

Bella Vista Water District
Delinquent Accounts Shut-off Policy
Pursuant to SB 998 (Dodd)

Initially adopted: January 27, 2020

Revisions: December 21, 2020

Purpose/Background: This policy enumerates the Bella Vista Water District (hereinafter referred to as “the District”) administrative actions for the collection of delinquent accounts, including notifications, fee assignments and discontinuation of service. This policy will be made available to the public on the District’s website. The District can be contacted by phone at (530) 241-1085 to discuss options for averting disconnection of water service for non-payment under the terms of this policy.

Text of policy: As an urban or community water system that supplies water to more than 200 service connections, the District is subject to Senate Bill No. 998 (Dodd) 2018.

Delinquent Account: The District has established the water billing period that within 21 days of the initial statement due date to be considered delinquent thereafter. The following rules shall apply to the collection of delinquent accounts:

1. Small Balance Accounts: Any balance on a bill of \$20.00 or less may be carried over, and added to the next billing period without being assessed a late fee or incurring further collection action.

2. First Disconnect Notice: If payment for a bill is not received by close of business on the 21st day after the initial invoice due date, a late fee will be assessed. The due date and late fee of 1.5% per month on the delinquent balance will be displayed prominently on the bill. If the mailing address and the address of the property to which water service is provided are different, a separate notice will be mailed to the service address and addressed as “Occupant”. The District assumes no responsibility for contact information that has not been kept up-to-date by the customer. If the notice is returned through the mail as undeliverable, the District will make a reasonable, good faith effort to visit the residence and leave a notice of discontinuance for non-payment.

a) Notice to Residential Tenants/Occupants in an Individually Metered Residence

The District will make a reasonable, good faith effort to inform the occupants, by means of written notice, when the water service account is in arrears and subject to disconnection at least ten (10) before then 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. In order for the amount due on the delinquent account to be waived, the tenant/occupant must provide verification of tenancy in the form of a rental agreement or proof of rent payments.

b) Notice to Tenants/Occupants in a Multi-Unit Complex Served through a Master Meter
The District will make a reasonable, good faith effort to inform the tenants/occupants, by means of written notice hung on the door of each residence, when the water service account is in arrears and subject to termination at least ten (10) 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 the address(es) served by the master meter. If one or more of the occupants are willing and able to assume responsibility for the subsequent charges for water service to the satisfaction of the District, pay the appropriate deposit, have the physical means, legally available to the District, of selectively terminating service to those occupants who have not met the requirements for service, the District will make service available to the occupants who have met those requirements.

3. Second Disconnection Notice: The District shall give the customer a Second Disconnection Notice before termination of service for non-payment and will be assessed a Disconnection Fee of \$60.00 at the time of generation of the Second Disconnect Notice. The disconnection notice will be mailed to the mailing address designated on the account. If the mailing address and the address of the property to which water service is provided are different, an additional notice will be mailed to the service address and addressed to "Occupant".

4. Forty-eight (48) Hour Courtesy Call: The District will make a reasonable, good faith effort to notify the customer 48 hours in advance of disconnection of water service for non-payment through means of a phone call. Customer accounts may be designated to receive notification by e-mail message if requested by Customer. The forty-eight (48) hour contact is meant entirely as a courtesy and failure by the customer to receive the notice shall not constitute an acceptable reason for non-payment or delay of disconnection.

5. Disconnection Deadline: All delinquent water service charges and associated fees must be received by the District by 3:00 p.m. on the day specified in the Second Disconnect Notice.

6. Disconnection of Water Service for Non-payment: The District will disconnect water service by turning off, and in some cases locking off, the meter. Before service is disconnected, the customer will be notified by a billing a first disconnect notice, a second disconnection notice, a forty-eight (48) hour courtesy call and the final disconnect door hanger.

7. Final Disconnect Door Hanger: At the time of serving this notice the account will be locked and no additional notice or payment arrangements will be given.

8. Re-establishment of Service: In order to resume or continue service that has been disconnected for non-payment, the customer must pay a \$40.00 re-connection fee. In addition, a security deposit may be required. The District will endeavour to reconnect service as soon as practicable but, at a minimum, will restore service before the end of the next regular working day following payment of any past due amount and delinquent fees attributable to the termination of service. Water service that is turned on by any person other than District personnel will be subject to fines or additional charges or fees. Any damages that occur as a result of unauthorized restoration of service are the responsibility of the customer.

9. Re-establishment of Service After Business Hours: Service restored after 3:00 pm Monday through Friday, weekends, or holidays will be charged an after-hours re-connection fee of \$150.00. District staff responding to service calls are not permitted to collect payments.

10. Notification of Disposition of Returned Check: Upon receipt of a returned check taken as payment of water service or other charges, the District will consider the account not paid. The District will make a reasonable, good faith effort to provide a 48-hour courtesy call of termination of service due to a returned check. The means of notification will be by phone.

11. Returned check or credit card non acceptance rejection: Water service will be disconnected if the amount of the returned check or rejected credit card are not paid on or before the date specified in the door hanger notice of termination. All amounts paid to redeem a returned check and to pay the returned check charge must be in cash, credit card or certified funds.

12. Disputed Bills: If you believe that your bill is incorrect, within five (5) days of receiving a disputed bill, please contact a Customer Service Representative during regular business hours, either in person at 11368 E. Stillwater Way, or by telephone at (530) 241-1085 for an explanation.

If, after such explanation, you still believe this bill is wrong, within ten (10) days of such explanation, you may request a hearing with the Office Manager of the District. Any customer, whose request for a hearing by the Office Manager has resulted in an adverse determination, may appeal to the General Manager within thirty (30) days. The General Managers determination is final.

13. Waiver of Late Fee: At the request of the customer, the District may waive the late fee if there are extenuating circumstances on delinquent bills, not more than once every twelve (12) months.

14. 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 shall not discontinue water service for non-payment if a customer has requested and entered into an alternative payment arrangement. Payment arrangements that extend into the next billing period are considered an amortization plan, which must be in writing and signed by the customer. A down payment of twenty (20) percent of the customer's outstanding balance will be due at the time of signing. An amortization plan will amortize the remaining unpaid balance over a period not to exceed twelve (12) months from the original date of the bill. The amortized payments will be combined with, and subject to the due date of, the customer's regular bill. The customer must comply with the terms of the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan.

Example of Billing Structure:

- January 1st – Initial invoice sent and due January 21nd, (21 days)
- January 22nd – First disconnect notice sent, (account delinquent) due by February 6th (15 days)
- February 6th – Second Disconnect notice sent payment due by March 19th (45 days) 60.00 Fee. (Notice will contain the final due date of March 23rd)
- March 22nd – Courtesy Call 48-hour notice (2 days)

March 23rd – Door hanger and shut off. Reconnection fee - \$40.00 fee applied.
(This is the 61st day after initial billing). No negotiations at the door – disconnect period.

Effective January 1, 2021. Amendment pursuant to Governor Newsom’s Executive Order N-42-20 effective March 4, 2020. After above notifications have been exhausted and additional efforts to work with each Customer and as determined by the General Manager, or his designee the need for a flow restriction device may be installed.

15. Provision of Sufficient Supplies for Health and Safety:

The Executive Order intends to allow customers with financial hardships to maintain water service for essential health and safety purposes. The flow restriction devices will allow customers to maintain sufficient supplies to support their health and safety needs, including washing their hands, filling a glass of water, cooking meals, cleaning dishes by hand, flushing the toilet and taking a light shower. However, the customer will not be able to fill a bathtub easily, run the dishwasher or use their irrigation system while the flow restriction device is in place. Upon notification, customers will be warned that the flow restriction device will render their irrigation system, fire sprinklers and household appliances that require large volumes of water inoperable.

16. Removal of Flow Restriction Device and Associated Fees:

Once the account has been paid in full or a flexible payment plan is established, the flow restriction device will be removed. A \$100.00 door tag fee to cover the cost of delivering the notice at least two (2) business days before the flow restriction device is placed on the meter. A \$100.00 (\$150.00 for after-hours) fee to cover the cost of installing and removing the devices. These fees would be applied to the customer's account on the day the flow restrictor is placed on the meter.

17. Customer Notification:

Customers will be notified prior to the installation of a flow restriction device under the First Disconnect notification that a flow restriction device will be utilized if their account is not paid in full by the due date or payment arrangements are not made as set forth under SB 998. For Customers that have currently exceeded the SB 998 payment guidelines, the District will send out to each customer an additional 60-calendar day notice to pay the delinquent balance before the flow restriction device is installed. If payment is not received within the 60-calendar day timeframe and at least five business days prior to the scheduled installation of a flow restriction device, a phone call will be made to inform the customer of the scheduled installation. After the phone call and if payment is still not received, a door tag will be left at the property at least two business days prior to the scheduled installation of a flow restriction device, which will provide a final warning to the customer. Finally, the flow restriction device will be placed on the meter no sooner than 60-calendar days after the bill due date, which aligns with the same requirements for the discontinuation of water services for non-payment.