

Discontinuation of Water Service

Section 1.1 **Discontinuance of Service for Residential Locations**. Bills for Water Service are due upon presentation. Bills become delinquent on the tenth (10th) day of the month and remain delinquent until paid in full. A ten (10%) percent penalty will be assessed on the unpaid current charges on the twentieth (20th) day of the month. A partial payment of a delinquent account will be accepted and credited to a customer's account, but such partial payment shall not be cause for removing the account from a delinquent status.

- A. The District will not discontinue water service for non-payment until payment by the customer has been delinquent for at least sixty (60) days. No less than seven (7) business days before discontinuation of residential service for nonpayment, the District will contact the customer named on the account by mailed notice and will provide in writing to the customer the amount of the delinquency, the deadline for payment or alternative arrangement , a description of the process to apply for an extension of time to pay the delinquent charges;
- B. Will provide options to avert discontinuation of residential service for nonpayment, including, but not limited to, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal. Will offer to provide in writing to the customer the District's policy on the discontinuation of residential service for non-payment.

If District is unable to make contact with the customer or an adult occupying the residence by U.S. mail, the District will make a good faith effort to visit the residence and leave or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the District's policy for discontinuation of residential service for nonpayment.

A customer whose bill is delinquent may contact the District at 661-256-3411 to discuss options for averting discontinuation of water service.

Section 1.2 **Circumstances Where RCSD Will Not Discontinue Service**. The District will not discontinue residential service for non-payment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the District the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided; and

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the District's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the Districts normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level; and

(3) The customer is willing to enter into an amortization agreement or alternative payment schedule.

The District will offer a customer that meets these three conditions the following options for repayment of the delinquent bill: 1. Amortization of the unpaid balance. 2. An alternative payment schedule. The time period for repayment under either option is subject to management approval but will generally not exceed 12 months. If the customer (1) fails to comply with the payment plan for 60 days or more, or (2) does not pay his current charges for 60 days or more while undertaking a payment plan, residential service may be discontinued no sooner than five (5) business days after the District posts a final notice of intent to disconnect service in a prominent and conspicuous location.

Section 1.2.2 **Waiver of late fees for Low-Income Customers.** For a customer who demonstrates a household income below 200 percent of the federal poverty line, the District will waive late fees on delinquent bills once every 12 months. A residential customer shall be deemed to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares in a statement under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level.

Section 1.3 **Disputed bills and appeal.** If a customer disputes their bill and exercises their right to appeal to the District's Manager, the District will not disconnect water service for non-payment while the appeal is pending, however, additional fees provided for herein will continue to apply.

A customer in receipt of a notice of impending service discontinuation may appeal the delinquent bill, unless an appeal of the same rate, charge, or fee has previously been received and resolved. The customer must file the appeal within ten (10) calendar days of the disputed bill presentation date. The customer must deliver a written notice of appeal on a form provided by the District that explains the basis for the appeal, including, where applicable, an explanation of any alleged errors in the District's billing practices. The form will be made available on the District's website or at the District office. The appeal will be reviewed, heard, and resolved according with the following procedures:

- A. The Director of Administration or designee will review the appeal form and all materials submitted in support of the appeal and will issue a tentative decision regarding the appeal within ten (10) calendar days from the date of receipt of the appeal.
- B. The Director of Administration or designee will mail the tentative decision to the appellant.
- C. The customer has seven (7) calendar days from the date of the tentative decision letter to accept the tentative decision or request a meeting with the Assistant General Manager/Director of Public Works.
- D. If a meeting is requested, the Assistant General Manager/Director of Public Works will schedule a meeting within fifteen (15) calendar days.
- E. At least ten (10) calendar days prior to the meeting, the written notice of the date and time of the meeting will be mailed to the customer.

- F. At the conclusion of the meeting, the Assistant General Manager/Director of Public Works will issue a final, written decision within seven (7) calendar days by mail to the appellant.
- G. The customer may appeal an adverse determination by the Assistant General Manager/Director of Public Works to the General Manager within ten (10) calendar days from the date of the letter. The General Manager has ten (10) calendar days to respond to the customer of the finding. The General Manager's finding is final.

Section 1.4 **Landlord-Tenant Situations**. This provision applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

1. If the District furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobile home park, or permanent residential structure in a labor camp, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the District will make a good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least ten (10) days prior to the termination. The written notice will further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

2. The District is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the District's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the District, or if there is a physical means legally available to the District of selectively terminating service to those residential occupants who have not met the requirements of District's rules and tariffs, the District will make service available to those residential occupants who have met those requirements.

3. The lease or rental agreement must cover the time period of which the account is delinquent.

4. In the case of a detached single-family dwelling, the District may do any of the following:

a. Give notice of termination at least seven days prior to the proposed termination.

b. In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to 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.