

**SECTION 4050. CUSTOMER SERVICE POLICIES & PROCEDURES (R-1239, R 20-0101))****§ 4051. Service Conditions.**

- A. All references to the “General Manager” throughout Section 4050 shall mean the General Manager or their designee.
- B. Water and sewer service shall be provided by the District only if an application for such water and sewer service is completed in the manner hereinafter provided, unless otherwise determined by the Board.
- C. Water and sewer service shall be available only in accordance with the District’s rules and regulations, as well as applicable Federal, State and local statutes, ordinances, regulations, and contracts, and other requirements including, but not limited to, the California Water Code, the California Code of Regulations, regulations imposed by the California Regional Water Quality Control Board, Santa Ana Region, and State and local health departments, as well as the terms of any service agreement and permit issued by the District.

**§ 4052. Application Procedure.**

- A. Each application for residential water or sewer service must be initiated by the applicant, customer or owner of the property to be served. By initiating service, the applicant agrees they shall be ultimately responsible for payment of all rates, fees and charges, and for compliance with the rules and regulations of the District. The application will be regarded as merely a request for service and not binding upon the applicant to take service for any particular period of time.
- B. Each application for commercial water and sewer service, or installation of a water meter must be signed by the applicant, customer or owner of the property to be served, who shall be ultimately responsible for payment of all rates, fees and charges, and for compliance with the rules and regulations of the District. The application will be regarded as merely a written request for service, and not binding upon the applicant to take service for any particular period of time. The District shall furnish the application form upon which the applicant shall provide all information that the General Manager has deemed necessary in order to make a determination regarding service requirements and availability. The General Manager, in their discretion, may provide an abbreviated form of the application for permits when no unusual facts are determined in their discretion to exist.

- C. An applicant for sewer service may be required to obtain a discharge permit for use of the District's sewerage facilities in addition to the permit required for all applicants for sewer service. The conditions under which the above-mentioned additional permit is required are based on quantities and constituents of wastewater discharged into the District's sewerage facilities.
- D. Upon receipt of an application, the General Manager shall review the application and make such investigation relating thereto as they deem necessary. The General Manager may prescribe requirements in writing to the applicant as to the facilities necessary to be constructed, the manner of connection, the financial requirements, and the use of service including the availability of adequate water and/or sewerage facilities necessary to insure initial and future continued compliance with the District's rules and regulations and any other applicable requirements.
- E. A fee may be charged for setting up any new account. (See Admin. Code Section 2600 for current fees and charges.)
- F. The application for service will signify the customer's willingness and intention to comply with these rules and regulations and any water and/or sewer service ordinances, resolutions, orders, or other rules and regulations of this District as they may now exist, or as they may be changed or amended by the Board.
- G. An application will not be honored unless payment in full has been made for service previously rendered to the applicant by the District and all applicable connection, capacity and installation charges and fees, deposits, fines and penalties have been paid.
- H. A person taking possession of premises and using water without having made application to the District for water service shall, in addition to applicable fines, be held liable for the water delivered from the date of the last recorded meter reading. If the meter is found inoperative, the quantity consumed will be estimated.

**§ 4053. Connection/Capacity Fees.**

A. General.

- 1. Connection or capacity fees applicable to all property to be served shall be established from time to time by the Board and set forth on a separate schedule. Such property to be served shall be legally described in the application for service.

2. If subsequent to the initiation of service, there is a change in owner, applicant, tenant, customer, class of use, or consumption, the District may determine that additional connection fees are required. These additional charges shall be computed based on the resulting increase in service capacity and flow; or, on any reclassification of user type.
3. Whenever a change necessitates the payment of further fees to the District, the District may compare the actual use occurring on the property [based on readings taken from the water meters(s)] with the capacity estimated to be required for existing or probably future consumption to determine whether a different use permit is required.

B. Interpretation of Connection Fees.

1. If the factual situations presented in an application by an applicant, owner, or customer do not fall within the classifications set forth in the District's connection fees and rates schedules, the General Manager shall interpret them to establish a reasonable classification and fee. In making such interpretations, the General Manager shall be guided by the policy of the District set forth herein.
2. Further, in the event that the applicant, owner, or customer does not concur in the determination of the General Manager, they may request that such be considered by the Board. Any such request shall be in writing and shall set forth detail and facts supporting the differences between the request of applicant, owner, or customer and the determination made by the General Manager. No such application shall be considered unless there is a specific and detailed request for action proposed by an applicant, owner, or customer setting forth the exact amount of fees that the applicant, owner or customer believes should be established and shall include supporting information. Preferably, such supporting information should be prepared and submitted by a registered civil engineer, experienced in the construction, operation, management and financing of municipal water and/or sewage facilities.

If approved by the Board, such decision shall be implemented by a special agreement between the applicant, owner, or customer and the District, including adequate guarantees and assurances of further or additional payment at such time as the proposed use of the property described in the application for such action by the Board is modified, changed, or amended, or the extent of the use of the applicant, owner, or customer exceeds that represented to District. The decision of the District in all instances shall be final, subject to administrative or judicial review, except as otherwise provided by law.

C. Payment of Connection Fees. (MO #2036, MO #3769)

1. Water connection fees are paid at the time of application for service or when the request for meter installation is made. Water meters shall be installed within six months of the date payment is made, or the District may refund the fees and rescind the guarantee of service. (Ref. Resolution No. 1034).

Exception: Application for State Funding for construction of schools requires the establishment of fees as an early part of the contract process. The State funding process can sometimes take more than 12 months. Therefore, water meters shall be installed within a timely manner after the time of application and initial payment of fees in cases where proof of application for State Funding is provided to the District. If progress to completion of a school is delayed or suspended, the District may refund the fees and rescind the guarantee of service.

2. Sewer connection fees may be made concurrently with the water connection fees, or the customer may elect to pay sewer connection fees at any time prior to the installation of the water meter. Customers electing to pay sewer connection fees subsequent to water connection fees will be required to make both water and sewer connections no later than six months from the payment of the water connection fees.
3. For sewer-only customers, sewer connection fees must be paid prior to sewer connection.

§ 4054. Security Deposits. (MO #4019, MO #4253, M-5033, M-5131)

- A. Deposits Collected Prior to July 1997. Deposits collected prior to July 1997 will be refunded at the end of a 12-month period from the date of deposit, provided the customer has established and maintained a satisfactory payment record, as outlined herein. (M-1940)

- B. Single-Family Residential Dwelling. (single, detached residential units)

1. Residential Sewer-only Accounts (Effective 8/1/2016): At the time a customer starts service with the District, a soft credit check will be conducted utilizing the customer's social security number to determine the appropriate deposit amount to bill. If a customer refuses to provide their social security number, the maximum deposit amount for the account type will be billed to the customers. The deposit, an amount set from time to time by the Board of Directors, shall be collected and refunded in full to the customer 18 months from the date of the last deposit payment, provided the customer has

established and maintained a satisfactory payment record, based on the following criteria:

- a. No more than one delinquent charge per year.
  - b. No Returned Payments.
  - c. No Bankruptcy filed.
  - d. No discontinuations of service due to non-payment.
2. Terms for Billing of the Deposit: Customer may pay the required deposit in full, or the deposit may be billed to the customer account in minimum installments of \$50.00 until paid in full.
3. Water-only and Water/Sewer Accounts (Effective 8/1/16): Deposits may be collected for single-family dwelling customers, if any of the following events occur:
- a. The results of the soft credit check performed using the customer's social security number comes back as a Medium or High Risk.
  - b. A customer cannot provide a satisfactory payment history that covers a minimum period of 12 months from a previous utility (water, sewer, electric or gas only) company when initiating service with the Elsinore Valley Municipal Water District. Payment History Reference Letters must be provided by the due date of the first bill and will not be accepted after a deposit, or portion thereof, has been billed to the account. The utility account reported in the Payment History Reference Letter must be a current account, or have been terminated no longer than 6 months prior:
    - 1) No more than 1 delinquent charge per twelve (12) months of service.
    - 2) No Returned Payments.
    - 3) No discontinuations of service due to non-payment.
    - 4) No bankruptcies filed.
  - b. Does not initiate Auto Pay service and successfully maintain this service for a period of not less than 18 months.
  - c. Any customer that had previous service with the District for a minimum period of 12 months and meets the following criteria:
    - 1) No more than 1 delinquent charge per 12 months of service.

- 2) Discontinuations of service due to non-payment.
  - 3) Returned Payments.
  - 4) Prior bad debt write-off.
  - 5) A lien filed by the District.
4. Deposits may be collected on active accounts if any of the following events occur:
- 1) Discontinuations of service due to non-payment.
  - 2) Payments returned for Non-sufficient funds, Stopped Payment, Closed Account, etc.
  - 3) Customer filed bankruptcy and reapplied for service (deposit to be held until account is closed).
5. The District does not pay interest on deposits (*M-5138*). The deposit will be refunded in full to the customer 18 months from the date of the last deposit payment, provided the customer has established and maintained a satisfactory payment record. The deposit will be applied to the open account balance. If the result is a credit balance on the open account, then it will remain until depleted by future billings.
- 1) No more than three delinquent charges.
  - 2) No returned payments.
  - 3) No bankruptcies filed.
  - 4) No discontinuations of service due to non-payment.
6. Upon closure of account, deposits will be applied to the customer's final billing and any remaining deposit amount in excess of \$10 will be refunded and mailed to the last known address on record. For balances less than \$10, the customer can formally request a refund within 12 months of closing the account. If a request is not received within 12 months, the remaining deposit of \$10 or less is forfeited and will be used to fund various programs including District Conservation Programs.  
*M-5044*

7. Customers that have had a previous or a current account with the District that reflects an unsatisfactory payment history are not eligible to waive the required deposit by providing a Payment History Reference Letter from another utility or by obtaining a credit bureau report. The customer will be required to pay a deposit or enroll in Auto Pay service.
8. The Board of Directors hereby grants the General Manager, or their designee, authority to collect an increased new account deposit if: *(M-#1889)*
  - a. Significant past bad debt write off has occurred
  - b. Water/sewer usage exceeds the single-family average
  - Note: Deposit will be returned pursuant to Section 4054, Paragraph B, 6.

C. Non Single-Family Residential Deposits Guidelines.

1. The District will collect a deposit on all new applications for Commercial, Agricultural, Multifamily, Non-Governmental Landscape Irrigation and any other classification determined by the General Manager.
2. The amount of the deposit shall be equal to water, sewer and service charges anticipated for two billing cycles as calculated in accordance with the District's most current billing system and billed on the customer's monthly water/sewer bill over a three-month period.
3. Deposits will be collected on active accounts if any of the following events occur:
  - a. Customer fails to make sufficient payment in order to prevent discontinuation of service due to non-payment by the given due date and time.
  - b. Payments returned for Non-Sufficient Funds, Stopped Payment, Closed Account, or for similar reasons.
  - c. Customer has filed bankruptcy and reapplied for service with the District. In such cases, the District will hold the deposit until the account is closed.

4. The deposit may be increased on an account if the most recent seventy-five (75)-day billing amount average exceeds the seventy-five (75)-day billing amount average originally used to calculate the initial deposit.
5. The District does not pay interest on deposits (*M-5138*). Deposits will be refunded in full to the customer eighteen (18) months from the date of the last deposit payment, provided the customer has established and maintained a satisfactory payment record based on the following criteria:
  - a. No more than three (3) delinquent charges.
  - b. No returned payments.
  - c. No bankruptcies filed.
  - d. No discontinuations of service due to non-payment.
6. Upon closure of account, deposits will be applied to the customer's final billing and any remaining deposit amount in excess of \$10 will be refunded and mailed to the last known address on record. For balances less than \$10, the customer can formally request a refund within 12 months of closing the account. If a request is not received within 12 months, the remaining deposit of \$10 or less is forfeited and will be used to fund various programs including District Conservation Programs.  
*M-5044*

D. Calculation for Required Deposits.

1. Residential Sewer Only Accounts (*Effective 8/1/16*) – will depend on credit check results:
  - a. Low Risk: Deposit Waived
  - b. Medium Risk: \$100.00
  - c. High Risk: \$200.00
  - d. If a customer refuses to provide the social security number to have a credit check processed, the account will be assessed a \$200.00 deposit.
2. Residential Water Only Accounts (*Effective 8/1/16*) – will depend on credit check results:
  - a. Low Risk: Deposit Waived
  - b. Medium Risk: \$100.00
  - c. High Risk: \$200.00
  - d. If a customer refuses to provide their social security number to have a credit check processed, the account will be assessed a \$200.00 deposit.



3. Residential Water/Sewer Accounts (*Effective 8/1/16*) – will depend on credit check results:
    - a. Low Risk: Deposit Waived
    - b. Medium Risk: \$150.00
    - c. High Risk: \$250.00
    - d. If a customer refuses to provide their social security number to have a credit check processed, the account will be assessed a \$250.00 deposit.
  4. Non Single-Family, Residential Accounts Water/Sewer
    - a. Deposit equal to 75 days of actual water/sewer (*M-5138*).
    - b. Minimum Deposit of \$200.00
- E. Hydrant Meter Service Deposit. (*M-5087*) Customers will be assessed a deposit for hydrant meter service based on meter size.
- a. 3” meter service - \$1,500.00
  - b. 6” meter service \$2,000.00
- The deposit must be paid in full at time that service is requested.

**§ 4055. Billing and Payments.** (*M-3617, M-5088*)

- A. Meter Reading. Water meters shall be read monthly.
- B. Bills. Water and sewer bills may be addressed to the property owner or other person in possession of the premises served.
- C. Billing Period - Water. Billing shall be monthly. All bills are due and payable upon receipt.
- D. Billing Period - Sewer. Commercial sewer-only accounts all other sewer-only account classifications shall be billed monthly.
- E.. Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the District has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made, the meter readings will be combined for billing purposes.
- F. Delinquent Charge. A delinquent charge of \$5.00 or 5%, whichever is greater, will be applied to a customer account approximately 2 days following the due date of the bill if payment has not been received by the District.

- G. Time of Payment. All payments for charges of this District shall be due and payable at the office of the District 21 days following the billing date. Any bills not paid within such period are considered delinquent.
- H. Tender of Payment for Services. The District accepts cash, check, money orders, Auto Pay, debit card or credit card payments in satisfaction of obligations for services for amounts of \$9,999.99 or less. Payments for amounts of \$10,000.00 or greater must be made in the form of check, cash or money order only. No credit cards will be accepted for amounts greater than \$9,999.99.
1. The District accepts the following types of credit cards: Visa and MasterCard, American Express and Discover.
  2. Customers paying with debit cards or checks will not be permitted to receive cash back.
  3. Only cash, money orders or credit card payments will be accepted to restore an account that has been discontinued for non-payment.
  4. If a bill has been paid by a check, Auto Pay or by credit or debit card and the payment is returned by the bank or credit card company as unpaid, a “returned check” charge, to be established from time to time by the Board of Directors, will be applied to the account. The bill must immediately be paid in cash or by money order or service will be discontinued for non-payment. A deposit will be required if one has not already been assessed.
  5. Auto Pay procedures and requirements:
    - a. Customers wishing to sign up for Auto Pay must do so by visiting the District’s website at [www.evmwd.com](http://www.evmwd.com) and click on “Customer” and then “My Account”. The customer will need to sign up for “Online Bill Pay” and set up a “Payment Profile” utilizing a credit card or checking account to set up Auto Pay.
    - b. Payments for the customer’s monthly bill will be deducted automatically from the customer’s checking account or credit card three days before the due date indicated on the customer’s bill.
    - c. Customer accounts will be charged a fee for payments returned by a banking institution for non-sufficient funds due to lack of funds in the account or the account has been closed.

- d. Customer accounts that incur 2 non-sufficient fund fees will be removed from Auto Pay and payments must be made by cash, money order or credit card for a minimum one-year period.

I. Complaints, Account Adjustments and Appeals. (M-#2083, M-#3617)

1. A customer may initiate a complaint or request an investigation regarding a bill at any time before the due date of the bill. The complaint or request for investigation must be in writing. A timely complaint or request for investigation will be reviewed by a manager of the District, who will provide a written determination to the customer. The review will include consideration of whether the customer may receive an extension or other alternative payment arrangement. The District may, in its discretion, review untimely complaints or requests for investigation.
2. Any customer whose timely complaint or request for an investigation has resulted in an adverse determination by the District may appeal the determination to the Board of Directors by filing a written notice of appeal with the District Secretary within ten (10) business days of the District's mailing of its determination. Upon receiving the notice of appeal, the District Secretary will set the matter to be heard at an upcoming 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 Board is final.
3. When an account has been under-billed water and/or sewer charges, a charge will be calculated over a time period not to exceed 12 months from date of error discovery.
4. Exceptional cases will be presented to the Board when an adjustment is calculated over a time period greater than 12 months.
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J. Extensions and Other Payment Arrangements.

1. If a customer is unable to pay a bill during the normal payment period, the customer may request an extension or other alternative payment arrangement. If a customer submits his or her request within ten(10) days after the District's mailing of the Service Interruption Notice, the request will be reviewed by a manager of the District.
2. If approved by the District, a customer's payment of his or her unpaid balance may be extended, amortized, or subject to an alternative payment schedule. The General Manager will determine, in his or her discretion, the

terms and conditions of the extension or other payment arrangement. The customer must comply with approved payment arrangement and must remain current on all water service charges billed while the payment arrangement is in effect.

3. If a customer has been granted a payment arrangement and fails to: (a) pay the unpaid charges by the extension date; (b) pay any amount due under a payment arrangement; or (c) fails to pay current water service charges, then the District may terminate water service. The District will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least 48 hours prior to discontinuation of service.

**§ 4056. Discontinuance of Service.** (M-3617, M-4019, R-15-02-07)

- A. Notice To Discontinue Service. The person that originally initiated service will be held liable for all charges until the District is notified to discontinue service.
- B. Discontinuation of Service for Non-Payment. If a bill is delinquent for at least sixty (60) days, the District may discontinue water service to the service address. Failure to receive a bill does not relieve any customer of liability. Any amount due shall be deemed a debt to the District, and any person, firm or corporation failing, neglecting or refusing to pay said indebtedness shall be fully liable for the amount.
  1. If payment has not been received by the due date, the District will send a Service Interruption Notice to the customer's mailing address at least fifteen (15) days before discontinuation of water service. The notice will indicate the date that service will be discontinued, the payment amount required to prevent discontinuation, and the required payment to restore service if the service is discontinued, and other information required by law. A Delinquent Notice Fee will be assessed to the account.
  2. The District will also send a notice to the service address at least ten (10) days before discontinuation of water service if: (i) the District furnishes individually metered service to a single-family dwelling, multi-unit residential structure, mobile home park, or farm labor camp and the owner, manager, or operator is the customer of record; or (ii) the customer of record's mailing address is not the same as the service address. The notice will be addressed to "Occupant," will contain the information from Service Interruption Notice, and will 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, subject to the District's terms and conditions of service.

3. If the District furnishes water to residences through a master meter, the District will make a good faith effort, at least ten (10) days prior to termination, to notify the residential occupants that the account is in arrears and the service will be terminated on a date specified in the notice. The District will provide notice by: (i) mailing notices to each residential unit; (ii) posting notices on the door of each residential unit, (iii) if sending or posting the notice for each unit is impracticable or infeasible, posting two (2) copies of the notice in each accessible common area and at each point of access to the structure or structures; or (iv) making some other good faith, reasonable effort to provide written notice to the occupants. The notice will be addressed to "Occupant," will include the information from the Service Interruption Notice, and will 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, subject to the District's terms and conditions of service.
4. The District will also make a reasonable, good faith effort to contact the customer of record or an adult person living at the premises of the customer in person or by telephone at least seven (7) days before discontinuation of service. The District will offer to provide in writing a copy of the Discontinuance of Service Policy to discuss options to avert discontinuation of water service for nonpayment, including the possibility of an extension or other payment arrangement.
5. If the District is unable to make contact with the customer or an adult person living at the premises of the customer in person or by telephone, the District will make a good faith effort to leave a notice of imminent discontinuation of residential service and a copy of the Discontinuance of Service Policy in a conspicuous place at the service address. The notice will be left at the residence at least forty-eight (48) hours before discontinuation of service. A Delinquent Processing Fee, to be established from time to time by resolution of the Board of Directors, will be added to the account.

6. If payment has not been received by the District by the date noted on the Service Interruption Notice service will be discontinued, and a lock will be placed on the meter. Once the lock has been placed on the meter, in order to restore service, a Service Reconnection Fee, to be established from time to time by resolution of the Board of Directors must be paid in addition to the past due balance and any fines, fees or penalties that have been added to the account. Payment must be made in cash, money order or credit/ debit card. The District will not discontinue water service due to nonpayment on

a Saturday, Sunday, legal holiday, or at any time during which the District's office is not open to the public

. (MO #4669)

7. Any attempt by a customer to restore service without prior authorization from District staff will result in the customer's account being assessed a Meter Lock Removal fine, to be established from time to time by resolution of the Board of Directors.
  8. All prior balances on the account, including the Service Reconnection Fee, delinquent charges, fines, penalties, and deposit, if applicable, shall be paid before water service may be restored. Payment to restore service must be made with cash, money order or credit card payment only.
  9. For residential customers who demonstrate a household income below 200 percent of the federal poverty line, the District will limit the Service Reconnection Fee during normal operating hours to fifty dollars (\$50), and during non-operational hours to one hundred fifty dollars (\$150). 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. 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.
- C. Non-Compliance with Regulations. The District shall have the right to discontinue sewer or water service to the premises of any customer for failure to comply with any rule and regulation of the District. A customer shall be entitled to a reasonable notice of the intent of the District to discontinue service for noncompliance with, or violation, or infraction of any rule and regulation and to a reasonable opportunity to comply therewith. However, no such notice need be given in those instances in which the non-compliance, violation or infraction by the customer has created, is creating, or is likely to create, on the customer's premises and/or in the water supply system of the District, conditions dangerous and detrimental to public health, safety and welfare. A Service Reconnection Fee may be required to restore service once the property has successfully complied with the District's standards.

1. Service may be refused or discontinued to any premises where apparatus or appliances are in use that might endanger District facilities or disturb the service to other customers.
  2. Service may be refused or discontinued to any premises where there exists a cross-connection in violation of State or Federal laws.
  3. Service may be discontinued, if necessary, to protect the District against fraud or abuse.
- D. Closed Accounts with Balance Owing. Reminder letters will be sent informing customers of an unpaid balance and the District's intent to pursue collections if the balance remains unpaid.
- E. Circumstances Under Which Service Will Not Be Discontinued. The District will not discontinue residential water service for nonpayment under the following circumstances:
1. During an investigation by the District of a timely customer dispute or complaint;
  2. During the pendency of an appeal to the Board of Directors; or
  3. During the period of time in which a customer's payment is subject to a District-approved extension or other payment arrangement, and the customer remains in compliance with the approved payment arrangement.
- F. Special Medical and Financial Circumstances Under Which Services Will Not Be Discontinued.
1. The District will not discontinue water service if **all** of the following conditions are met:
    - a. The customer, or a tenant of the customer, submits to the District the certification of a licensed primary care provider that discontinuation of water 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; (annual recertification will be required)
    - b. The customer demonstrates that they are financially unable to pay for residential service within the District's normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) 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 (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level; and

- c. The customer is willing to agree to an extension or alternative payment arrangement with respect to the delinquent charges.
2. For any customers who meet all of the above conditions, the District will offer the customer an extension or other alternative payment arrangement, to be selected by the District in its discretion. The District's General Manager will select the most appropriate payment arrangement, taking into consideration the information and documentation provided by the customer, as well as the District's payment needs.
  3. The customer is responsible for demonstrating that the conditions in subsection (1) have been met. Upon receipt of documentation from the customer, the District will review the documentation within seven (7) days and: (a) notify the customer of the alternative payment arrangement selected by the District and request the customer's signed assent to participate in that alternative arrangement; (b) request additional information from the customer; or (c) notify the customer that they do not meet the conditions in subsection (1).

**4. The District may discontinue water service if a customer who has been granted an extension or other payment arrangement under this section fails to do any of the following for sixty (60) days or more: (a) to pay his or her unpaid charges by the extended payment date; (b) to pay any amount due under the approved payment arrangement; or (c) to pay his or her current charges for water service. 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.**

- G. Contact Information. For questions or assistance regarding a water bill, customers may contact the District's Customer Service staff at (951) 674-3146, Option 1. Customers may also visit the District's Customer Service desk in person Monday through Thursday, from 7:30am to 5:30pm and Friday from 7:30am – 4:30pm., except on District holidays.

**§ 4057. Collections.** (M-#4019, M-#4747)



### Utility Receivables

All water and/or sewer accounts that have been voluntarily or involuntarily closed and have a balance remaining past the due date of the closing bill will be sent to an authorized collection agency for the purpose of collecting the outstanding balance. Any unpaid balances may be transferred between other existing water or sewer accounts for the same account holder.

- A. Eligible Accounts. All debt owed to the District is eligible for placement with an authorized collection agency without prior notice from the District to the party responsible for the debt.
- B. Suit. All unpaid rates and charges and penalties herein provided may be collected by means of a civil suit. If judgment is rendered in the District's favor, the District shall be entitled to the payment of its attorney's fees and court costs incurred in the lawsuit.
- C. Interest. The District may recover a reasonable rate of interest for any outstanding balances, from the due date of the balance until paid the date it is in full. The District shall be entitled to collection charges for any outstanding balance.

### Miscellaneous Receivables

Miscellaneous receivables are invoices related to Billable Work-Orders, Cost Reimbursements, Connection Fees, Property Leases, Developer Inspection Fees, Planning, and other types not related to customer water or sewer services.

All amounts owed to the District that is uncollected will be transferred to an existing water or sewer account.

#### **§ 4058. Exceptional Circumstances. (M-3617)**

The Board of Directors authorizes the Director of Finance, or their designee, to review and approve exceptions to policies within this section for cases that demonstrate the need for special arrangements.

#### **§ 4059. Liens. (M-#4019)**

As a municipal water district, the District reserves the right to place liens on any real property in any county within the State of California, or on the name of the responsible party, for any delinquent balance owed to the District in accordance with Water Code sections 72094, 72100, 72101, and 72102, as may be amended from time to time.

- A. Accounts Closed Voluntarily. Accounts maintained by the property owner and closed voluntarily and which remain unpaid 21 days after a final closing bill is sent to the customer of record's last known address shall have a lien placed on any real property, or on the responsible party's name within any county in the state of California for all outstanding balances and related fees. In addition, the District may place the unpaid balance on the tax roll in accordance with Water Code sections 72094 and 72100 as may be amended from time to time.
- B. Accounts Closed Involuntarily. Accounts maintained by the property owner and closed involuntarily due to non-payment, or other reasons, shall immediately have a lien placed on any real property or on the responsible party's name, within any county in the state of California for all outstanding balances and related fees.
- C. Responsibility of Charges. The owner of record during the time that the charges are posted to the account is liable for all charges associated with a lien placed by the District, including:
  - 1. Lien release fees equal to the amount charged by the County.
  - 2. Interest on the outstanding lien balance from the time the original balance is due until it is fully paid.
- D. Re-establishing Service. All outstanding account balances, interest and lien release charges must be paid in full prior to re-establishing service in the owner's name at the same, or different property within the boundaries of the District.
- E. Invalid Liens. The District will immediately place accounts with a collection agency in cases that it was discovered that liens were placed after the owner has sold the property. In addition to the original balance and interest from the time the balance was due, the former account holder will be responsible for the lien release charge.
- F. Special Circumstances. Current accounts that have incurred a large amount of fines, or the owner that maintains the account has refused to pay any balance owed and the District may be placed in a position of incurring bad debt may have a lien placed against the property being served by the District until the balance associated with those charges is paid in full.

**§ 4060. Accounts Requiring Property Owner Maintenance. (M-#4019, M-#4253)**

In accordance with Water Code section 71618, property owners are required to maintain an account in cases where 1 or more bad debt issues have occurred within the past three years. Bad debt issues include but are not limited to unpaid accounts, late fees, and other outstanding charges.

- A. Property Transfer. The current property owner is required to maintain the account only if the bad debt issue(s) occurred while the property was under their ownership.
- B. Satisfaction of Previous Bad Debt. The required amount of time the owner must maintain the account can be eliminated if the owner satisfies all outstanding bad debt issues occurring on the property for the past 3 years, including appropriate interest and/or collection fees. Payments must be made by cash, money order or credit/debit card. No checks will be accepted.
- C. Accounts Recently Closed or Discontinued Due to Non-payment of Service. Owners are required to maintain the property account in cases where at least one bad debt issue has occurred or when the most recent account has been closed due to non-payment, or in the case of a new tenant establishing service, if the account is currently discontinued due to non-payment. The owner must maintain the account until the most recent account balance has been paid in full.
  1. An owner may choose to pay the balance of the most recent account in order to eliminate this requirement.
  2. The owner must pay the balance using cash, money order or credit/debit card. No checks will be accepted.
- D. Transferring From Owner To Tenant Responsibility. Owners must contact the District to verify and request the eligibility of transferring responsibility for billing to the tenant once all requirements of this policy have been satisfied.

**§ 4061. Additional Accounts for Delinquent Customers**

Additional services for existing accounts and additional accounts for new premises will not be activated for any customers that currently have any accounts in any stage of delinquency. All delinquencies must be brought current before additional services will be added to premises, or before customers are allowed to begin service at an additional premise or transfer their existing service to another premise.

**§ 4062. Procedures for Occupants or Tenants to Become District Customers.**

This section 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 Service Interruption Notice due to nonpayment.

- A. Agreement to District Terms and Conditions of Service. The District will make service available to the actual residential occupants if each occupant agrees to the terms and conditions of service and meets the requirements of the District's rules and regulations. Notwithstanding, if one or more of the 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 to the District, of selectively discontinuing service to those occupants who have not met the requirements of the District's rules and regulations, the District shall make service available to the occupants who have met those requirements.
- B. Verification of Tenancy. To be eligible to become a customer without paying the amount due on the delinquent account, the occupant must 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.
- C. Methods of Establishing Credit. If prior service for a period of time is a condition for establishing credit with the District, residence and proof of prompt payment of rent for that period of time is a satisfactory equivalent.

**§ 4070. Utility Billing Inserts. (M-#4646)**

From time to time it is prudent to broadly disseminate public information to District Customers by inclusion of this information with the mailing of the monthly utility bills. As a public agency, there are instances when this method can be utilized to assist in the broadcasting of public service announcements of other organizations. This policy is a guide for determining appropriate parameters for information included in EVMWD's customer bills.

- A. Eligibility.
  - 1. Organizations within EVMWD's service area sponsoring community events that have an impact on the education and betterment of the communities served by the District.

2. Any non-profit, community, professional, charitable, professional or youth organizations that support EVMWD's mission to promote education and community interaction with District customers.

3 Public Service agencies with programs focused on protecting or promoting public health and safety, environmental stewardship, conservation, or those needing to communicate emergency response messages or crucial information.

B. Requirements.

1. Bill inserts of outside organizations are limited to one insert per month, and EVMWD inserts are first priority.
2. Eligible organizations must request the opportunity to provide a billing insert at least two months prior to the scheduled bill distribution. (Excluding public emergency situations)
3. Inserts must be of a particular size and fold. Eligible organizations are responsible for obtaining information about specifications of the billing vendor from the Customer Service Manager or their designee.
4. The insert cannot contain any politically motivated information, reference to games of chance, lottery, gambling or any illegal activity, distasteful or unprofessional language, discriminatory language or language contrary to the mission or regular conduct of business of the District.
5. The Legislation, Conservation and Outreach Committee must approve requests and the content of inserts.
6. EVMWD and/or its customers will not fund costs associated with the printing and distribution. Inserts must clearly indicate that all costs associated with the printing and distribution of the insert is funded by the alternative organization.
7. An organization may only include an insert in a circulation of customer bills once per 12-month period.
8. The exact per page inserting fee charged by the District's bill producing vendor must be paid by the requesting organization prior to the service being provided.
9. Additional postage required as a result of the insert must be paid by the requesting organization prior to the mailing.

10. Once the content is approved, the requesting organization is responsible for printing, folding and delivering the inserts to the District's bill producing vendor within the deadline provided by the vendor in order to allow reasonable time for the inserting to be performed.
11. Utility Bill mailing schedules will not be changed to accommodate inserts.