

Carpinteria Valley Water District Rules and Regulations

Non-payment of Water Bills, Alternative Payment and Disputation of Bills

Rule 13 d. Nonpayment of Bills:

- (1) The District may discontinue water service to any customer who fails or refuses to pay any bill presented for service at any address with an outstanding balance within the District's service area. The District may discontinue service for Type 1 Commercial Service A, B and C, Private Fire Service, Temporary Meter and Irrigation customers and Type 2 Agricultural water customers within fifteen (15) days after the billing date. The sending of any further notice to a customer prior to such discontinuation by the District shall not constitute a waiver of the District's right to discontinue said service for nonpayment within said fifteen (15) day period (see [Rule 13\(j\)](#)).

The District may discontinue or refuse to provide service Type 1 Commercial Service A, B and C, Private Fire Service, Temporary Meter and Irrigation customers and Type 2 Agricultural water customers at any new location who fails or refuses to pay any bill for service rendered at any former location within thirty (30) days after said bill for service at a former location has been presented at the address given by said customer on the application for service at said new location.

Customers who are delinquent on their payments may be contacted by the District via telephone, letter or electronic means.

- (2) **Delinquent Residential Account:** Delinquent residential accounts are hereafter identified as any Type 1 Residential Service A and B accounts that remains unpaid (and without having made payment arrangements or established an alternative payment schedule) by close of business on the 60th day after the billing date. An account for which no payment has been received after 60 days shall have their water service terminated. The following rules apply to delinquent accounts in accordance to California Health and Safety Code Division 104, Part 12, Chapter 6 [116900-116926]:

- (i) **Late Fee:** If payment for a bill is not received by close of business on the 35th day after the billing date, a late fee will be assessed. The due date is displayed prominently on the bill. The District will make a reasonable, good faith effort to notify the customer by phone of an impending late fee 2 days before the due date identified on the bill. The District assumes no responsibility for phone or email contact information that has not been kept up-to-date by the customer.

- (ii) **Waiver of Late Fee:** At the request of the customer and discretion of the Assistant General Manager, the District may waive the late fee if there are extenuating circumstances and the customer has not been assessed a late fee for delinquent payment in the preceding 24 months.

- (iii) **Alternative Payment Arrangements:** Any customer who is unable to pay for water service within the normal payment period may request an alternative payment arrangement to avoid late fees or disruption of service. The District will consider all circumstances surrounding the request and make a determination as to whether the payment arrangement is warranted. Alternative payment arrangements include:
 - (a) Weekly or bi-weekly payments of any outstanding balance;
 - (b) 12-month amortization of any outstanding balance.

A customer wishing to make alternative payment arrangements must contact the District and request, in writing, either a weekly or bi-weekly repayment schedule or a 12-month amortization plan. This letter must include the following:

- Customer's name, address and account number
- Requested payment alternative
- Signature and date

The District will review this application for payment and re-issue a copy of the original to the customer with repayment amounts and payment commencement date.

- (iv) **Medical Necessity and Financial Hardship:** Water service to an account will not be terminated if the customer of record meets all three of the following conditions:

- (a) The customer of record is willing to enter into an alternative payment arrangement outline in (iii) above;
 - (b) A Primary Care Provider (General Practitioner, Obstetrician/Gynecologist, Pediatrician, Family Practice Physician, Primary Care Clinic, Hospital, or Outpatient Clinic) certifies that the termination of service will be life threatening or pose a serious threat to the health and safety of any resident of the premises where water service is provided; and
 - (c) The customer of record can demonstrate that the household income is less than 200% of the Federal Poverty Level either through financial documents or through participation in CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children by any member of the household.
- (v) **Termination of Service:** In the event that an account has not made alternative repayment arrangements or meets the conditions of section (iv) above, the District will terminate service 60 days after the billing date. The service termination timeline will be:
- (a.) On or around the 32nd day after the billing date: telephone notification of imposition of the late fee;
 - (b.) On or around the 45th day after the billing date: letter of late fee and intent to terminate service issued to customer of record. This letter shall state:
 - i. Customer's name, address and account number
 - ii. Past due amount
 - iii. Date by which payment or payment arrangements are required to avoid service termination
 - iv. Description of alternative payment options
 - v. Description of the process to dispute or appeal a bill
 - vi. District telephone number and website to District policies.
 - (c.) On or around the 52rd day after the billing date: door tag indicating the date of service termination hung on the premises;

(d.) On or around the 61st day after the billing date: termination and lock-out of water service and reconnection fee assessed (see [Appendix C](#) for reconnection charge).

(vi) **Notice to Residential Tenants / Occupants:** The District will make a reasonable, good faith effort to inform the occupants or property managers, by means of written notice to the service address, when the water service account is in arrears and subject to termination at least 7 days before water service is shut off. The written notice will advise the tenant/occupant that they have the right to become customers of the District without being required to pay the amount due on the delinquent account, as long as they are willing to assume financial responsibility for subsequent charges for water service at that address. The District will assess the fitness of a new customer of record and may refuse service at its discretion. A tenant assuming the responsibility of an account will not be charged the past due amount but will be responsible for paying a deposit for service.

(vii) **Reconnection Charge:** In any case where the District has discontinued the service of water to a customer for nonpayment of bills said customer shall not receive such service until and unless, the customer satisfies all requirements of these Rules and Regulations, pays to the District a fee to cover the administrative costs for such reconnection and pays all past due charges and penalties. The reconnection charge for customers demonstrating that the household income is less than 200% of the Federal Poverty Level shall not exceed \$50.00 during business hours or \$150.00 during evenings and weekends. (see Appendix C for the District's reconnection fees.)

(viii) **Failure to Comply With Alternative Payment Arrangements:** In the event that a customer fails to meet an agreed-upon payment schedule (section iii), an account will be deemed delinquent beginning the date of the first missed payment and subject to termination of service 5 business days after notification.

(ix) **Contact Information:** A customer wishing to appeal a water bill or make alternative payment arrangements can contact the Billing Department at (805) 684-2816 ext. 105.

- (x) **Disputed Bills and Monetary Penalties:** A customer may request a review of their water bill or other penalty in accordance to Rule 15 of the District's Rules and Regulations. The District will not begin service termination procedures while a bill is being appealed or disputed.

- (xi) **Notification of Terminated Service:** The District will provide a summary of terminated service connections on its website www.cvwd.net/terminated_service and provide a written and verbal report to the Board of Directors during the first meeting of the Board at the beginning of the fiscal year.

- (xii) **Other Unpaid Bills Within the District:** The District may discontinue or refuse to provide service to a customer at any new location who fails or refuses to pay any bill for service rendered at any former location within ninety (90) days after said bill for service at a former location has been presented at the address given by said customer on the application for service at said new location. Such accounts shall be subject to all other conditions outlined in Rule 13 d. (2) above.

15. DISPUTED BILLS AND MONETARY PENALTIES

- a) In the event that a customer disputes or denies the accuracy of any bill, or requests reduction in payment due to a leak or some other similar problem on the customer side of the meter, the following procedure shall be followed:
 - (1) The customer shall deposit with the District an amount as determined by the District based on the normal average amount of water metered for the period in question (and associated meter charges) within the time required by [Rule Number 13\(d\)](#) hereof and shall accompany said deposit with a written statement that said customer believes the bill to be in error or in excess of normal usage due to a leak or some other similar misfortune and briefly stating the reasons for believing said bill is in error or that due to circumstance beyond the customer's control some reduction should be provided.

(2) The District will, upon receipt of said deposit and statement, give written notice to said customer that his or her bill will be considered by the Board of Directors of the District at the next meeting of the Board of Directors which next meeting shall not be sooner than 7 days after the giving of said statement by the District to said customer.

(3) At said meeting of said Board, the customer may appear in person or by his representative, and present whatever evidence he or she may have concerning the alleged error in his or her bill or basis for requested relief and the Board shall give its decision not later than ten (10) days after the conclusion of said meeting.

Failure of a customer to give notice to the District of an error in or request for reduction of their bill within ten (10) days of receiving said bill, shall constitute a waiver of any error or request for reduction by said customer and the bill shall be deemed correct and final as presented.

(4) A request for reduction in a bill due to a leak or some other similar problem occurring on the customer side of the meter, subject to fulfillment of all of the requirements of this rule, may, after Board of Directors review, and within the Board of Director's sole discretion, be favorably granted by the Board of Directors as follows:

i) A credit of 25% of the charge for the amount of water metered in excess of the 4-year average amount of water metered for the month in question as determined by the District may be applied to the customer's account after a Water Audit is completed by the District.

ii) A three-month period of time may be allowed for payment of the total amount of the bill, less the 25% adjustment.

(5) The Manager, at the Manager's discretion, may provide a credit of 25% to the customer's account, if calculated to be less than \$150, without forwarding the request for reduction to the Board of Directors, and after a Water Savings Survey is completed by the District.

- b) In the event that a customer of record wishes to dispute monetary penalties the following procedure shall be followed:
- (1) The customer of record shall pay all monetary penalties and water-service charges and keep their account in good financial standing;
 - (2) The customer of record shall provide written documentation to the District detailing their dispute and providing a reason for the monetary penalty to be waived;
 - (3) The General Manager or Assistant General Manager District will review the circumstances associated with the monetary penalty and make a determination of whether the waiver is granted or not and notify the customer of record;
 - (4) In the event that a waiver is not granted by the General Manager or Assistant General Manager, the customer of record may in writing appeal further to the Board of Directors.