



To provide its current and future customers with a safe and reliable water supply.

ADMINISTRATIVE SERVICES Discontinuation of Water Service

Discontinuation of Water Service

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| Control ID: | 6059 |
| Policy Owner(s): | Director of Administrative Services |
| Policy Expert(s): | Customer Service Manager |
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| Approved By: | Management |

Policy

Effective January 1, 2020, Sweetwater Authority (Authority) may disconnect water service for customers who fail to make payment in accordance with the terms of the Discontinuation of Water Service policy (Policy).

Purpose

This Policy has been established to adhere to the laws regarding discontinuation of water service for customers due to non-payment of their water bill as set forth by Government Code § 60370 et seq. and Health & Safety Code § 116900 et seq. (California Senate Bill 998).

Scope

This policy governs all water service bills calculated and delivered by the Authority that are in a delinquent status and scheduled for discontinuation.



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Procedure

1. Delinquent Accounts

- 1.1. Water service charges are payable to the Authority once every two months or at such other frequency as determined by the Authority. All bills for water service are due and payable fourteen (14) calendar days after the mail date by the Authority. Any bills not paid within such period are considered delinquent. Once the bill is received, payment arrangements may be requested up until the time of disconnection on the 73rd day after the bill was mailed (see Section 2 for these alternatives).
- 1.2. After an account becomes delinquent, the following will occur:
 - A. On the 21st day after the water bill was mailed a reminder notice is mailed to the customer of record. In addition, the Authority will also send a notice to the actual occupants living at the service address under the following circumstances: Water is furnished by a master meter; water is furnished by an individual meter to a single family dwelling, multi-unit residential structure mobile home or park, or farm labor camp and the owner, manager, or employer is the customer of record; or the customer of record's address is not the same as the service address. If service is provided by a master meter and the Authority is unable to provide notice to the occupants by mail, the Authority will make an alternative good faith effort to provide the notice to the occupants. The notice will inform the occupants that they have the right to become customers of the Authority without being required to pay the amount due on the delinquent account. Terms and conditions for occupants to become customers of the Authority are provided in Section 5 below.



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- B. Between the 45th and 50th day after the water bill was mailed, a second reminder notice is mailed to the customer of record and to the occupant if the bill remains unpaid.
 - C. Between the 61st and 66th day after the bill was mailed, an automated phone call and text message sent to the phone numbers on file informing the customer that their account is in a delinquent status, the water will be disconnected if it remains unpaid, a late fee may be assessed and that the customer may request a copy of this policy.
 - D. On the 71st day after the water bill was mailed, a late fee will be assessed to the account and a delinquent notice and a copy of this Policy will be left at a conspicuous place at the service address informing the occupant that service will be disconnected in forty-eight (48) hours due to non-payment of the water bill and a handling fee will be assessed to the account.
 - E. On the 74th day after the water bill was mailed, the Authority may disconnect water service for non-payment.
 - F. If the account remains unpaid for a full week, the account will be closed as of the date it was originally turned off for non-payment. Any new customer wanting to start water service may need to provide documentation satisfactory to the Authority showing that they were not responsible for any of the water used during the time period the account was in a delinquent status.
2. Circumstances Under Which Residential Water Service Will Not Be Disconnected
- 2.1 Minimum Payments – The Authority will carry a maximum balance of seventy-five (\$75.00) to the next water bill with no penalties or late fees.



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- 2.2 The Authority will not discontinue service while a customer's payment is subject to an Authority-approved extension, amortization, or alternative payment schedule, and the customer remains in compliance with the approved payment arrangement. Prior to the 73rd day after the bill was mailed, the Authority may approve an extension, amortization or alternative payment arrangement for an outstanding balance with the understanding that all subsequent water bills must be kept current.
- A. If a customer defaults on an Authority-approved extension, amortization or alternative payment arrangement, or fails to pay subsequent water bills while the payment arrangement is in place, the Authority may discontinue water service after posting 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 disconnection of service.
 - B. If a customer defaults on an Authority-approved extension, amortization or alternative payment arrangement twice within a year, said customer will be ineligible to receive an extension, amortization or an alternative payment arrangement for one (1) year beginning on the date of the second default.
- 2.3 The Authority will not discontinue water service if all of the following conditions are met:
- A. The customer, or a tenant of the customer, submits certification from a primary care provider that discontinuation of water service would be life threatening or pose a serious threat to the health and safety of a resident of the premises and
 - B. The customer is financially unable to pay within a normal billing cycle. This can be shown by either:



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1) Demonstrating that someone in the household is a recipient of one of the following programs:

- CalWorks
- CalFresh general assistance
- Medi-Cal
- Supplemental Security Income/State Supplementary Payment Program
- California Special Supplemental Nutrition Program for Women, Infants and Children

2) Or declaring under penalty of perjury that household income is less than 200% of the federal poverty level; and

- C. The customer is willing to enter into an alternative payment arrangement, including an extension, amortization, or alternative payment schedule with respect to the delinquent charges.
- D. For customers who meet all of the above conditions, the Authority will offer one of the following options, to be selected by the Authority in its discretion: (1) an extension; (2) amortization of the outstanding balance; or (3) an alternative payment schedule.
- E. The customer is responsible for demonstrating that the above conditions have been met. Upon receipt of documentation from the customer, the Authority will review the documentation within seven (7) days and either: (1) notify the customer of the alternative payment arrangement selected by the Authority and request the customer's signed assent to participate in that arrangement; (2) request additional information from the customer; or (3) notify the customer that he or she does not meet the above conditions.



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- F. The Authority may discontinue water service if a customer who has been granted a payment arrangement under this section and fails to do any of the following for sixty (60) days or more: (a) to pay the outstanding balance by the extension date; (b) to pay any amount under the amortization schedule; (c) to pay any amount due under the alternate payment schedule; or (d) to pay his or her current charges for water service. The Authority 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 disconnection of service. The final notice will not entitle the customer to any investigation or review by the Authority.

2.4 Disputing or Appealing a Water Bill

- A. A customer, by written request, may request a review of the water bill within seven (7) days of receiving said bill. While under review, the account will incur no late fees or penalties until the review is completed and the results reported to the customer. The Authority will provide a written determination to the customer. The Authority may, in its discretion, review untimely requests; however, such requests are not subject to appeal.
- B. Any customer whose timely request for review has resulted in an adverse determination by the Authority, may appeal the determination to the Governing Board by filing a written notice of appeal with the Authority's Board Secretary with ten (10) business days of the Authority mailing its determination. Upon receiving the notice of appeal, the Board Secretary will set the matter to be heard at a Governing Board meeting and mail the customer written notice of the time and place of the hearing at least ten (10) days before the meeting. The decision of the Governing Board shall be final. In addition, the Authority will not discontinue water service while an appeal to the Authority's Governing Board is pending.



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- 2.5 In a landlord-tenant situation the occupants can apply for water service pursuant to Section 5 of this Policy.

3. Restoration of Water Service

- 3.1 Water service may be restored, with no reconnection fee, during regular business hours after payment is made in full in one of the following ways:
 - A. Payment is made at the Authority Administration building.
 - B. Payment is made on-line and a confirmation number is provided and payment is verified by the Authority.
 - C. Payment is made over the telephone through the Authority's automated payment system and a confirmation number is provided and payment is verified by the Authority.
 - D. Cash payment is made through an Authority approved vendor and a confirmation number is provided and payment is verified by the Authority.
- 3.2 Water service may be restored after regular business hours from 5:00pm to 9:00pm Monday through Friday and from 7:00am to 9:00pm on weekends and holidays when the following occurs:
 - A. Payment is made as stated in Section 3.1 letters B through D.
 - B. The customer agrees to the after hours fee of \$150.00 which will be added to their next water bill.



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4. Interest Waiver

- 4.1 For residential customers who demonstrate a household income below 200 percent of the federal poverty line, the Authority will waive interest charges on delinquent bills once every 12 months. The Authority will apply the waiver to any interest charges that are unpaid at the time of the customer's request.
- 4.2 The Authority 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 current recipient of CalWORKs, CalFresh general assistance, Medi-Cal, Supplemental Security Income/State Supplemental Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (b) the customer declares under penalty of perjury the household's annual income is less than 200 percent of the federal poverty level.

5. Procedures for Occupants or Tenants to Become Customers of the Authority

- 5.1. This Section 5 only applies when a 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 for non-payment.
- 5.2. The Authority will make service available to the actual residential occupants if each occupant agrees to the terms and condition of service, including deposit requirements.



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However, if one or more occupants are willing to assume responsibility for subsequent charges to the account to the satisfaction of the Authority, or if there is a physical means, legally available to the Authority, of selectively discontinuing service to those occupants who have not met the requirements of the Authority's rules and regulations, the Authority shall make service available to occupants who have met those requirements.

- 5.3. 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, rental agreement, rent receipts, a government document indicating the occupant is renting the property, or information disclosed pursuant to section 1962 of the Civil Code, at the discretion of the Authority.
- 5.4. If prior service for a period of time is a condition for establishing good credit with the Authority, residence and proof of prompt rent payment for that period of time is a satisfactory equivalent.

6. Other Provisions

- 6.1 In addition to discontinuation of water service, the Authority may pursue any other remedies available for non-payment 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.
- 6.2 The Authority reserves the right to discontinue water service for any violation of Authority policies, rules or regulations other than non-payment.



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7. Contact Information

- 7.1 For customer questions or assistance regarding a water bill, the Authority's Customer Service staff can be reached at 619-420-1413. Customers may also visit the Authority's Customer Service section in person Monday through Friday from 8:00 a.m. to 5:00 p.m. except on Authority holidays.

Reference Documents

[Government Code Section 60370](#)

[Senate Bill 998, 2018](#)