

# CHIRIACO SUMMIT WATER DISTRICT

62-450A Chiriaco Road #C  
Chiriaco Summit, CA 92201  
(760) 565-5688

<http://www.cswaterdistrict.org>  
[info@cswaterdistrict.org](mailto:info@cswaterdistrict.org)

---

## POLICIES & PROCEDURES MANUAL

### Delinquent Water Service Bills and Notification of Discontinuation of Water Service.

(Version 2020-02-11; Rev. 03)

PAGE 1 OF 4

#### 1 - PURPOSE

Due to The Water Shutoff Protection Act (SB 998, Dodd, 2018), the State has mandated that water Districts in California update their policies regarding low-income customers or occupants who are delinquent on their water bills. Customers or occupants will have more time between the billing date and the shut-off date and will be able to temporarily avoid discontinuation of residential water service for nonpayment by signing up for a payment plan or filing a formal appeal on the bill. Chiriaco Summit Water District's (CSWD, or The District) delinquency policy, goes into effect on April 1, 2020. This policy aims to ensure that:

- Customers have enough time to pay their delinquent bill before a disconnection, and
- Allows the customer to request finance charges waivers or have a repayment plan to bring the account back to current.

#### 2 - DEFINITIONS

##### 2 (A) - Delinquent Account

A delinquent account is any account that remains unpaid by the close of business 25 calendar days after the date of issuance of the water bill, unless the customer has made alternative payment arrangements.

##### 2 (B) - In good standing

"In good standing" is defined as an account with no more than one past- due fee during the period of time being reviewed.

#### 3 - LATE FEES

If a bill is not paid by the due date (normally the 15th of the month or the next business day if the 15th falls on a weekend or a holiday), the District will apply a ten dollar (\$10), first late fee to the delinquent account and mail a reminder notice to the customer explaining the delinquent amount and providing a due date that is ten (10) days from the date printed on the notice.

If the delinquent account is not paid within the ten (10) calendar day reminder notice period, a second past-due penalty of fifteen dollars (\$15) will be applied to the customer's account and a physical tag, providing the date when service will be disconnected if payment has not been received, will be placed in a prominent location at the property. This tag will include the delinquent amount due, information about payment plan and appeal options and the date the service will be discontinued if payment is not received. Attachment A provides the information contained in the tag.

#### 4 - ALTERNATIVE PAYMENT PLANS

Residential customers who are unable to pay for water service within the standard payment period may request an alternative payment plan to avoid discontinuation of service(s). The District will consider the request and make a determination as to whether the alternative payment plan is warranted. Alternative payment plans will only be granted under the following circumstances:

##### 4.1 - THREAT TO HEALTH OR SAFETY

An alternative payment plan may be approved if the discontinuation of water service will be life threatening or pose a serious threat to the health and safety of any resident. The request for an alternative payment plan must include certification from a primary care provider (per WIC § 14088(b)(1)(A)) that the discontinuation of service will be life-threatening or pose a serious threat to the health and safety of any resident.

##### 4.2 - FINANCIAL INABILITY TO PAY

The customer or occupant must demonstrate that they are financially unable to pay for residential service(s) within the normal billing cycle. Acceptable forms of income verification are:

- Means-tested benefits: documentation showing 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 (WIC).
- Household Income: The customer or occupant declares the household's annual income is less than 200 percent of the federal poverty level. Proof of income will be required.

APPROVED MAR 10 2020

# CHIRIACO SUMMIT WATER DISTRICT

62-450A Chiriaco Road #C  
Chiriaco Summit, CA 92201  
(760) 565-5688

<http://www.cswaterdistrict.org>  
[info@cswaterdistrict.org](mailto:info@cswaterdistrict.org)

## POLICIES & PROCEDURES MANUAL

### Delinquent Water Service Bills and Notification of Discontinuation of Water Service.

(Version 2020-02-11; Rev. 03)

PAGE 2 OF 4

Payment plans that extend into the next billing period are considered an amortization plan, which must be in writing and signed by the customer. Such a plan will amortize the unpaid balance over a period agreed upon by the District and the customer not to exceed 6 (six) months from the date of the account becoming delinquent. The amortized payments will be combined with and subject to the due date of the customer's regular bills. 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 existing amortization plan. Failure to comply with the terms of an amortization plan, or becoming delinquent on the current charges for more than sixty (60) days, will result in the issuance of a written disconnection notice, which will be physically delivered to the premises no fewer than 5 (five) business days in advance of discontinuation of service.

#### 5 - APPEALS

A customer may dispute a bill, or request an adjustment of charges through the District's Office Manager, within 25 days following the billing date. If the Office Manager denies the request or fails to respond within fifteen (15) days of the District's receipt of the appeal, the customer may submit a written appeal to the General Manager within 15 days of the date the account becomes delinquent, or ten (10) days after the receipt of the denial notification, whichever is later. The General Manager will provide the customer with a final decision on the appeal within 30 days from the date the written request was received. Late appeals will not be considered.

The District will not discontinue water service to a customer if there is a pending appeal. If the final appeal is denied by the General Manager, a notice will be issued to the occupant at least five days prior to the discontinuation of service.

#### 6 - FEE WAIVERS

Once every two (2) years, the District's Office Manager may waive the reminder notice past-due penalty on customers' accounts, if the account is in good standing, no previous late fees have been waived within the past two (2) years and the account balance has been brought current.

Once every four (4) years, if the District Office Manager submits the request to the board of directors, the district may waive the second past-due penalty on customers' accounts if the account is in good standing, no previous second past-due fees have been waived within the past four (4) years and the account balance has been brought current.

#### 7 - SERVICE DISCONTINUATION

##### 7.1 - SERVICE DISCONTINUATION FEE

A customer will be charged a thirty-five-dollar (\$35) fee for each occasion that an employee of the District is dispatched to disconnect or shut off a service line pursuant to the provisions of Section 22.

##### 7.2 - SERVICE DISCONNECTION NOTIFICATIONS

The District will not discontinue water service unless 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 in writing at least 10 (ten) days before discontinuation of service(s) for nonpayment. The written warning of discontinuation of service(s) will be sent 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, a second notice will be mailed to the service address and addressed to "Occupant". The written disconnection notice will include:

- o Customer's name and address
- o Customer's account number
- o Amount of the delinquency
- o Date by which payment arrangements are required to avoid discontinuation of service
- o Description of the process to apply for payment arrangements
- o Description of the process to dispute or appeal a bill
- o District contact information

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. The notification will be based upon the preference (text, phone, or email) selected by the customer. Customers who have not selected a means of notification will be notified by phone.

APPROVED MAR 10 2020

# CHIRIACO SUMMIT WATER DISTRICT

62-450A Chiriaco Road #C  
Chiriaco Summit, CA 92201  
(760) 565-5688

<http://www.cswaterdistrict.org>  
[info@cswaterdistrict.org](mailto:info@cswaterdistrict.org)

## POLICIES & PROCEDURES MANUAL

### Delinquent Water Service Bills and Notification of Discontinuation of Water Service.

(Version 2020-02-11; Rev. 03)

PAGE 3 OF 4

#### 7.3 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 at least 10 (ten) 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, or if there is a 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 and paid associated capacity, connection and new account establishment fees.

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 discontinuation of service for non-payment.

#### 8 - SERVICE RECONNECTION

A disconnected service line will only be reconnected when payment of all charges and indebtedness for water service has been made. A thirty-five dollar (\$35.00) fee will be charged for each such reconnection during normal business hours, not to exceed fifty dollars (\$50.00). A higher fee will be charged if reconnection is requested outside of normal business hours or holidays, not to exceed \$150.00 (one hundred and fifty) through 2020. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

#### 9 - RETURNED PAYMENTS (UNPAID CREDIT CARD CHARGES, STOPPED PAYMENTS, DISPUTED PAYMENTS, RETURNED CHECKS).

For each payment of water service that is returned unpaid to the District by its financial institution, a twenty-five dollar (\$25) charge will be added to that account.

Once a payment has been returned by a financial institution, the District will require payment by certified funds (no checks accepted) or cash for that account for the following 12-month period. If payment is denied twice within a 12-month period, regardless of payment method, the District will require payment by certified funds or cash for the following 24 months.

#### 10 - TAMPERING

Any person who, with intent to obtain water without paying the full lawful charge, or with intent to enable another person/business to do so, or with intent to deprive the Chiriaco Summit Water District of any part of the full lawful charge for utility services it provides, commits, authorizes, solicits, aids or abets any of the following will be guilty of a misdemeanor crime. All of the actions below are prosecutable offenses, and the District reserves the right to exercise any and every remedy permitted by law in the event of tampering with the District's lines, meters and/or equipment.

- (1) Diverts or causes to be diverted water services, by any means.
- (2) Prevents any utility meter, or other device used in determining the charge for services, from accurately performing its measuring function by tampering or any other means.
- (3) Tampers with any property owned by or used by the District to provide water services.
- (4) Makes or causes to be made any connection with or reconnection with property owned or used by the District to provide water without the authorization or consent of the District.
- (5) Uses or receives the direct benefit of all or a portion of utility services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the utility.
- (6) Provides access to District water to any unauthorized user.

The District will cause the prosecution of all violations of Sections 498, 624 or 625 of the State of California Penal Code and all Ordinances or Regulations which make the interference with the orderly supply of water to the District's users a crime.

The District will not be responsible for any loss or damage caused by any negligence or wrongful act of a customer or his/her authorized/unauthorized tenant in operating or using any or all facilities, appliances or equipment for which water is supplied.

APPROVED MAR 10 2020

# CHIRIACO SUMMIT WATER DISTRICT

62-450A Chiriaco Road #C  
Chiriaco Summit, CA 92201  
(760) 565-5688

<http://www.cswaterdistrict.org>  
[info@cswaterdistrict.org](mailto:info@cswaterdistrict.org)

---

## POLICIES & PROCEDURES MANUAL

### Delinquent Water Service Bills and Notification of Discontinuation of Water Service.

(Version 2020-02-11; Rev. 03)

PAGE 4 OF 4

#### 11 - ANNUAL REVIEW OF CHARGES.

All fees and charges outlined in this section may be reviewed annually for possible adjustments relative to actual costs involved with each notification or action.

#### 12 - RESPONSIBILITIES AND AUTHORITIES.

The customer bears full responsibility for contacting the District regarding the status of any account for water service immediately upon the receipt of any statement, bill, reminder or any other notice from the District.

The district will generate a monthly bill in a timely basis, and will send said bill to each customer. The customer is responsible for contacting the district shall the monthly bill, which is generated every month without exception, not reach him/her. The district will make its best effort to provide the customer a copy of his or her monthly bill within 48 hours (during regular business hours) or before, either in hard copy or email, as per the customer's request. *Due to this 48 hour window, late fees resulting from requests made one day before the due date or on the due date will not be waived, except as per provisions set forth in section 6 (Fee Waivers).* Customer can, however, request a paper copy in person on or before the due date, and it will be provided to the customer.

APPROVED MAR 10 2020

# CHIRIACO SUMMIT WATER DISTRICT

62-450A Chiriaco Road #C  
Chiriaco Summit, CA 92201  
(760) 565-5688

<http://www.cswaterdistrict.org>  
[info@cswaterdistrict.org](mailto:info@cswaterdistrict.org)

---

## POLICIES & PROCEDURES MANUAL

### Delinquent Water Service Bills and Notification of Discontinuation of Water Service. Attachment A - Tag Information & Mockup

(Version 2020-02-11; Rev. 03)

PAGE 1 OF 2

#### **Front of tag:**

Our records indicate your payment is past due. Payments will be accepted using cash, check, or money order. If you want to pay with a credit/debit card, that's an option too, and you need to request to be billed using PayPal by emailing the district at [accounts@cswaterdistrict.org](mailto:accounts@cswaterdistrict.org) or by coming to the office and request it in person – *please note that the PayPal billing option carries a surcharge of 3% of the total amount billed.*

If you fail to pay the past due balance by noon on the date referenced below, your water service may be turned off and significant fees added to this account.

If you are unable to pay the charges in full prior to the due date printed below, the District may accept payment arrangements. Turn this notice over and read the back side for more information.

To be considered for payment arrangements, requests must be made in person to CSWD upon receipt of this notice. Tenants using water service have the right to become CSWD customers without being required to pay the amount due on the delinquent account. For more information, read the full policy at <http://www.cswaterdistrict.org/compliance/sb998/>. Cash, check, credit card (with a surcharge of 3%) or money order will be accepted as payment. If your service is locked off, other fees, including the lock-off, service restoration and deposits, plus any fee for returned check(s) will also be charged. Partial payments will not be accepted to restore service. No further notice will be mailed.

#### **Payment options:**

Requesting a bill via email to [accounts@cswaterdistrict.org](mailto:accounts@cswaterdistrict.org) (3% surcharge applies).

At CSWD's headquarters between 9 a.m. – 5 p.m., Monday – Friday.

**Please note: staff cannot take payments in the field.**

APPROVED MAR 10 2020

# CHIRIACO SUMMIT WATER DISTRICT

62-450A Chiriaco Road #C  
Chiriaco Summit, CA 92201  
(760) 565-5688

<http://www.cswaterdistrict.org>  
[info@cswaterdistrict.org](mailto:info@cswaterdistrict.org)

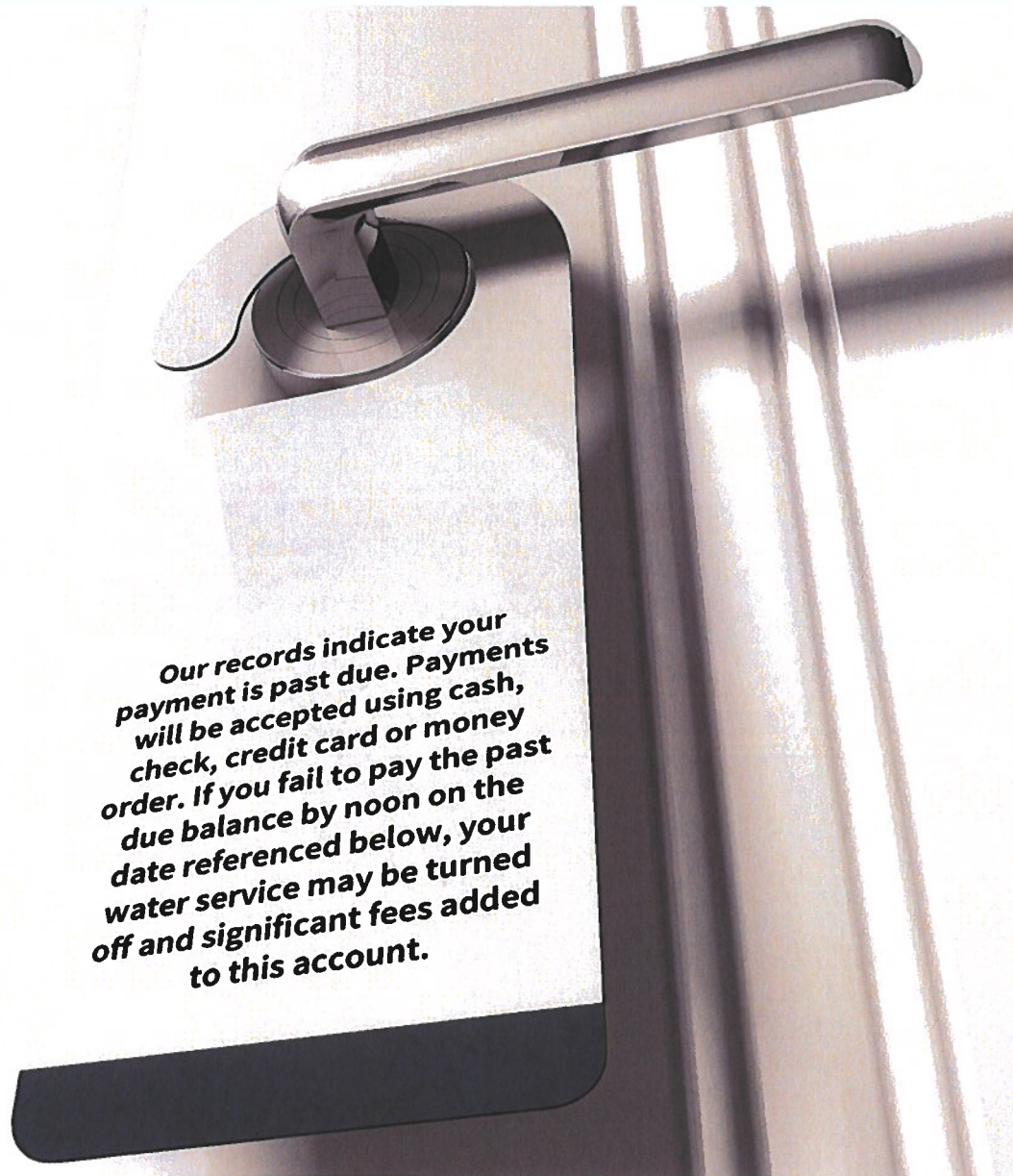
## POLICIES & PROCEDURES MANUAL

### Delinquent Water Service Bills and Notification of Discontinuation of Water Service. Attachment A - Tag Information & Mockup

(Version 2020-02-11; Rev. 03)

PAGE 2 OF 2

#### Tag Sample



APPROVED MAR 10 2020