

6.10 Policy on Discontinuation of Residential Domestic Water Service or Installation of Flow Restrictor for Nonpayment

This Policy on Discontinuation and Flow Restriction of Residential Water Service for Nonpayment ("Policy"), required by state law with the passage of Senate Bill 998 (2018), applies to all District residential domestic water accounts (Classes I and II in Section 4.2.1); it does

not apply to accounts for nonresidential water service or for irrigation meters at residential parcels. See Section 6.7 for Discontinuation of Non-Residential Service or Installation of Flow Restrictor for Nonpayment.

6.10.1 Contact

District Customer Service can be reached at (805) 388-0226. Customers can also visit the District office Monday-Friday 9:00 A.M. to 4:00 P.M., except on District holidays.

6.10.2 Delinquency

As with bills for all water service, residential domestic water bills are due upon receipt and become delinquent when payment is not received in full for the billed amount by close of business of the delinquent date specified on the bill.

Delinquent balances for residential domestic water service are assessed late fees and accrue interest in accordance with Section 6.6.

Interest charges on delinquent bills will only be waived for customers who demonstrate a household income below 200 percent of the federal poverty level, as defined in Section 6.10.6, and will only be waived once every 12 months.

6.10.3 Discontinuation of Water Service for Nonpayment

If a bill is delinquent for at least sixty (60) days, the District may discontinue water service to the service address.

6.10.3.1 Written Notice to Customer

The District will provide a mailed notice, containing the following information, to the customer of record at least seven (7) business days before discontinuation:

- a. The name and address of the customer
- b. The amount of the delinquency
- c. The date by which payment or payment arrangements must be made to avoid discontinuation of service
- d. A description of the procedure to petition for bill review and appeal
- e. A description of the procedure by which the customer may request an alternative payment arrangement as described in Section 6.10.3.6.

6.10.3.2 Written Notice to Occupants or Tenants

If the District furnishes water through a master meter, provides individually metered service to a single-family dwelling, multi-unit residential structure, mobile home park, or farm labor camp, and the property owner or manager is the customer of record, or if the customer of record's mailing address is not the same as the service address, the District shall send a notice to the occupants living at the service address at least ten (10) days before discontinuation of water service.

The notice shall be addressed to "Occupant," contain the information in Section 6.10.3.1, and 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 are provided in Section 6.10.7.

6.10.3.3 Notice by Telephone

The District shall make a reasonable, good faith effort to contact the customer of record or an adult person living at the service address in person or by telephone at least seven (7) business days before discontinuation of service. The District shall offer to provide a copy of this Policy and to discuss options to avert discontinuation of water service for nonpayment, including the possibility of an alternative payment arrangement.

6.10.3.4 Posting of Notice at Service Address (door hanger)

If the District is unable to contact the customer or an adult person living at the service address by telephone and the mailed notice is returned as undeliverable, the District shall make a good faith effort to leave a notice of imminent discontinuation of residential service and a copy of this Policy or instructions on how to obtain one in a conspicuous place at the service address. The notice and copy of this Policy or instructions on how to obtain one shall be left at the residence at least forty-eight (48) hours before discontinuation of service. The notice shall include the information in Section 6.10.3.1.

6.10.3.5 Circumstances Under Which Service Will Not be Discontinued

Per state law, exemptions from discontinuation of residential domestic water service due to nonpayment will be granted under the following circumstances:

1. During local, state, or national emergency, as defined and declared by the appropriate level of government, that provides for a moratorium on water shutoffs.
2. During an investigation by the District of a customer dispute or complaint.
3. During an appeal.
4. During the period of time in which a customer's payment is subject to a District-approved alternative payment arrangement and the customer remains in compliance with the approved payment arrangement.
5. Provided a customer meets all of the following special medical and financial conditions:
 - a. The customer, or a tenant of the customer, submits to Camrosa 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 State 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.
 - b. The customer demonstrates that he or she is financially unable to pay for residential service within Camrosa's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within Camrosa's 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 under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level.
 - c. The customer is willing to enter into an alternative payment arrangement.

If the special medical and financial conditions described above are met, the District shall offer the customer an alternate payment arrangement.

6.10.3.6 Alternative Payment Arrangements

The General Manager or authorized designee may agree to terms with any customer that is unable to pay to continue water service, restart service, and/or avoid a disconnection fee. If the Customer fails to meet the agreed-upon terms of the alternate

payment plan, water service will be disconnected. The General Manager or authorized designee may waive delinquent fees, late charges, and other fees and charges, if such waiver is deemed to be in the best interest of the District. During alternative payment arrangements, water service may be limited, by the installation of a flow restriction device, to supplies adequate for human consumption, cooking, and sanitary purposes.

6.10.3.7 Requests

If a customer is unable to pay a bill during the normal payment period, the customer may request an alternative payment arrangement. Requests must be submitted at least 48 hours prior to the disconnection date. The District will review requests within seven (7) business days; water service will not be discontinued during this time.

6.10.3.8 Alternative Payment Schedule

If approved by the District, a customer may pay the unpaid balance pursuant to an alternative payment schedule as determined by the District's General Manager or authorized designee that will not exceed twelve (12) months. During the period of the alternative payment schedule, the customer must remain current on all water service charges accruing during any subsequent billing periods. The alternative payment schedule and amounts due shall be set forth in writing and provided to the customer for their required signature indicating agreement and adherence to the schedule.

6.10.3.9 Failure to Comply

The customer must comply with the agreed upon payment schedule and remain current as charges accrue in each subsequent billing period. The customer may not request another payment schedule for any subsequent unpaid charges while paying delinquent charges pursuant to a previously agreed upon schedule. If the customer fails to comply with the terms of the agreed upon schedule for sixty (60) days or more or fails to pay their current service charges for sixty (60) days or more, the District may discontinue water service to the customer's property.

6.10.3.10 Final Notice

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.

6.10.3.11 Reductions/Waivers/Deferrals

All customers are eligible for one late fee waiver per calendar year.

6.10.3.12 Limits

Customers may only enter into one alternative payment arrangement at a time.

6.10.3.13 State of Emergency Exception

During a local, state, or national emergency, as defined and declared by the appropriate level of government, that provides for a moratorium on water shutoffs, failure to comply may result in water service being limited, by use of a flow restrictor or other measure, to supplies adequate for human consumption, cooking, and sanitary purposes.

6.10.3.14 Restoration of Service

Customers whose water service has been discontinued may contact the District by telephone or in person regarding restoration of service. Restoration shall be subject to:

1. payment of any past-due amounts, including applicable interest or penalties;
2. payment of any reconnection fees, subject to the limitations in Section 6.10.6, if applicable;

3. completion of an application for service, if one is not already on file; and
4. and payment of a security deposit, if required by the District. Payment must be made in cash, money order, debit card, or credit card. Check payments will not be accepted.

6.10.4 Installation of Flow Restrictors

At the discretion of the General Manager, flow restrictors may be used in circumstances that warrant continuation of water service at a limited flow rate. Flow restrictors limit the flow of water through a meter, maintaining customer access to water sufficient for health and sanitary uses while limiting the nonrevenue water loss due to customers who are not paying their bill. This section applies to all customer types and services.

6.10.4.1 Notice

Customers will be noticed by door hanger at the service address 48 hours prior to the installation of the flow restrictor.

6.10.4.2 Removal

The flow restrictor will be removed, and full service restored once the account has been brought current, an alternative payment arrangement has been agreed upon, or as determined by the General Manager or authorized designee.

6.10.5 Procedures to Contest or Appeal a Bill

6.10.5.1 Initiation

A customer may initiate a complaint or request an investigation regarding the amount of a bill within ten (10) days of receiving a disputed bill. For purposes of this Policy, a bill shall be deemed received by a customer five (5) days after mailing.

6.10.5.2 Review by District

A timely complaint or request for investigation shall be reviewed by a District manager, who shall provide a written determination to the customer. The review will include consideration of whether the customer may receive an alternative payment arrangement. The District may at its discretion review untimely complaints or requests for investigation.

6.10.5.3 Appeal

Any customer whose timely complaint or request for an investigation resulted in an adverse determination by the District may appeal the determination. A written notice of appeal must be received by the District within ten (10) business days of the District's mailing of its determination. Following receipt of a request for an appeal or review, a hearing date shall be promptly set before the General Manager or authorized designee. After evaluation of the evidence provided by the customer and the information on file with the District concerning the water charges in question, the General Manager or authorized designee shall render a decision as to the accuracy of the water charges set forth on the bill and shall provide the appealing customer with a brief written summary of the decision.

6.10.6 Reconnection Fee Limits and Waiver of Interest for Low-Income Customers

The District will deem a residential customer to have a household income below 200 percent of the federal poverty line if: (a) 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 (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level. The District reserves the right to request documentation verifying the member of the household receives benefits at the property.

For residential customers who demonstrate to the District a household income below 200 percent of the federal poverty line, the District shall charge the standard rate for reconnection with the following limits:

1. Limit any reconnection fees during normal operating hours to fifty dollars (\$50)
2. Limit any reconnection fees during non-operational hours to one hundred fifty dollars (\$150).

The limits will only apply if the District's reconnection fees actually exceed these amounts. These limits are subject to an annual adjustment for changes in the Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers (CPI-U) beginning January 1, 2021.

For residential customers who demonstrate to the District a household income below 200 percent of the federal poverty line request an interest waiver, the District shall waive interest charges on delinquent bills once every 12 months.

6.10.7 Procedures for Occupants or Tenants to Become Customers

6.10.7.1 Applicability

This section applies only when the 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 water service due to nonpayment.

6.10.7.2 Agreement to District Terms and Conditions of Service

The District shall make service available to the occupants if each occupant agrees to the terms and conditions of service and meets the requirements of the District's rules and regulations, including completing an application for service and meeting the deposit requirement. However, if at least one of the occupants is willing to assume responsibility for all subsequent charges, or if there is a physical means of discontinuing service to those occupants who do not meet the District's rules and requirements, then the District shall make service available to the occupants who do meet them.

6.10.7.3 Verification of Tenancy

To be eligible to become a customer without paying the amount due on the delinquent account, the occupant shall 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.

6.10.8 Other Remedies

In addition to discontinuation of water service, the District may pursue any other remedies available in law or equity for nonpayment of water 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. In the event a legal action is decided in favor of the District, the District shall be entitled to the payment of all costs and expenses, including attorneys' fees and accumulated interest.

6.10.9 Discontinuation of Water Service for Other Customer Violations

The District reserves the right to discontinue water service for any violations per District ordinances, rules, or regulations other than nonpayment.