



REGULATIONS GOVERNING WATER SERVICE TO CUSTOMERS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

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SECTION 15 DISCONTINUATION OF SERVICE

Water service may be discontinued for reasons as follows:

AT CUSTOMER'S REQUEST

Water service will be turned off on the date requested by the customer, except Saturdays, Sundays, and holidays, provided sufficient advance notice is furnished to the District. The customer will be held responsible for all service rendered to the customer's premises until such date the customer indicates service to be terminated.

FOR NONCOMPLIANCE WITH THESE REGULATIONS

Water service may be discontinued, service interrupted, reclassified, or removed by the District for failure to comply with any of the regulations governing water service to customers.

If service is turned off for violation of regulations, the District may require payment of a service restoration charge as set forth in the Schedule of Rates and Charges in addition to all overdue District bills before restoring service.

In the event the customer turns on the water service or allows or causes it to be turned on after it has been turned off for the above reasons, the District may again turn off the water service, and may charge and collect a service restoration charge for each such event in addition to other amounts due from the customer before restoring water service.

FOR NONPAYMENT OF BILLS

For non-residential water service, water service may be discontinued by the District if a bill for water service charges and applicable sewer charges included as part of the District's bill becomes delinquent, or if a bill for service at a previous location is not paid.

Water service will not be discontinued until a payment by a customer has been delinquent for at least 60 days following the payment due date. No less than 15 business days before discontinuation of service for nonpayment, the District shall mail a written service interruption notice to the customer named on the account as well as the occupant where the customer's address is not the same as the service address. Additionally, no less than 48 hours before discontinuation of service for nonpayment, the District shall attempt to contact the customer named on the account or authorized person by telephone or in person and, if unsuccessful, will leave a final service interruption written notice and a copy of this policy at the premises.

For nonpayment of bills for single-family residential water service, see Section 15A.



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SECTION 15A

NONPAYMENT OF BILLS BY SINGLE-FAMILY RESIDENTIAL CUSTOMERS

OPTIONS TO AVOID SERVICE INTERRUPTION FOR NONPAYMENT OF BILLS

For non-payment of bills, single-family residential customers may be subject to service interruption in accordance with Resolution 35211-20. Single-family residential customers may avoid service interruption under any of the following conditions:

- Single-family residential customers shall pay bills for water services charges and applicable sewer charges included as part of the District's bill by the payment due date indicated on the bill, or for a bill for service at a previous location, within 15 days after mailing or presentation at the current location.
- Water service for single-family residential customers, where the tenant is the account holder of record, may have their service interrupted by the District through the installation of a flow restrictor if a bill for water service charges and applicable sewer is not paid by the payment due date, the account holder remains unresponsive to the District's collection attempts, or the account holder defaults on a payment plan or payment arrangement.
- The installation of a flow restrictor will reduce the amount of water being delivered to the premises at approximately 0.5 gallon per minute to provide single-family customers, whose water bills remain unpaid, access to water for basic sanitation, cooking, and drinking water needs. Prior to the implementation of a flow restrictor, the District will provide written instructions regarding the limitations on water use associated with the implementation of the flow restrictor. Customer shall comply with such written instructions. **All use of water while a flow restrictor is installed shall be at customer's own risk. The District assumes no liability for any damages resulting from the customer's failure to comply with such written instructions or that are caused by the installation of flow restrictors or the use of flow-restricted water.**
- Water service for single-family residential customers, where the tenant is the account holder of record and have been flow restricted, may be discontinued if the customer has failed to contact the District within 90 days to address the arrearages, from the date of flow restrictor installation, and/or the customer has been issued a flow restrictor within the previous 12 months. Water service may be interrupted or discontinued for nonpayment in accordance with the following process.
 - When a customer had a flow restrictor removed and defaulted on the agreed payment plan; or
 - While District staff, acting for the District, were at a premises and were threatened; or
 - The District determines the customer has exhibited wasteful water use following the installation of a flow restrictor; or
 - Remained unresponsive to the District's account collection process through a third-party vendor.
 - Or, the meter or flow restrictor has been tampered with or the District determines there has been water theft.



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- Water service will not be interrupted until a payment by a customer has been delinquent for at least 60 days following the payment due date. No less than 15 business days before interruption of service for nonpayment, the District shall mail a written notice to the customer named on the account as well as the occupant where the customer's address is not the same as the service address. Additionally, no less than 48 hours before interruption of service for nonpayment, the District shall attempt to contact the customer named on the account or an adult person living with the customer by telephone or in person and, if unsuccessful, will leave a final service interruption written notice and a copy of this policy at the premises.
- Medical Certification
 - The District will not interrupt services to a customer who is financially unable to make a payment by the payment due date and who submits medical certification from a licensed primary care provider that interrupting water service would be life threatening to, or pose a serious threat to the health and safety of, the customer or a resident of the premises; provided that the customer agrees to a payment arrangement toward the unpaid balance in a manner approved by the District. A customer is deemed "financially unable to make a payment" if the customer's household is currently on the District's Customer Assistance Program (CAP) as described below, or 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 the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
 - For customers who meet the above qualifications, the District will select an appropriate payment arrangement, taking into consideration information from the customer and the District's payment needs. A customer who receives a payment arrangement under this paragraph will be required to enter into a written payment agreement with the District. If for 60 days or more a customer fails to comply with the written payment agreement or pay the customer's current service charges, the District may interrupt water service after posting a final service interruption notice at least five (5) business days before the installation of a flow restrictor.
- Deferred Payments/Alternative Payment Schedule or Reduced Payments

a. Deferred Payments/Alternative Payment Schedule

A residential customer may avoid service interruption for nonpayment by deferring payment of the unpaid bill or by agreeing to an alternative payment schedule. The customer must contact the District, by telephone or in writing, to request an alternative payment schedule or a deferral of the payment period in which to pay the unpaid bill. The District shall review the customer's request. If a customer wishing to defer payments or agree to an alternative payment schedule must agree to amortize the unpaid balance of the account over a reasonable period of time, generally within 12 months, but the District may grant a longer period of time in accordance with section 12823 of the MUD Act, if necessary to avoid undue hardship to the customer based on



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the individual circumstances of the case. The customer who is granted such payment arrangement will be required to enter into a written payment agreement with the District.

Customers who enter into a payment agreement with the District and who make regular required payments toward the unpaid balance shall avoid interruption of service for nonpayment of the bill. Failure to comply with the terms of the written payment agreement shall result in the interruption of service after posting of a final service interruption notice at least 48 hours before any action is taken.

b. Reduced Payments

The District offers CAP to eligible low-income customers. Residential customers eligible for CAP are offered a temporary discount on the District water and wastewater charges. The discounted amount is applied prospectively, after the District determines a customer meets the eligibility requirements to participate in CAP. Funding for the District's CAP benefits apply only to charges for District services.

CAP Eligibility: CAP eligibility is based on income limits that correspond to the "very low-income level" established by the State housing poverty guidelines, which are set by the county and updated annually. A very low-income limit reflects 50% of Housing and Urban Development's Median Family Income. A customer that is on CAP must notify the District if the customer's household no longer qualifies for the CAP. CAP benefits are temporary and are not provided indefinitely. Eligible CAP customers must reapply to participate in CAP every 24 months.

CAP Benefits: Eligible customers may qualify for a 50 percent discount on the standard bimonthly service charge and a 50 percent discount on the water use in each eligible household, up to a maximum of 1,050 gallons per person per month. A 35 percent discount on the District's wastewater service and flow charges will be applied to the account if the customer also receives wastewater services from the District. CAP benefits shall be effective beginning the billing period when the eligibility is approved by the District.

- **Contest or appeal a bill**

Customers may contact the District at **(866) 403-2683** to obtain information regarding payment arrangements to avoid service interruption and/or the process to dispute a bill. A customer may dispute a bill by submitting a written description of the dispute to the District's Customer Services Manager or by speaking directly with a Customer Services Supervisor by telephone within 15 calendar days after the payment due date. The Customer Services Manager shall respond in writing to the customer no later than 15 days after receiving the dispute in writing or by telephone.

Any customer whose timely dispute has resulted in an adverse determination may appeal the determination to the Director of Customer and Community Services by filing a written notice of appeal within ten (10) business days of mailing of the Customer Service Manager's determination.



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The Director of Customer and Community Services has 10 days to respond to the appeal. The decision of the Director of Customer and Community Services shall conclude the investigation of the customer dispute or complaint. The review of customer's dispute or complaint shall include the following factors:

1. Whether the charges are correct;
2. Whether staff installed a flow restrictor to interrupt water service prior to the completion of this appeal process;
3. Whether staff failed to offer deferred payments or an alternative payment schedule or reduced payments as outlined above;
4. Whether staff failed to inform the customer of the District's CAP program; or
5. Whether staff failed to consider medical certification as outlined above.

Water service will not be interrupted during the period the customer's bill dispute is being investigated or appealed.

All appeals submitted to the Director of Customer and Community Services shall be presented to the Board of Directors in a monthly report, including decisions rendered.

COLLECTION THROUGH LIEN AND PROPERTY TAX BILLS

As an alternative to water service discontinuation and interruption, the District may collect delinquent charges through liens and property tax bills for single-family residential accounts that meet the following criteria:

1. The service is provided to a metered single-family residential property where the premises are occupied by the property owner and where the property owner is the account holder of record.
2. The unpaid charges have become delinquent and the delinquent charges equal ~~\$100.00~~ \$50.00 or more.
3. The property owner has been provided all notices required by law and/or under this program.
4. The District will conduct annual hearings at which the property owner has the opportunity to present objections to the filing of a lien against the property.

Liens will be filed each fiscal year with Contra Costa and Alameda Counties on properties served by delinquent accounts. The District will release satisfied liens within 30 days of receiving payment in full. Delinquent charges that are subject to this lien and property tax revenue collection program include all applicable District charges including the Lien Filing Fee and Lien Removal Fee. The District may also recover any applicable county charges associated with the transfer of delinquent charges to the property tax roll. In addition, the District may also include other agency sewer charges and utility user taxes (UUTs) as appropriate.