

HARTSTENE POINTE WATER-SEWER DISTRICT
MASON COUNTY, WASHINGTON

RESOLUTION 2020-01

A RESOLUTION OF THE
HARTSTENE POINTE WATER-SEWER DISTRICT COMMISSIONERS
ADOPTING DISTRICT POLICY FOR WATER/SEWER ACCOUNTS,
DELINQUENCIES, SHUT-OFFS, LIENS, BILLING DISPUTES

WHEREAS, Hartstene Pointe Water-Sewer District is a special purpose district, governed by Title 57 of the Revised Code of Washington; and

WHEREAS, Hartstene Pointe Water-Sewer District will maintain its policies on customer accounts, delinquencies, shut-offs, liens, and billing disputes; now

THEREFORE, The Board of Commissioners of the Hartstene Pointe Water-Sewer District hereby resolves:

1. **Customer Accounts.** All customer accounts will be in the name of the owner of the property receiving water/sewer service. The owner shall be responsible for payment of all charges and fees.

If a property served by the District is occupied by a tenant, the owner must provide the District, in writing, the name and contact information of the tenant within 30 days of occupancy.

2. **Billing.** The District hereby verifies the following District billing procedures:
 - a. All accounts are billed on a monthly basis;
 - b. Payment of water and/or sewer account is due in full upon receipt. Accounts are considered delinquent if not paid by last day of the billing period;
 - c. Billing statements will clearly state that charges unpaid by last day of the billing period are subject to penalties;
 - d. The District may accept partial payments of past due bills. However, acceptances of any partial payments by the District will not exempt a past due account from further collection efforts by the District or in any way change the account's status as being delinquent.

3. **Allocation of Payment.** The following procedures shall govern the allocation of customer payments for sewer and water service:

- a. On combined billings for water and sewer service, payments will be allocated to any unpaid fees on the account first, then to the sewer balance, and then to the water balance;
- b. Any partial payment plans entered into between the District and the customer shall follow the standard allocation of payments, unless otherwise agreed to in writing by the District and rate payer for good reason shown;

4. Processing Procedures.

- a. Delinquent Account Charge. It is the policy of Hartstene Pointe Water-Sewer District to assess a penalty of ten percent (10%) of the unpaid balance, excluding late fees, for each account for which payment of a water/sewer bill is not received in full by the Hartstene Pointe Water-Sewer District by the last day of the billing period. A late notice will be sent to the water/sewer customer notifying them of the following:
 - i. The overdue balance;
 - ii. The amount of the assessed late fee;
 - iii. Services are subject to termination;
 - iv. The District's procedures regarding discontinuation of service, including notice of hearing rights, penalties, and additional charges for reestablishing service.
 - v. Discontinuation of service does not relieve them of the obligation to pay all outstanding bills and charges;
- b. Door Hangers. Should an overdue account balance exceed \$100.00 U.S., including penalties, for 30 calendar days or more, the customer will be notified by a "door hanger" that service will be "shut off" within 48 hours unless the water bill is paid in full or payment arrangements are made with the District within the 48 hour time period.
- c. Shut-offs. If it becomes necessary to discontinue service, all overdue account balances, including late fees, shut-off notice fee, and the service turn-on fee, must be paid in full or through payment arrangements before service is restored.

If the property is occupied by a tenant rather than the owner, service will not be discontinued.

- d. Collection Companies. The District may use the services of a collection company to pursue payment of any delinquent account when the District

General Manager or his/her designee considers the use of a collection company in the best interests of the District.

- e. Liens. Whenever the District's connection charges, rates, or charges for service, are delinquent in an amount equaling or exceeding \$250.00 for sixty (60) days or more, and at the discretion of the General Manager, the District shall certify the delinquencies to the Mason County Auditor. At the time certification is made, an additional lien processing fee shall be made against the delinquent property. At any time after delinquencies have been present for at least sixty (60) days, the District shall have the right to bring suit in Mason County Superior Court to foreclose against the delinquent property pursuant to the provisions of RCW 57.08.081.

A property against which the District has placed a lien and discontinued service will no longer be assessed charges for service until the lien has been satisfied. The account will continue to be charged a penalty of ten percent (10%) of the unpaid balance, excluding late fees, every month.

A property against which the District has placed a lien but has not discontinued service will continue to be assessed charges for service and a penalty of ten percent (10%) of the unpaid balance, excluding late fees, every two months.

5. **Appeals.** Discontinuation of service, or shut-off procedures followed by the District, may be appealed to the Hartstene Pointe Water-Sewer District Board of Commissioners by the property owner. To be considered timely and subject to review by the District's Board of Commissioners, an appeal must be delivered to the District's General Manager or his designee within twenty days from the date service was discontinued. The appeal shall be in writing and succinctly state the full basis for the appeal and all reasons why the discontinuation should not have occurred and/or why the procedures followed by the District in discontinuing service were inappropriate. The Board shall use its best efforts to decide whether duly filed appeals should be granted or denied within thirty (30) days of its receipt by the District. An appeal shall be considered filed with the District on the date of delivery to the appropriate District official, with a receipt being signed by the District official, or three business days after the appeal is mailed to the District's General Manager at the District's headquarters by certified mail, return receipt requested.

6. Billing Dispute Policy:

- a. Time Limitation: Should any customer disagree with the amount of any bill, or relating to a customer account for any reason, the customer may request a meeting with the General Manager in writing within sixty calendar days following the due date of the contested utility bill. Such written request shall set forth the reasons for the disagreement and the customer's estimate of the proper amount of the bill if the customer has an opinion about the amount.

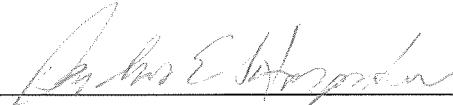
9. **Savings Clause.** If any section, sentence, or portion of this resolution is for any reason determined to be unenforceable or invalid by a competent court of law, such determination shall not affect the remaining portions of this resolution.

10. **Repeal.** All other District resolutions, policies, and procedures, including Resolution 2015-10, Resolution 2015-08 and Resolution 2015-06, are hereby modified, repealed, and/or superseded to be in accordance with this resolution effective as of the date of adoption.

ADOPTED by the District Board of Commissioners at its scheduled meeting on this 6th day of February, 2020.

Hartstene Pointe Water-Sewer District
Mason County, Washington

David McNabb, Acting-President



Andrew Hospador, Secretary



Stacy Swart, Commissioner