



IRWD Policy on Discontinuing Residential Water Service

1. **Application of Policy.** This Policy on Discontinuing Residential Water Service ("Policy") shall apply to all District accounts for residential water service; it shall not apply to any accounts for non-residential service. To the extent this Policy conflicts with any other rules, regulations, or policies of the District, this Policy shall control.

2. **Contact Information.** For questions or assistance regarding your water bill, please contact Customer Service at (949) 453-5300. Customers may also visit the District's office in person, Monday through Friday, from 8 a.m. to 5 p.m., except on District holidays. The District's office is located at 15600 Sand Canyon Ave Irvine, Ca. 92618.

3. **Billing Procedures.** Water service charges are payable to the District once every month or at such other frequency as determined by the Board of Directors from time to time. All bills for water service are due and payable twenty-five (25) days after mailing or e-mailing by the District. Any bills not paid within such period are considered delinquent.

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

4.1 Written Notice to Customer. The District will provide a mailed notice to the customer of record at least fifteen (15) days before water service may be discontinued. The notice will contain:

- (a) address of the customer;
- (b) amount of the delinquency;
- (c) date by which payment or payment arrangements must be made to avoid discontinuing service;
- (d) procedure by which the customer may initiate a complaint or request an investigation or appeal concerning service or charges;
- (e) a description of the procedure by which the customer may request a payment arrangement, which may include an extension, or payment arrangement; and
- (f) telephone number where the customer may request a payment arrangement or receive additional information from the District.

4.2 Written Notice to Occupants or Tenants.

(a) IRWD will also send a notice to the occupants living at the service address at least fifteen (15) days before discontinuing water service under the following circumstances: (i) the District furnishes individually metered service to a single-family dwelling, multi-unit residential structure, or mobile home park and the owner, manager or operator is the customer of record; or (ii) the customer of record's mailing address is not the same as the service address. The notice which is addressed to the "Occupant," will contain the information required in Section 4.1 above, and will inform the residential occupants that they have the right to become customers of the District without being required to pay the amount due on the delinquent account. Terms and conditions for occupants to become customers of the District are provided in Section 8 below.

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

4.3 Telephonic Notice. IRWD will also make a reasonable, good faith effort to contact the customer of record or an adult person living at the premises of the customer by telephone at least seven (7) days before discontinuation of service. The District will offer to provide a written copy of this Policy and discuss options to avert discontinuation of water service for nonpayment, including the possibility of an extension or other payment arrangement.

4.4 Posting of Notice at Service Address. If IRWD is unable to make contact with the customer or an adult person living at the service address by telephone, and the written notice is returned as undeliverable, the District will make a good faith effort to leave a Notice of Pending Service Interruption and a copy of this Policy in a conspicuous place at the service address. The notice and copy of this Policy will be left at the residence before discontinuing service. The notice shall include:

- (a) address of the customer;
- (b) amount of the delinquency;
- (c) date by which payment or payment arrangements must be made to avoid discontinuing service; and
- (d) telephone number where the customer may request a payment arrangement or receive additional information from the District.

4.5 Circumstances Under Which Service Will Not Be Discontinued. IRWD will not discontinue residential water service for nonpayment under the following circumstances:

- (a) During an investigation by the District of a customer dispute or complaint under Section 5.1 below; or
- (b) During the period of time in which a customer's payment is subject to a District-approved extension or payment arrangement under Section 6 below, and the customer remains in compliance with the approved payment arrangement and must remain current on all charges.

4.6 Special Medical and Financial Circumstances under Which Services Will Not Be Discontinued.

- (a) IRWD will not discontinue water service if all of the following conditions are met:
 - (i) The customer, or a tenant of the customer, submits to the District, the certification of a licensed primary care provider that discontinuation 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 service is provided; and
 - (ii) The customer demonstrates that he or she is financially unable to pay for residential service within the District's normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) 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 (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level; and
 - (iii) The customer is willing to enter into a payment arrangement, including an extension with respect to the delinquent charges.
- (b) For any customers who meet all of the above conditions, the District shall offer the customer one of the following options as selected by the District at its discretion: (1) an extension of the payment period or (2) a payment arrangement. The District's Customer Service Manager or their designee will select the most appropriate payment arrangement, taking into consideration the information and documentation provided by the customer, as well as the District's payment needs.

- (c) The customer is responsible for demonstrating that the conditions in subsection (a) have been met. Upon receipt of documentation from the customer, the District will review the documentation within seven (7) days and: (1) notify the customer of the payment arrangement (2) request additional information from the customer; or (3) notify the customer that he or she does not meet the conditions in subsection (a).
- (d) IRWD may discontinue water service if a customer who has been granted a payment arrangement under this section, fails to do any of the following for sixty (60) days or more: (a) pay unpaid charges by the extended payment date; (b) pay any amount due under an alternative payment schedule; or (d) pay current charges for water service. The District will post a final Notice of Pending Service Interruption to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

4.7 Time of Discontinuing Service. IRWD will not discontinue water service due to nonpayment on a Friday, Saturday, Sunday, legal holiday, or at any time during which the District's office is not open to the public.

4.8 Restoration of Service. Customers whose water service has been discontinued may contact Customer Service by telephone at (949) 453-5300 or in person at the District Offices located at 15600 Sand Canyon Ave Irvine, Ca. 92618 regarding reconnection of service. Reconnection shall be subject to payment of: (a) any past-due amounts, including applicable interest or penalties; (b) any reconnection fees, subject to the limitations in Section 7.1, if applicable.

5. Procedures to Contest or Appeal a Bill.

5.1 Time to Initiate Complaint or Request an Investigation. A customer may initiate a complaint or request an investigation regarding the amount of a bill within fifteen (15) days of receiving a disputed bill. For purposes of this Section 5.1 only, a bill shall be deemed received by a customer five (5) days after mailing or for customers who receive e-bills, receipt is deemed immediately upon e-mailing.

5.2 Review by the District. A timely complaint or request for investigation shall be reviewed by the Customer Service Manager, or the Manager's designee, who shall provide a determination to the customer. The review will include consideration of whether the customer may receive an extension or a payment arrangement. The District may, in its discretion, review untimely complaints or requests for investigation; however, such complaints or requests are not subject to appeal.

6. Extensions and Other Payment Arrangements.

6.1 Time to Request an Extension or Other Payment Arrangement. If a customer is unable to pay a bill during the normal payment period, the customer may request an extension or a payment arrangement described in this Section 6.

6.2 Payment Arrangement. If approved by the District, a customer's payment of his or her unpaid balance may be evenly divided for a period of twelve (12) months after the balance was originally due. The Customer Service Manager or their designee can extend payment arrangements longer than 12 months at his or her discretion. The customer shall pay the full unpaid balance by the date set by the District and must remain current on all charges accruing during any subsequent billing periods. The extended payment date will be set forth in writing and provided to the customer.

6.3 Failure to Comply. If a customer has been delinquent for 60 days or more, and has been granted a payment arrangement under this Section 6 and fails to: (1) pay the unpaid charges by the extension date; or (2) pay an amount due under a payment arrangement by its due date, then the District may terminate water service. The District will post a final Notice of Pending Service interruption in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

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

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

- (a) Limit any reconnection fees during normal operating hours to fifty-seven dollars (\$57), and during non-operational hours to one hundred seventy-two dollars (\$172). The limits will only apply if the District's reconnection fees actually exceed these amounts. These limits are subject to an annual adjustment for changes in the Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers (CPI-U) beginning January 1, 2021.
- (b) Waive interest charges on delinquent bills **once** every 12 months.

7.2 Qualifications. The District will deem a residential customer to have a household income below 200 percent of the federal poverty level if: (a) any member of the 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 (b) the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

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

8.1 Applicability. This Section 8 shall apply only when the property owner, landlord, manager, or operator of a residential service address is listed as the customer

of record and has been issued a Notice of Pending Service Interruption to discontinue water service due to nonpayment.

8.2 Agreement to District Terms and Conditions of Service. The District will make service available to the actual residential occupants if one or more occupants agrees to the terms and conditions of service and meets the requirements of the District's rules and regulations.

8.3 Verification of Tenancy. To be eligible to become a customer without paying the amount due on the delinquent account, the occupant shall verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code, at the discretion of the District.

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

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

11. **Discontinuing Water Service for Other Customer Violations.** IRWD reserves the right to discontinue water service for any violations of District ordinances, rules, or regulations other than nonpayment.

12. **Fees and Charges Incurred.** Except as otherwise expressly stated in this Policy, any fees and charges incurred by a customer under any other rules, regulations, or policies of the District, including, but not limited to, delinquent charges, shall be due and payable as set forth therein.