



# CITY OF OCEANSIDE

## FINANCIAL SERVICES DEPARTMENT

### DISCONTINUATION FOR NONPAYMENT POLICY Effective February 1, 2020

#### INTRODUCTION

The City of Oceanside (the city) developed this policy to help residential water service customers prevent shutoff of water service for nonpayment of charges due to hardship. This policy is available to the public on the city's website. Any questions regarding this policy can be directed to (760) 435-3900.

#### NOTIFICATIONS

Any account that remains unpaid by close of business 25 days after the bill date will be considered delinquent. Delinquent accounts will be charged a late fee of 10% of the amount due on water and wastewater charges. The city shall not discontinue water service for non-payment until payment by the customer has been delinquent for at least 60 days. At least 15 days before shutting off a residential customer's water service, the city will contact the customer by telephone or by mail.

If the city contacts the customer by telephone, the city will offer to provide the customer with this policy. The city will also offer to discuss the customer's option for averting a shutoff for nonpayment, including alternative payment schedules and for obtaining a bill review and appeal.

If the city contacts the customer by mail, the city will send the customer written notice of the shutoff to the billing address designated on the customer's account. If the billing address and the service address are different, a second notice will be mailed to the service address and addressed to "Occupant". The written notice will include the customer's name and address, amount of the delinquent charges, and the date by which payment or payment arrangements must be made to avoid a shutoff. The notice will also include a description of the process to apply for an extension of time to pay the delinquent charges, a description of the procedure to petition for a bill review and appeal, and a description of the procedure by which the customer may request amortization of the delinquent charges.

If the written notice is returned as undeliverable, the city will make a good faith effort to visit the service address and leave, either with an adult occupying the residence or in a conspicuous place, a written notice of the imminent shutoff and a copy of this policy.

**Notice to Tenants/Occupants in an Individually Metered Residence:** If the landlord of a residence with individually metered service is the customer with the delinquent account, the city will make a good faith effort to send a written notice to the tenants/occupants of the residence at least 15 days before water service is shut off. The written notice will advise the tenants/occupants that they have the right to become customers of the city without being required to pay the amount due on the delinquent account,



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as long as they are willing and able to assume financial responsibility for subsequent charges for water service at the residence. The tenants/occupants must provide verification of tenancy in the form of a lease or rental agreement, rent receipts, a government document indicating the occupant is renting the property, or other acceptable proof.

**Notice to Tenants/Occupants in a Multi-Unit Complex Served through a Master Meter:** If the landlord of a multi-unit complex served through a master meter is the customer with the delinquent account, the city will make a good faith effort to send a written notice to the tenants/occupants of each unit at least 15 days before water service is shut off. The written notice will advise the tenants/occupants they have the right to become customers of the city without being required to pay the amount due on the delinquent account. If one or more of the occupants at the address served by the master meter are willing and able to assume responsibility for the subsequent charges for water service to the satisfaction of the city, or if there is a physical means legally available to the city of selectively terminating service to those tenants/occupants who have not met the city's requirements for service, the city will make service available to the occupants who have met the requirements.

### OPTIONS AVAILABLE TO CUSTOMER

**Bill Review and Appeal:** A customer can dispute their water bill by submitting a written request for the bill to be reviewed within 10 days of the billing date. Although further investigation may be required, the payment due date must still be met. If the disputed charges are later determined to be incorrect, an appropriate adjustment will be made.

**Alternate Payment Arrangement:** A qualifying customer unable to pay for residential water service within the normal payment period may request an alternate payment arrangement to avoid late fees and service shutoff.

To qualify for an alternative payment arrangement, the customer must:

- Submit a primary care provider certification, as defined in Welfare and Institutions Code section 14088(A)(1)(b), such as that discontinuation of service would be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where the service is provided.
- Demonstrate that he or she is financially unable to pay for service within the city's normal billing cycle. A customer may be deemed financially unable to pay if:
  - 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



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- The customer declares that the household's annual income is less than 200 percent of the federal poverty level.
- Agree to enter into the alternative payment schedule offered by the city, governed by the policies described herein.

If the customer qualifies for an alternate payment arrangement:

- The customer must sign an Alternate Payment Arrangement Agreement with the city to amortize the unpaid balance over an agreed upon period, not to exceed 12 months from the original due date on the bill.
- The agreed upon amount (amortized payments) will be added to the regular monthly bill to pay off the previously unpaid balance.
- The customer's account must remain current for all subsequent billing periods.
- The customer cannot request further amortization of any subsequent unpaid charges while paying delinquent charges from a previous bill.

If the customer does not comply with the alternate payment arrangement or becomes delinquent in paying current water service charges for 60 days or more, the city will shut off the customer's water service. At least 5 business days beforehand, the city will post a final shutoff notice in a prominent and conspicuous location at the service address. If the city shuts off a residential customer's water service, the city will provide the customer with information on how to restore service.

### **RESTORATION OF SERVICE**

In order to resume or continue service that has been disconnected for non-payment, the customer must pay a reconnection fee. The city will reconnect service as soon as feasible but, at a minimum, will restore service before the end of the next regular working day following payment of any past due amount, delinquent fees and reconnection fee, on the account that was shutoff. Service restored after 5:00 pm Monday through Thursday and after 4:00 pm Friday, or on weekends or holidays will be charged an after-hours reconnection fee.