

**VICTORVILLE WATER DISTRICT (“DISTRICT”)
RESIDENTIAL WATER SHUTOFF FOR NONPAYMENT POLICY**

PURPOSE

This Policy is adopted to comply with the Water Shutoff Protection Act, *Health and Safety Code section 116900 et seq.* (the “Act”), which prohibits shutoff of residential water service to customers until payment has been delinquent for at least sixty (60) days and provides protections and payment alternatives to residential customers and occupants of residential premises. All submittals required by this Policy shall be in writing and sent to the attention of the Review Manager at the District offices located at 14343 Civic Drive, Victorville, CA 92392.

WHEN WATER SERVICE ACCOUNTS BECOME DELINQUENT

Water Service¹ accounts with balances that remain unpaid on the date that is fifteen (15) days after the “Billing Date” shown on the customer’s Water Service bill are considered delinquent.

DEFERRED PAYMENT PLAN / ALTERNATIVE PAYMENT SCHEDULE

Residential customers may request alternative payment arrangements to avert Water Service shutoff. The District will not shutoff Water Service for nonpayment if all three (3) of the following conditions are met prior to the date that is sixty (60) days after the account becomes delinquent:

- (1) the customer or tenant of the customer submits to the District the certification of a primary care provider as defined in *Welfare and Institutions Code* section 14088(a)(1)(A), that shutoff 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 water service is provided; and
- (2) the customer, in a writing submitted to the District, demonstrates or declares that he/she is financially unable to pay for service within the normal billing cycle (the customer will be deemed financially unable to pay for residential Water Service within the District’s normal billing cycle if any member of the customer’s household is a current recipient of CalWorks, CalFresh, general assistance, Medical, Supplementary 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); and
- (3) the customer is willing to enter into a written Deferred Payment Plan (or any other alternative payment schedule provided for in the Act, when circumstances warrant and as approved by the District’s Review Manager).

When the District receives evidence/information submitted by the residential customer which demonstrates that he/she meets the three (3) conditions set forth above, the District will, within seven (7) business days of receipt:

¹ “Water Service” means the water and/or recycled water, sewer, storm drain, solid waste (sanitation), household hazardous waste, and any other utility service provided by the District or the City of Victorville which is billed upon the same bill and collected as one item.

- a. notify the customer of the terms of: (a) the Deferred Payment Plan (wherein all amounts due and payable as shown on the account must be paid, in full, by the close of business on the date that is 135 days after the "Billing Date" shown on the bill that is subject to the Deferred Payment Plan); or (b) such other alternative payment schedule provided for in the Act as approved by the District's Review Manager; and
- b. request the customer sign a written agreement consenting to the Deferred Payment Plan or alternative payment schedule. Customer must sign and return said written agreement to the District within seven (7) business days of date the District provides said agreement to the customer.

When the District receives evidence/information submitted by the residential customer which fails to demonstrate that he/she meets the three (3) conditions set forth above, the District will, within seven (7) business days of receipt:

- (1) request additional information from the customer; or
- (2) notify the customer that he/she does not meet the qualifications for a Deferred Payment Plan or alternative payment schedule.

The District shall not shutoff Water Service if a residential customer has timely submitted to the District the evidence/information required to meet the three (3) conditions set forth above and the District's review and notification to the customer that the conditions have or have not been met is pending. In addition, if the District has provided the customer with a written agreement to sign consenting to a Deferred Payment Plan or alternative payment schedule, Water Service shall not be shutoff until the time for the Customer to sign and return the written agreement to the District has expired.

The District may shutoff Water Service if a customer who has agreed to a Deferred Payment Plan or alternative payment schedule fails to: (1) comply with and pay any amount due under the terms of the Deferred Payment Plan or alternative payment schedule for sixty (60) days or more; or (2) keep the account current as charges accrue in each subsequent billing period for sixty (60) days or more.

MECHANISM TO REQUEST DISPUTED BILL REVIEW AND APPEAL

If a residential customer or adult occupying the premises to which residential Water Service is provided disputes the accuracy of a bill for Water Service, he/she may contest the bill by submitting a written request to the District's Review Manager not later than five (5) business days after his/her receipt of the disputed bill, or not later than thirteen (13) days after the District's mailing of a Notice of Payment Delinquency and Impending Discontinuation. The request must include information or evidence supporting the position of the person requesting the disputed bill review. Within ten (10) business days after the District's Review Manager receives the written request, he/she shall provide to the person requesting the disputed bill review, by mail or personal service, a written decision evidencing his/her determination of the bill dispute.

The person who requested the disputed bill review may appeal the Review Manager's decision to the District Board of Directors ("Board") by submitting a written appeal within ten (10) business days of the date of service or mailing of the Review Manager's written decision. The appeal shall be submitted to the Victorville City Clerk, acting as the District Secretary. The District Secretary will set the matter to be heard at an upcoming meeting of the Board and mail the appellant a written notice of the time and place of the hearing at least ten (10) days before the meeting at which the matter will be heard. The Board's decision is final; any subsequent review of the same disputed bill to the Board is not subject to appeal.

The District will not shutoff residential Water Service while a disputed bill is under review or an appeal is pending.

RESIDENTIAL OCCUPANT RIGHTS

Where the customer of record is not the occupant of the location where the Water Service is provided (the "Service Address") and the customer of record fails to pay the past due amount by the "Due Date" as shown on a Notice of Payment Delinquency and Impending Discontinuation or Notice of Imminent Shutoff of Water Service, the residential occupants of the Service Address may become customers of the District with a separate account if they meet the District's terms and conditions of service.

The District is not required to make service available to residential occupants unless each residential occupant agrees in writing to the terms and conditions of service and meets the requirements of the District's rules and tariffs. However, if one or more of the residential 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 terminating service to those residential occupants who have not met the requirements of the District's rules and tariffs, the District shall make service available to those residential occupants who have met those requirements. The residential occupants will not be required to pay any amount which may be delinquent or owed by the former customer of record. Application for a customer account by the residential occupants must be completed, signed, and submitted to the District offices prior to the Due Date.

TO DISCUSS OPTIONS

To discuss options for averting shutoff of residential Water Service for nonpayment, the customer may telephone a District representative at 760-955-5001.

TO RESTORE WATER SERVICE

To restore Water Service after shutoff, the customer may contact the District by telephone or in person at the District offices. Except as otherwise set forth in this Policy, restoration of Water Service will be subject to payment of all delinquent charges on the customer account, any shutoff or reconnection service charges, late charges, and any security deposit required by District resolutions or ordinances.