

CALLAYOMI COUNTY WATER DISTRICT

POLICY HANDBOOK

POLICY TITLE: Non-Payment and Discontinuation of Service

POLICY NUMBER: 7020

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7020.1 PURPOSE: This policy will amend all previous version of the Callayomi County Water District (CCWD) policy regarding actions for the collection of delinquent accounts, including notifications, customer assistance, discontinuation of service, and other remedies, in accordance with Senate Bill No. 998: Discontinuation of Residential Service and California Government Code Sections 60370-60375.5. This Policy applies to all District service accounts except Bulk accounts (see Policy 7030).

7020.2 POLICY AVAILABILITY: This policy will be made available to the public on the District's website and at the District office.

7020.3 CONTACT: Customers are encouraged to contact the District for further details regarding this policy, options for averting discontinuation of service, or customer assistance:

21282 Stewart Street/PO Box 623, Middletown, CA
Office Hours: Monday through Friday, from 9:00 a.m. to 3:00 p.m.
Phone: 707-987-2180 (available 24/7 for emergencies and reconnections)
Website: callayomiwater.com

7020.3 GENERAL PROVISIONS:

7020.3.1 All District users will pay monthly base and usage charges. Stand-by and Fire protection services will be charged annually. Charges will become delinquent after midnight on the due date. A current list of fees and charges is available on the District's website and at the office.

7020.3.2 The District will apply a late fee to delinquent charges and customers will be informed of late fees and unpaid balances on each itemized bill.

7020.3.3 The District will attempt to contact the occupant and owners of a property with notice of discontinuation of services in addition to regular billing, as provided in this Policy.

7020.3.4 The District may, in its sole discretion, discontinue services for charges that have become delinquent for a period of no less than sixty (60) days.

THIS POLICY IS HEREBY PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE CALLAYOMI COUNTY WATER DISTRICT AT A REGULAR MEETING THEREOF HELD ON _____. THIS VERSION OF THE POLICY SUPERSEDES ALL PREVIOUS VERSIONS.

BY: _____
PAT GIACOMINI, BOARD PRESIDENT

ATTEST: _____
MERI BROWNING, SECRETARY OF THE BOARD

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7020.3.4.1 The District will not discontinue service due to nonpayment:

- i. on any Saturday, Sunday, legal holiday, or at any time during which the District's office is not open to the public.
- ii. during the District's investigation of a customer dispute or complaint
- iii. during an appeal to the District's Board of Directors
- iv. during a District-approved payment arrangement as long as the customer is in compliance with the agreement and also keeps the account current as charges accrue in each subsequent billing period.

A reconnect fee will be applied to the account of any discontinued service and the District will post a notice of discontinuation with contact information and options and amounts required to restore service.

7020.3.5 Restoration of service will be subject to payment of the delinquent charges and reconnect fees. Service reconnections will be processed during office hours unless requested by customer.

7020.4 BILLING COMPLAINTS AND REVIEW REQUESTS:

7020.4.1 Any customer may initiate a complaint or request the District investigate any component of their bill within five (5) days of receipt of the disputed bill.

7020.4.2 The District will not discontinue service during an investigation of a timely complaint or dispute.

7020.4.3 The District's review will include consideration of whether the customer may receive an amortization, alternative payment schedule, or payment reduction under this Policy.

7020.4.4 If the customer considers the results of the investigation by the District to be unfavorable, they have the right to appeal the District's decision to the District's Board of Directors. The customer must file a written notice of appeal with the District within ten (10) business days of the District's mailing of its determination. The District will set the matter to be heard at an upcoming regular Board meeting and mail the customer written notice of the time and place of the hearing at least ten (10) days before the meeting. The decision of the Board is final.

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7020.5 NOTICE OF DISCONNECT TO CUSTOMER: Customers are notified of any “Prior Balance” on each monthly bill. Non-occupant Owners will be mailed an Owner Past Due Notice when tenants are more than 30-days past due. If past-due amounts are not paid, the following notices will be sent:

7020.5.1 Notice of Disconnect

The District will mail a Notice of Disconnect of services to the customer of record at least seven (7) business days before scheduled discontinuation of service. The Notice of Disconnect will contain the following information:

- i. The customer’s name and address.
- ii. The amount of the delinquency.
- iii. The date by which payment or arrangement for payment is required in order to avoid discontinuation of service.
- iv. A description of the process to apply for an extension of time to pay the delinquent charges.
- v. A description of the procedure to petition for bill review and appeal.
- vi. A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with this written policy.

If the mailed notice is returned as undeliverable, the District will make a reasonable, good faith effort to contact an adult person residing at the premises by phone or in person at least 48 hours prior to any termination of service.

7020.5.2 48-hour Posted Notice (“Doorhanger”)

In addition to the mailed Notice of Disconnect, the District will attempt to contact the customer by telephone. If unable to make contact with an adult occupying the residence by telephone, the District will post a written notice at the service address. The District will make a reasonable, good faith effort to contact an adult person living at the service address by leaving a notice of imminent discontinuation of service in a conspicuous place at the service address no less than 48 hours before discontinuation of services. The posted notice will be addressed to “Occupant,” will contain the same notice information listed in 7020.5.1 and will also inform the residential occupants that they have the right to become customers of the District without being required to pay the amount due on the delinquent account. Terms and conditions for occupants to become customers of the District are provided in 7020.7 of this Policy.

7020.5.3 Final Notice when Conditions of Payment Arrangement are Not Met

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The District may discontinue service if a customer who has been granted a payment arrangement under this Policy fails to do EITHER of the following for sixty (60) days or more:

- i. pay full amount due according to the agreed schedule in the payment arrangement.
- ii. pay his or her current charges for service.

The District will post a Final Notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The Final Notice will not entitle the customer to any investigation or review by the District or any additional payment arrangements.

7020.6 CUSTOMER ASSISTANCE: Customer must contact the office for payment arrangement requests before scheduled disconnection of service to avoid disconnection. The District will consider verbal requests for extensions within the month; requests for amortization and reduced payment agreements require a completed Agreement Application submitted before the scheduled discontinuation of service. Payment arrangement options include the following:

7020.6.1 Bill Amortization

The District will consider a request to amortize charges over a reasonable period of time, not to exceed twelve (12) months. The amortization schedule and amounts due will be set forth in writing and provided to the customer. During the amortization period, the customer must remain current on all service charges in subsequent billing periods.

7020.6.2 Deferred Payments

The District will consider a request to defer payment to a later date to avoid discontinuation of service. The new agreed due date may not fall later than the next regular billing due date.

7020.6.3 Reduced Payments

Reversal or reduction of residential service fees may be available to a customer who demonstrates that they are financially unable to pay for residential service within the District's normal billing cycle and provide written request to enter into payment arrangement agreement with respect to all delinquent charges.

7020.6.3.1 A customer is deemed unable to pay during the normal billing cycle if:

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- i. any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, California SSI/SSP, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or
- ii. the household's annual income is less than 200 percent of the federal poverty level.

7020.6.3.2 The only fees eligible for reversal or reduction are late and reconnect fees, as reduction of other fees may impact other ratepayers.

7020.6.3.3 Upon receipt of documentation from the customer, the District will review the documentation within seven (7) days and:

- i. notify the customer of the payment arrangement terms selected by the District and request the customer's signed consent, or
- ii. request additional information from the customer, or
- iii. notify the customer that they do not meet the qualifications.

With any of the payment arrangement options, the District may terminate service if the customer fails to pay as agreed by the scheduled date(s) in the payment arrangement and the original amount due is delinquent by at least sixty (60) days, or if the customer fails to pay current service charges for sixty (60) days or more while a payment arrangement of any kind is in effect. The District will post a Final Notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The Final Notice will not entitle the customer to any investigation or review by the District or any additional payment arrangements.

7020.7 PROCEDURES FOR OCCUPANTS TO BECOME CUSTOMERS OF THE DISTRICT:

7020.7.1 Scope

This section only applies when a property owner, landlord, manager, or operator of a residential service address is listed as the customer of record and has been issued a notice of intent to discontinue service due to nonpayment.

7020.7.2 Agreement to District Terms and Conditions of Service

The District will make service available to the actual residential occupants of each metered service if each occupant agrees to the terms and conditions of service and meets the requirements of the District's rules and regulations, or if one or more of the occupants is willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the District.

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7020.7.3 Verification of Tenancy

In order for the amount due on the delinquent account to be waived, an occupant who becomes a customer will verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code, at the discretion of the District.

7020.8 OTHER REMEDIES: In addition to discontinuation of service, the District may pursue any other remedies available in law or equity for nonpayment of utility service charges, including, but not limited to: securing delinquent amounts by filing liens on real property, filing a claim or legal action, or referring the unpaid amount to collections. All costs and expenses to the District for pursuing collection of delinquent amounts will be charged to the respective account. In the event a legal action is decided in favor of the District, the District will be entitled to the payment of attorneys' fees and accumulated interest in addition to all costs and expenses.

7020.9 DISCONTINUATION OF UTILITY SERVICE FOR OTHER CUSTOMER VIOLATIONS: The District reserves the right to discontinue service for any violations of District ordinances, rules, or regulations other than nonpayment.