

**DISCONTINUATION OF RESIDENTIAL WATER SERVICE POLICY
OF
WEST KERN WATER DISTRICT**

PURPOSE:

This policy outlines the administrative actions of West Kern Water District in 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 (661) 763-3151 to discuss options for averting discontinuation of water service for nonpayment under the terms of this policy.

BACKGROUND:

West Kern Water District, as a Special District, is governed by California Government Code Sections 60370 -60375.5. Furthermore, as an urban or community water system that supplies water to more than 200 service connections, the District is further governed, effective by law February 1, 2020, by Senate Bill 998.

POLICY:

Residential accounts are billed every other month (bi-monthly). Bills are due and payable upon presentation, but no later than 21 days of receipt. Due dates are shown on the bill and the date in which a late fee will be accessed is also included.

Payment on residential accounts may be mailed or delivered to the District's office, paid on line or by telephone through Civic Pay with no additional charge to the customer.

The District will not discontinue service for non-payment until payment by the customer has been delinquent for at least 60 days. The District will make a reasonable, good faith effort to contact the customer by telephone or written notice at least 7 business days before discontinuation of water service for non-payment.

When a service is disconnected, a closing bill is sent. It is due and payable upon presentation. After 45 days, the unpaid portion of the closed account will be sent to collection or if applicable, the balance of the closing bill will be transferred to an open account.

DELINQUENT ACCOUNT:

Delinquent accounts are hereafter identified as any account that remains unpaid (and without having made payment arrangements or established an alternative payment schedule) by close of business 21 days after issuance of the water bill.

The following rules apply to the collection of delinquent accounts:

1. **Minimum Billed Accounts:**

Any account that has been billed the minimum bi-monthly billing amount of \$17.30 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. Late Fees:

If payment for a bill is not received by the close of business on the 21st day after bill is issued, a late fee of \$10 will be assessed. The due date and late fee will be displayed prominently on the original water bill.

3. Waiver of Late Fee:

At the request of the customer, 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 preceding 6 months.

4. 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.

A request for an alternative payment arrangement can be made by contacting the District office at (661) 763-3151, or by visiting the District office at 800 Kern St. Taft, CA 93268, Monday - Friday, 8 am to 4:30 pm.

5. Amortization Plan:

Payment arrangements that extend into the next billing period are considered an amortization plan, which must be in writing and signed by the customer. An amortization plan will amortize the unpaid balance over a period defined by the customer, not to exceed 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.

Failure to comply with the terms of an amortization plan will result in the issuance of a written disconnection notice. The disconnection notice will be in the form of a door hanger delivered to the premises no less than 5 business days in advance of disconnection of service.

6. Notifications:

A. Delinquent Notice: As a courtesy, the District will make a reasonable, good faith effort to notify the customer that the account is past due and further collection action will be forthcoming approximately 60 days after bill issuance. A late fee of \$10 will be assessed upon issuance of the Delinquent Notice. The means of notification will be based upon the notification preference (text, phone, or email) selected by the customer. Customers who have not selected a means of notification will be notified by phone. The District assumes no responsibility for phone or email contact information that has not been kept up-to-date by the customer.

B. Disconnection Notice: The District shall not discontinue water service for non-payment until payment by the customer has been delinquent for at least 60 days. The District will make a reasonable, good faith effort to contact the customer by telephone 10 business days before discontinuation or in writing at least 7 business days before discontinuation of water service for non-payment.

Disconnection Notice (continued):

1. **If the notice is made by telephone (*Ten Day Notice*)**, the District will offer to provide the District's Discontinuation of Residential Water Service Policy in writing to the customer named on the account upon request. It will also provide the District's website information where the policy is accessible in multiple languages. The message will also provide the District's phone number so the customer can contact a representative to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and requesting a service order to dispute or appeal a bill.
2. **If the notice is made in writing (*Seven Day Notice*)**, the disconnection notice will be mailed to the customer's mailing address designated on the account. If the mailing address and the address of the property to which water service is provided are different, the notice will also be mailed to the service address and addressed to "Occupant". The written discontinuation notice will include:
 - a. The customer's name and address.
 - b. The amount that is past due.
 - c. Date by which payment or payment arrangements are required to avoid discontinuation of service.
 - d. Description of process to request an extension of time to pay the delinquent charges.
 - e. A description of the alternative payment arrangements, including an amortization plan of the delinquent charges available to the customer and process to request or obtain those payment arrangements.
 - f. Description of the process to dispute or appeal a bill by service order.
 - g. District phone number and web link to the District's written Discontinuation of Residential Water Service Policy.

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 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 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:

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 occupants, by means of written notice hung on the door of each residence, when the water service account is in arrears and subject to disconnection 10 days before water service is shut off. The written notice will advise the tenants/occupants 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, collectively or individually, are willing to assume financial responsibility for subsequent charges for water service at the addresses served by the master meter. 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.

If the written disconnection 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 imminent discontinuance for non-payment. The notice will include the District's contact and website information where the District's Discontinuation of Residential Water Service Policy is available to access and/or the customer can request a written copy of the policy.

C. Forty-Eight (48) Hour Notice of Termination: Though not required under Senate Bill 998, the District will make a final reasonable, good faith effort to notify the customer 48 hours in advance of disconnection of water service for non-payment. The means of notification will be based upon the notification preference (text, phone, or email) selected by the customer. Customers who have not selected a means of notification will be notified by phone. If the District is unable to make contact by text, phone, or email, a good faith effort will be made to visit the residence and leave a notice of termination of service.

7. Disconnection Deadline:

All delinquent water service charges and associated fees must be received by the District by 4:30 pm on the day specified in the written disconnection notice.

8. Re-establishment of Service:

In order to resume or continue service that has been disconnected for non-payment, the customer must pay a re-connect fee of \$50. If the customer does not have a Deposit on file, a \$50 deposit will be required, in addition to all delinquent charges attributable to the termination of service, prior to restoration of service. The District will make every effort to make the restoration of service on the same day in which payment is received. If payment is received after 3:30 pm, restoration of service may not occur until the next business day. Water Service that is turned on by any person other than District personnel or without District authorization may 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 4:30 pm Monday through Friday, weekends, or holidays will be charged an after-hours callout fee of \$150. Service will not be restored after regular business hours unless the customer has been informed of the after-hours callout fee and has signed an agreement acknowledging the fee and agreeing to contact the District office no later than noon the following business day to pay the subject fees. The after-hours re-establishment fee of \$150 in addition to the regular reconnect fee of \$50 and delinquent account fees associated with the termination will be due the following business day as agreed. If payment is not received prior to 12 pm (noon) the meter will be shut off and locked. District staff responding to service calls are not permitted to collect payment but will instruct the customer to contact the billing department the following business day prior to 12 pm (noon).

10. Circumstances Where the District Will Not Discontinue Service:

The District will not discontinue residential water service for non-payment ONLY if all of the following conditions are met:

- a. Certification by Primary Care Provider: Certification by a Primary Care Provider (General Practitioner, Obstetrician/Gynecologist, Pediatrician, Family Practice Physician, Primary Care Clinic, Hospital or Outpatient Clinic) who certifies that the termination of service will be life-threatening or pose a serious threat to the health or safety of any resident of the premises where water service is provided will obligate the District to enter an amortized repayment plan. The Certification by Primary Care Provider will be required to be updated every 12 months at the end of an original amortization plan or alternative payment schedule agreed upon pursuant to this section 10.
- b. Statement of Inability to Pay: The customer will be required to sign an affirmation statement declaring that the household's annual income is considered to be below the poverty level and/or a member of the household receives general assistance.
- c. Willingness to Enter into an Amortization Agreement, Alternative Payment Schedule: The customer is willing to enter into an amortization agreement or alternative payment schedule for the unpaid balance.

If the customer meets all of these conditions, the following will apply:

- The customer will be offered an alternative payment schedule or an amortization agreement as previously outlined in this policy.
- The account will be flagged and additional notification to a designated third party, if one has been designated by the customer, will be required prior to any kind of discontinuation for failure to pay an alternative payment schedule or an amortization agreement as agreed.

11. Disputed Bills:

A customer can dispute or appeal a bill with the District by contacting the District office and requesting a service order to check the validity of the billing. All requests to dispute the bill must be made prior to disconnection of service. The District will not disconnect water service for non-payment if the dispute has not been resolved.