

FLORIN COUNTY WATER DISTRICT POLICY FOR DISCONTINUING RESIDENTIAL WATER SERVICE FOR NONPAYMENT

Purpose

This policy enumerates Florin County Water District's (the "District") administrative actions for the collection of delinquent residential water accounts and discontinuation of service for nonpayment to comply with Senate Bill 998, codified at Health and Safety Code sections 116900, et seq.

Scope

This policy applies only to discontinuation of residential water service for nonpayment. The District's existing policies shall continue to apply to any non-residential water service accounts and to discontinuation of residential water service for other reasons.

Accessibility

The District shall provide this policy and all written notices given under this policy in English, in the languages listed in Section 1632 of the Civil Code, and in any other language spoken by at least 10 percent of the people residing in the District's service area. This policy shall be posted and maintained on the District's internet website.

Contact Information

The District can be reached at 916-383-0808 for assistance concerning the payment of water bills and to discuss options to avoid discontinuation of residential service for nonpayment.

Florin County Water District Residential Water Shutoff Policy For Nonpayment

A. It is the policy of the District to adopt the following deferred and reduced payment plans and alternative payment schedules in compliance with California Health and Safety Code Section 116906:

1. Deferred or reduced payment plans.

a. Deferred payment plan. The District may offer delinquent customers a deferred payment plan provided the customer commits to a payment plan designed to bring the account current in no fewer than two billing cycles. In no event shall the amortization period exceed twelve (12) months.

b. Reduced payment plan. Reduced payments are available for customers who demonstrate financial inability to pay. A customer demonstrates a financial inability to pay by showing the customer has a household income below 200 percent of the federal poverty line. A customer may demonstrate he or she is below 200 percent of the federal poverty line if any

member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Social Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

i. If a customer demonstrates a household income below 200 percent of the federal poverty line, the District shall waive interest charges on delinquent bills once every 12 months.

2. Alternative payment schedule. The District may consider dividing a residential water service customer's charges into equal monthly payments, or other alternate payments the District's General Manager and/or designee consider necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

B. It is the policy of the District to provide an appeals process to allow a customer to contest a residential water service bill. A resident may appeal a bill for residential water service by submitting a written appeal to the Board of Directors within 10 days of the General Manager's determination. Residential water service may not be terminated while an appeal is pending. The Board of Director's determination, following the appeal, shall be final.

C. A customer may contact the District at 916-383-0808 to discuss options to avert discontinuation of residential water service for nonpayment.

D. This policy will be available on the District's website.

E. Nothing in this policy should be construed as inconsistent with the Water Shutoff Protection Act, codified in California Health & Safety Code Section 116900, et seq. If there is a question as to whether the District's code, policy or the Act applies, the provisions of the Act prevail.

F. The District shall not discontinue residential service for nonpayment until the customer has been delinquent for at least 60 days. The District shall provide notice at least at least 7 business days before discontinuing residential service. If a customer is delinquent in payment, the following notice processes may be utilized:

1. If the District calls the customer, the District will offer to send the customer the District's written policy on discontinuation of residential service for nonpayment and offer to discuss the District's options to avert discontinuation of service, including those provided in this policy and in Health and Safety Code Section 116908(a)(1)(B).

2. If the District contacts the customer via written notice, that notice shall be sent to the customer. If the property address where service is provided is different than the customer's address, notice will also be sent to the property address addressed to "Occupant." The notice will include the customer's name and address, the delinquent amount, the date payment is due to avoid discontinuation of residential service, a description of how to apply for an extension to pay

the delinquent amount, a description of how to petition for bill review and appeal, and a description of how to request other payment options as provided in the District's policy.

3. If the District is unable to contact a customer by telephone, and written notice is returned through the mail as undeliverable, the District will make a good faith effort to visit the residence and leave a notice of imminent discontinuation of residential service for nonpayment and the District's policy for discontinuation of residential service in a conspicuous place.

F. Prohibited Discontinuance of Water Service

1. The District shall not discontinue residential water service to a customer if all of the following conditions are met:

a. A customer, or the customer's tenant, supplies the District with certification from a primary care provider as defined in Welfare and Institutions Code Section 14088(b)(1)(A) declaring termination of water service would be life threatening to or pose a serious threat to the health and safety of the customer, or a resident of the premises where water service is provided;

b. The customer demonstrates that the customer is financially unable to pay for water service, as provided in California Health & Safety Code Section 116910(a)(2); and

c. The customer agrees to enter into a payment plan consistent with California Health and Safety Code Section 116910(a)(3) and the District's policy. The District may choose the payment option and its parameters.

2. If all of the above conditions are met, the District shall offer the customer amortization of the unpaid balance, participation in an alternative payment schedule, a partial or full reduction of the unpaid balance financed without additional charges to other ratepayers, or temporary deferral of payment.

3. The District shall set the parameters of the payment option(s) outlined in Section (F)(2). All payment option(s) outlined in Section (F)(2) shall be completed within 12 months, resulting in full payment of the outstanding balance, unless the District finds a longer repayment period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case. The General Manager shall make a determination of whether a longer repayment period is necessary, and that decision shall be final.

4. If the customer fails to comply with a deferred or reduced payment plan or alternative payment schedule for 60 days or more, the District may discontinue residential service no sooner than five (5) business days after the District posts notice of its intent to disconnect service in a prominent and conspicuous location at the property.

5. If while under a deferred or reduced payment plan or alternative payment schedule, the customer fails to pay his or her current residential service charges for 60 days or more, the District may discontinue residential service no sooner than five (5) business days after

the District posts notice of its intent to disconnect service in a prominent and conspicuous location at the property.

G. Restoration of Service.

1. Restoration of service during office hours. If residential service is discontinued for nonpayment, the District may restore residential service after all the delinquent service charges, penalties and a charge for the disconnection and reconnection of water services to the premises have been paid. The charge for disconnection and reconnection of water services will be calculated based on District staff's time to reconnect divided by their hourly cost.

a. Customers who demonstrate a household income below 200 percent of the federal poverty line may be subject to a maximum reconnection during normal operation hours of \$50, or the actual cost of reconnection if less. Reconnection fees will be subject to an annual adjustment for changes in the Consumer Price Index beginning on January 1, 2021. The District shall also waive interest charges on delinquent bills once every 12 months for customers who demonstrate a household income level below 200 percent of the federal poverty line. A person is deemed to have a household income level below 200 percent of the federal poverty line if any of the conditions in Health and Safety Code section 116914(b) are met.

2. Restoration of service after office hours. Any customer requesting to be reconnected to District's utility services after normal working hours, will be subject to an additional charge, at a minimum equal District staff's time to reconnect divided by their hourly cost. Fees must be paid prior to commencement of services.

a. Customers who demonstrate a household income below 200 percent of the federal poverty line may be subject to a maximum after-hours reconnection of \$150, or the actual cost of reconnection if less. Reconnection fees will be subject to an annual adjustment for changes in the Consumer Price Index beginning on January 1, 2021. The District shall also waive interest charges on delinquent bills once every 12 months for customers who demonstrate a household income level below 200 percent of the federal poverty line. A person is deemed to have a household income level below 200 percent of the federal poverty line if any of the conditions in Health and Safety Code section 116914(b) are met.

H. Discontinuation of residential water service when a landlord-tenant relationship exists between the occupants and owner, manager or operator of the residence

1. If the District furnishes individually metered residential water service to residential occupants of a detached single-family dwelling, a multiunit residential structure, and mobile home and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the District shall make a good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

2. The District shall not make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the District's ordinances, resolutions, rules and regulations. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the District, or if there is a physical means legally available for the District to selectively terminate service to those residential occupants who have not met the requirements of the District, the District shall make service available to those residential occupants who the District is satisfied can meet the terms and conditions of service.

3. In the case of a detached single-family dwelling, the District shall give notice of termination at least seven days prior to proposed termination.

I. The District will report the number of annual residential service discontinuations for nonpayment on its website and to the State Water Resources Control Board.

J. The District will provide all written notices pursuant to this policy in English, the languages listed in California Civil Code Section 1632, and any other language spoken by ten (10) percent or more of its customers.

K. Notwithstanding this policy and the applicable municipal code sections, the District may terminate service due to an unauthorized act by a customer.