liability companies, or corporations operating as warehouses or warehousemen.

(b) All garments, clothing, wearing apparel, or household goods:

(1) that are placed in storage; or

(2) on which any of the services or labors mentioned in section 1 of this chapter have been performed and that have then been placed in storage by agreement;

and that remain in the possession of a person, firm, partnership, limited liability company, or corporation without the reasonable or agreed charges having been paid for a period of ninety (90) days may be sold to pay the charges if the person, firm, partnership, limited

liability company, or corporation to whom the charges are payable first notifies the owner or owners of the items placed in storage of the time and place of sale.

As added by P.L.2-2002, SEC.18.

IC 32-33-3-3

Mailing letter constituting notice

Sec. 3. The mailing of a letter that has a return address, that is addressed to the owner at the owner's address given at the time of delivery of the article to a person, firm, partnership, limited liability company, or corporation to render any of the services or labors set forth in section 1 of this chapter, and that states the time and place of sale constitutes notice for the purposes of section 2 of this chapter. The notice must be given at least thirty (30) days before the date of sale. The cost of posting or mailing letters under this section shall be added to the charges.

As added by P.L.2-2002, SEC.18.

IC 32-33-3-4

Proceeds of sale to pay service or storage charges

Sec. 4. The person, firm, partnership, limited liability company, or corporation to whom the charges are payable shall:

- (1) from the proceeds of sale, deduct the charges due plus the costs of notifying the owner;
- (2) hold the over-plus, if any, subject to the order of the owner;
- (3) immediately after the sale mail to the owner at the owner's address, if known, a notice of the sale and the amount of over-plus, if any, due the owner; and
- (4) at any time within twelve (12) months after the sale, upon demand by the owner, pay to the owner the sums or over-plus.

As added by P.L.2-2002, SEC.18.

IC 32-33-3-5

Posting notice of sale

Sec. 5. All persons, firms, partnerships, limited liability companies, or corporations taking advantage of this chapter must keep posted in a prominent place in their receiving office at all times two (2) notices that must read as follows:

"All articles cleaned, pressed, glazed, laundered, washed, altered, or repaired and not called for in ninety (90) days shall be sold to pay charges," and "If any articles are stored by agreement and the charges are not paid for ninety (90) days, the articles shall be sold to pay charges."

As added by P.L.2-2002, SEC.18.