Le Grand Community Services District

Procedure and Notice Requirements for Discontinue of Residential Water and Sewer Service for Non- Payment

Procedures:

1. **Billing and Imposition of Late Penalty :**

* The Finance Department shall mail a bill for water service to each customer every month. The customer shall have 19 calendar days (grace period) from the date on the bill to pay the bill.
* The customer shall have 60 calendar days (grace period) from the date on the bill to pay the bill before a late penalty is imposed.
* If payment, in full, is not received by the end of the 60th calendar day from the date on the bill, the bill will be considered delinquent. A ten (10) percent late penalty will be imposed on the amount delinquent.
* If payment, in full, is not received by the end of the 60th calendar day from the date on the bill, the bill will be considered delinquent at this time a may be placed real property for unpaid utility charges.

1. **Initial Written Courtesy Notice of Payment Delinquency and Impending Discontinuation of Service for Nonpayment**

* If payment is not received during the grace period, then on or after the 31st calendar day following the date on the initial bill, an Initial Written Courtesy Notice of Payment Delinquency, and Impending Discontinuation of Service for Nonpayment (“Initial Notice”) shall be mailed to the customer of the residence to which residence service is provided.

1. **Second Notice of Delinquency and Impending Discontinuation of Service for Nonpayment**

* If payment is not received with the 14 calendar days from the date on the Initial Notice, a Second Notice of Delinquency and Impending Discontinuation of Service for Nonpayment (“Second Notice”) shall be mailed to the customer of the residence to which residential service is provided.

1. **Final Notice of Delinquency and Discontinuation of Service for Nonpayment**

* If payment is not received within 14 calendar days from the date on the Second Notice of Delinquency and Discontinuation of Service for Nonpayment (Final Notice) shall be mailed to the customer of the residence to which residential service is provided.
* **Pursuant to California Health and Safety Code section 116908(a)(1)(C), the Final Notice shall include all of the following information:**
* **The Customer’s name and address**
* **The amount of the delinquency**
* **The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.**
* **A description of the process to apply for an extension of time to pay the delinquent charges.**
* **A description of the procedure by which the customer may request the amortization of delinquent charges for domestic water and/or domestic water and sewer services.**
* **A description of the procedure to petition for bill review and appeal.**
* **The proposed date of discontinuation of service shall be at least 60 calendar days from the date on the initial bill and at least seven (7) business days from the date of the Final Notice.**
* **The Final Notice shall be in English, the language languages listed in Section 1632 of the Civil Code, and any languages spoken by 10 percent or more of the customers in the city’s water system service area.**
* **If the customer’s address is not the address of the property to which residential service is provided, the final notice shall also be sent to the address of the property to which the service is provided addressed to Occupant.**

1. **Additional Courtesy Notifications**

* The same day the Final Notice is mailed, a courtesy telephone call will be placed instructing the customer to call the District Office regarding the status of their utility account.

1. **Discontinuation of Residential Water and Sewer Service for Residential Nonpayment**

* If the delinquent customer does not make the required payment, request an appeal, or request a payment agreement for the unpaid charges, water service shall be terminated by the Public Works Department on the date specified in the Final Notice.
* The date of discontinuation of services shall be at least 60 calendar days from the date on the initial bill and at least seven (7) business days from the date of the Final Notice.

1. **Discontinuation of Residential Water and Sewer Service for Nonpayment Restrained**

* **Discontinuation of residential water and sewer service for non-payment is restrained in the following instances:**
* While an appeal is pending
* During a pending investigation by the District of a customer complaint.
* When the customer has been granted an extension of the period for payment of a bill.
* Primary care provider certification of threat to life or serious threat to health and safety of a resident of premises.

The customer, or tenant of the customer, submits the certification of a primary care provider that discontinuation of residential service would be life threatening to, or pose a serious threat to the health and safety of a resident of the premises and residential services is provided and

The customer demonstrates that the customer is financially unable to pay for the service within the normal billing cycle, and the customer is willing to enter an alternative payment schedule or a plan for deferred payment with respect to all delinquent charges.

* Participation in an alternative payment schedule
* Temporary deferral of payment

1. **Residential Service may be disconnected no sooner than 7 business days after the Le Grand Community Services District posts a Final Notice of intent to disconnect service is posted in a prominent and conspicuous location at the property under either of the following circumstances:**

* The customer fails to comply with the alternative payment schedule, or a temporary deferral of payment for delinquent charges for more than 60 days or more.
* While undertaking an amortization agreement, an alternative payment schedule, the customer does not pay his or her current residential charges for 60 days or more.

1. **Any residential customer who has initiated a complaint, requested an appeal, or made a request for a payment agreement, shall be given the opportunity for review of said complaint, investigation, or payment agreement by Le Grand Community Services District.**
2. **The review under Section 9 shall include consideration of whether the customer shall be permitted to start a payment agreement of the delinquent balance of the account over a reasonable period of time, not exceed 6 months unless a longer period of time is necessary based upon the circumstances of the individual case.**
3. **No termination of service shall be affected for any customer complying with the payment agreement, provided that the customer also keeps the account current as charges accrue in each subsequent billing period.**
4. **Restoration of Service**

* **If service is terminated, in order to restore service a service fee up to $50 must be paid. If a deposit is not currently on the account a three (3) month security deposit may be required.**

1. **Options to Avert Discontinuation of Residential Water Service**

* **Alternative payment schedules**
* **Temporary deferment payments**
* **Amortization of unpaid balances**