

1                   **RUBIDOUX COMMUNITY SERVICES DISTRICT**  
2                   **DISCONTINUATION OF RESIDENTIAL**  
3                   **WATER SERVICE FOR NON-PAYMENT POLICY**

4    1.    **Application of Policy.** This Discontinuation of Residential Water Service for Non-  
5    Payment Policy (this “Policy”) shall apply to all District accounts for residential water  
6    service, but shall not apply to any accounts for non-residential service. To the extent this  
7    Policy conflicts with any provisions of the Rubidoux Community Services District’s  
8    (“District”) existing Ordinances, Resolutions and Policies regarding water service and  
9    water users, this Policy shall control.

10  2.    **Contact Information.** For questions or assistance regarding a water bill, the  
11  District’s Customer Service staff can be reached at (951) 684-7580. Customers may also  
12  visit the District’s Customer Service desk in person Monday through Friday from 8:00 a.m.  
13  to 5:00 p.m., except on District holidays.

14  3.    **Billing Procedures.** Water service charges are payable to the District once every  
15  month. All bills for water service are due and payable upon receipt and shall be  
16  considered delinquent if not paid within ten (10) days from the bill date.

17  4.    **Discontinuation of Water Service for Nonpayment.** If a bill is delinquent for at  
18  least sixty (60) days, the District may discontinue water service to the service address.

19        4.1 Written Notice to Customer. The District will provide a written notice to the  
20    customer of record, referred to as the Late Fee/Shutoff Notice, at least fifteen (15) days  
21    before discontinuation of water service. The notice shall contain:

- 22           (a)    the name and address of the customer;
- 23           (b)    the amount of the delinquency;
- 24           (c)    the date by which payment or payment arrangements must be made  
25           to avoid discontinuation of service;
- 26           (d)    a description of the procedure by which the customer may request  
27           an alternative payment arrangement, which may include an  
28           extension, amortization, deferred, alternative payment schedule, or  
29           payment reduction;
- 30           (e)    a description of the procedure to petition for bill review and appeal;  
31           and

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32 (f) the telephone number where the customer may request a payment  
33 arrangement or receive additional information from the District.

34 4.2 Written Notice to Occupants or Tenants.

35 (a) If the District furnishes individually metered service to a single-family  
36 dwelling, multi-unit residential structure, mobile home park, or farm labor camp, and the  
37 property owner or manager is the customer of record, or if the customer of record's mailing  
38 address is not the same as the service address, the District will also send a notice to the  
39 occupants living at the service address at least fifteen (15) days before discontinuation of  
40 water service. The notice will be addressed to "Occupant," will contain the information  
41 required in Section 4.1 above, and will also inform the residential occupants that they  
42 have the right to become customers of the District without being required to pay the  
43 amount due on the delinquent account. Terms and conditions for occupants to become  
44 customers of the District are provided in Section 8 below.

45 (b) If the District furnishes water to residences through a master meter,  
46 the District will make a good faith effort, at least fifteen (15) days prior to termination, to  
47 notify the residential occupants that the account is in arrears and the service will be  
48 terminated on a date specified in the notice. The District will provide notice by either:  
49 (i) mailing the notice to each residential unit; (ii) posting the notice on the door of each  
50 residential unit, (iii) if providing notice to each unit is impracticable or infeasible, posting  
51 two (2) copies of the notice in each accessible common area and at each point of access  
52 to the structure or structures; or (iv) making some other good faith, reasonable effort to  
53 provide written notice to the occupants. The notice will be addressed to "Occupant," will  
54 contain the information required in Section 4.1 above, and will inform the residential  
55 occupants that they have the right to become customers of the District without being  
56 required to pay the amount due on the delinquent account. Terms and conditions for  
57 occupants to become customers of the District are provided in Section 8 below.

58 4.3 Telephonic Notice. The District may also contact the customer named on  
59 the account by telephone and offer to provide in writing to the customer a copy of this  
60 Policy in addition to providing the same information as noted in Section 4.1(b)-(f).

61 4.4 Posting of Final Notice at Service Address. If payment has not been  
62 received after receipt of the Late Fee/Shutoff Notice, or the Late Fee/Shutoff Notice was  
63 returned through the mail as undeliverable, the District will visit the residence and leave,  
64 or make other arrangements for placement in a conspicuous place, a red Final Shut Off  
65 Notice, at least five (5) days before discontinuation of service. The red Final Shut Off  
66 Notice will include a QR Code directing customers to the District's website to view this  
67 policy in the six (6) different languages referenced in Section 9 herein. Should the  
68 customer need the policy in writing in their preferred language, one can be provided

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69 upon request by contacting the customer service staff. The red Final Shut Off Notice  
70 shall include:

- 71 (a) the name and address of the customer;
- 72 (b) the amount of the delinquency;
- 73 (c) the date by which payment must be made to avoid discontinuation of  
74 service; and
- 75 (d) the telephone number where the customer may make their payment  
76 or receive additional information from the District.

77 4.5 Late Fee. A Late Fee, as specified in District Ordinance No. 104, shall be  
78 assessed and added to the outstanding balance on the customer's account if the  
79 amount owing on that account is not paid before the initial written notice of disconnection  
80 is generated. This fee is charged to recover a portion of the cost associated with  
81 preparation and delivery of the notice.

82 4.6 Disconnection Deadline. Payment for water service charges must be  
83 received in the District offices no later than the regular close of business time on the  
84 date specified in the notice of disconnection. Postmarks are not acceptable.

85 4.7 Circumstances Under Which Service Will Not Be Discontinued. The District  
86 will not discontinue residential water service for nonpayment under the following  
87 circumstances:

- 88 (a) During an investigation by the District of a customer dispute or  
89 complaint under Sections 5.1 and 5.2 below;
- 90 (b) During the pendency of an appeal to the District's Board of Directors  
91 under Section 5.3 below; or
- 92 (c) During the period of time in which a customer's payment is subject  
93 to a District-approved alternative payment arrangement under  
94 Section 6 below, and the customer remains in compliance with the  
95 approved payment arrangement.

96 4.8 Special Medical and Financial Circumstances Under Which  
97 Services Will Not Be Discontinued.

- 98 (a) The District will not discontinue water service if all of the following  
99 conditions are met:

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- 100 (i) The customer, or a tenant of the customer, submits to the  
101 District the certification of a licensed primary care provider that  
102 discontinuation of water service will be life threatening to, or  
103 pose a serious threat to the health and safety of, a resident of  
104 the premises where residential service is provided (must  
105 complete Form 998-A);
- 106 (ii) The customer demonstrates that he or she is financially  
107 unable to pay for residential water service within the District's  
108 normal billing cycle per the qualifications in Section 7.2 below  
109 (must complete Form 998-B or 998-B2); and
- 110 (iii) The customer is willing to enter into an alternative payment  
111 arrangement as described in Section 6 below, with respect to  
112 the delinquent charges. The District's General Manager or  
113 designee will select the most appropriate payment  
114 arrangement, taking into consideration the information and  
115 documentation provided by the customer (must complete  
116 Form 998-C).
- 117 (b) The customer is responsible for demonstrating that the conditions in  
118 subsection (a) have been met. Upon receipt of documentation from  
119 the customer, which must be provided to the District at least forty-  
120 eight (48) hours prior to the disconnection date, the District will  
121 review the documentation within seven (7) days and: (1) will not  
122 discontinue water service during this review period; (2) will notify the  
123 customer of the alternative payment arrangement selected by the  
124 District and request that the customer sign the agreement to  
125 participate in the alternative arrangement (Form 998-C); (3) may  
126 request additional information from the customer; or (4) notify the  
127 customer that he or she does not meet the conditions in subsection  
128 (a). The District reserves the right to extend the customer's  
129 documentation submission period at the District's discretion.
- 130 (c) The District may discontinue water service if a customer who has  
131 been granted an alternative payment arrangement under this section  
132 fails to do any of the following for sixty (60) days or more: (a) to pay  
133 any amount due under an alternative payment arrangement; or (b)  
134 to pay current charges of subsequent bills for water service. The  
135 District will post a final notice of intent to disconnect service in a  
136 prominent and conspicuous location at the service address at least  
137 five (5) business days before discontinuation of service. The final

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138 notice will not entitle the customer to any investigation or review by  
139 the District.

140 4.9 Time of Discontinuation of Service. The District will not discontinue water  
141 service due to nonpayment on a Saturday, Sunday, legal holiday, or at any time during  
142 which the District's office is not open to the public.

143 4.10 Restoration of Service. Customers whose water service has been  
144 discontinued may contact the District by telephone or in person regarding restoration of  
145 service. Restoration shall be subject to payment of: (a) any past-due amounts, including  
146 applicable interest or penalties; (b) a reconnection fee of \$50.00 during normal operating  
147 hours and \$100.00 during non-operating hours, with an annual adjustment for changes  
148 in the Bureau of Labor Statistics' Consumer Price Index for all Urban Consumers  
149 (CPI-U) beginning January 1, 2021, subject to the limitations in Section 7.1, if  
150 applicable; (c) and a security deposit, if required by the District. Payment must be made  
151 in cash or credit card. Check payments will not be accepted.

152 **5. Procedures to Contest or Appeal a Bill.**

153 5.1 Time to Initiate Complaint or Request an Investigation. A customer may  
154 initiate a complaint or request an investigation regarding the amount of a bill no later  
155 than five (5) days after receiving the Late Fee/Shutoff Notice.

156 5.2 Review by District. A timely complaint or request for investigation shall be  
157 reviewed by a manager of the District, who shall provide a written determination to the  
158 customer within ten (10) business days of receipt. The review will include consideration  
159 of whether the customer may receive an alternative payment arrangement as described  
160 in Section 6 below.

161 5.3 Appeal Hearing. Any customer whose timely complaint or request for an  
162 investigation pursuant to this Section 5 has resulted in an adverse determination by the  
163 District may appeal the determination. A written notice of appeal must be received by the  
164 District within ten (10) business days of the District's mailing of its determination.  
165 Following receipt of a request for an appeal or review, a hearing date shall be promptly  
166 set before the General Manager, or their designee (the "Hearing Officer") within five (5)  
167 business days. After evaluation of the evidence provided by the customer and the  
168 information on file with the District concerning the water charges in question, the Hearing  
169 Officer shall render a decision as to the accuracy of the water charges set forth on the bill  
170 and shall provide the appealing customer with a brief written summary of the decision.

171 5.4 Appeal to Board of Directors. Any customer whose timely appeal hearing  
172 pursuant to this Section 5 has resulted in an adverse determination by the Hearing Officer  
173 may appeal the determination to the Board of Directors by filing a written notice of appeal

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174 with the District Secretary within ten (10) business days of the District's mailing of its  
175 determination, or may appeal in-person, orally, during a regularly scheduled board  
176 meeting. Upon receiving the notice of appeal, the District Secretary will set the matter to  
177 be heard at an upcoming Board meeting and mail the customer written notice of the time  
178 and date of the hearing at least ten (10) days before the meeting. The customer will be  
179 required to personally appear before the Board and present written or oral evidence or  
180 reasons as to why the water charges on the bill in question are not accurate. The Board  
181 shall evaluate the evidence presented by the customer, as well as the information on file  
182 with the District concerning the water charges in question and render a decision as to the  
183 accuracy of said charges. The decision of the Board shall be final.

184 **6. Alternative Payment Arrangements.**

185 6.1 Time to Request an Alternative Payment Arrangement. If a customer is  
186 unable to pay a bill during the normal payment period, the customer may request an  
187 extension or other alternative payment arrangement described in this Section 6. If a  
188 customer submits a request within thirteen (13) days after mailing of the Late  
189 Fee/Shutoff Notice by the District, the request will be reviewed by a manager of the  
190 District. District decisions regarding extensions and other alternative payment  
191 arrangements are final and are not subject to appeal to the District's Board of Directors.

192 6.2 Alternative Payment Schedule. If approved by the District, a customer may  
193 pay the unpaid balance pursuant to an alternative payment schedule that will not exceed  
194 twelve (12) months, or as determined by the District's General Manager or designee, in  
195 their discretion. During the period of the alternative payment schedule, the customer  
196 must remain current on all water service charges accruing during any subsequent billing  
197 periods. The alternative payment schedule and amounts due will be set forth in writing  
198 and provided to the customer for their required signature indicating agreement and  
199 adherence to the schedule.

200 6.3 Failure to Comply. The customer must comply with the agreed upon  
201 payment schedule and remain current as charges accrue in each subsequent billing  
202 period. The customer may not request another payment schedule for any subsequent  
203 unpaid charges while paying delinquent charges pursuant to a previously agreed upon  
204 schedule. If the customer fails to comply with the terms of the agreed upon payment  
205 schedule for a bill that is delinquent for sixty (60) days or more, the District may  
206 discontinue water service to the customer's property. The District will post a final notice  
207 of intent to disconnect service in a prominent and conspicuous location at the service  
208 address at least five (5) business days before discontinuation of service. The final notice  
209 will not entitle the customer to any investigation or review by the District.

210 6.4 Payment Reductions or Waivers. Reductions or waivers of water service  
211 charges are not available at this time.

212 7. **Specific Programs for Low-Income Customers.**

213 7.1 Reconnection Fee Limits and Waiver of Interest. For residential customers  
214 who demonstrate to the District a household income below 200 percent of the federal  
215 poverty line, the District will:

216 (a) Limit any reconnection fees during normal operating hours to fifty  
217 dollars (\$50), and during non-operational hours to one hundred  
218 dollars (\$100). The limits will only apply if the District's reconnection  
219 fees actually exceed these amounts. These limits are subject to an  
220 annual adjustment for changes in the Bureau of Labor Statistics'  
221 Consumer Price Index for All Urban Consumers (CPI-U) beginning  
222 January 1, 2021.

223 (b) Waive interest charges on delinquent bills once every 12 months.  
224 The District will apply the waiver to any interest charges that are  
225 unpaid at the time of the customer's request.

226 7.2 Qualifications. The District will deem a residential customer to have a  
227 household income below 200 percent of the federal poverty line if: (a) any member of the  
228 household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal,  
229 Supplemental Security Income/State Supplementary Payment Program, or California  
230 Special Supplemental Nutrition Program for Women, Infants, and Children (Form 998-B),  
231 or (b) the customer declares under penalty of perjury that the household's annual income  
232 is less than 200 percent of the federal poverty level (Form 998-B2).

233 8. **Procedures for Occupants or Tenants to Become Customers of the District.**

234 8.1 Applicability. This Section 8 shall apply only when the property owner,  
235 landlord, manager, or operator of a residential service address is listed as the customer  
236 of record and has been issued a notice of intent to discontinue water service due to  
237 nonpayment.

238 8.2 Agreement to District Terms and Conditions of Service. The District will  
239 make service available to the occupants if each occupant agrees to the terms and  
240 conditions of service and meets the requirements of the District's rules and regulations.  
241 However, if at least one of the occupants is willing to assume responsibility for all  
242 subsequent charges, or if there is a physical means of discontinuing service to those  
243 occupants who do not meet the District's rules and requirements, then the District will  
244 make service available to the occupants who do meet them.

245 8.3 Verification of Tenancy. To be eligible to become a customer without paying  
246 the amount due on the delinquent account, the occupant shall verify that the delinquent  
247 account customer of record is or was the landlord, manager, or agent of the dwelling.

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248 Verification may include, but is not limited to, a lease or rental agreement, rent receipts,  
249 a government document indicating that the occupant is renting the property, or  
250 information disclosed pursuant to Section 1962 of the Civil Code, at the discretion of the  
251 District.

252 8.4 Methods of Establishing Credit. If prior service for a period of time is a  
253 condition for establishing credit with the District, residence and proof of prompt payment  
254 of rent for that period of time is a satisfactory equivalent.

255 9. **Language for Certain Written Notices**. All written notices under Section 4 and  
256 Section 6 of this Policy shall be provided in English, Spanish, Chinese, Tagalog,  
257 Vietnamese, Korean, and any other language spoken by ten percent (10%) or more  
258 people within the District's retail service area.

259 10. **Other Remedies**. In addition to discontinuation of water service, the District may  
260 pursue any other remedies available in law or equity for nonpayment of water service  
261 charges, including, but not limited to: securing delinquent amounts by filing liens on real  
262 property, filing a claim or legal action, or referring the unpaid amount to collections. In the  
263 event a legal action is decided in favor of the District, the District shall be entitled to the  
264 payment of all costs and expenses, including attorneys' fees and accumulated interest.

265 11. **Discontinuation of Water Service for Other Customer Violations**. The District  
266 reserves the right to discontinue water service for any violations per District ordinances,  
267 rules, or regulations other than nonpayment.

268 12. **Decisions by District Staff**. Any decision which may be taken by the District's  
269 General Manager under this Policy may be taken by their designee.

270 13. **Annual Disconnections Notice**. Annually, the District shall post on its website,  
271 [www.rcsd.org](http://www.rcsd.org), and notify the Board, the total number of discontinuations of residential  
272 water service due to the inability to pay.