

**HARTSTENE POINTE WATER-SEWER DISTRICT  
MASON COUNTY, WASHINGTON**

**RESOLUTION 2015-10**

**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 bi-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 two months.

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.

b. Appeal to General Manager: The General Manager and customer should make their best efforts to meet within ten business days after the District receives the request. The General Manager may require the customer to produce reasonable evidence and documentation to support the customer's request. After reviewing the customer's request and supporting documentation, the General Manager shall have the authority to correct the bill should it be determined that the change results in a credit to the customer account of less than five hundred dollars or a further debit to the customer account. If the General Manager believes the customer account should be credited in an amount equal to or greater than five hundred dollars, the General Manager shall submit the recommendation to the Board of Commissioners.

7. **Unauthorized Connections:** If a property is discovered to have been connected to the water or sewer system without the required payment of fees, charges, and/or monthly service payments, the District shall require payment of the applicable fees, charges and/or monthly service payments.

a. If a property is discovered that has expanded its facilities to a degree that additional fees, charges and/or monthly service payments are due to the District, the District shall require payment of the applicable fees, charges and/or monthly service payments.

b. The District has the authority to require back payment of up to 72 months of monthly service payments.

c. The General Manager or designated representative, is authorized to negotiate a payment plan for the payment of applicable fees, charges and/or monthly service payments that are due as a result of illegal water/sewer connections or uncollected charges and/or fees.

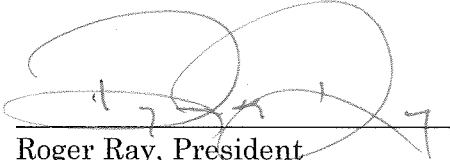
8. **Hearing Before Board of Commissioners:** If a real property owner objects to the amount of the water/sewer connection charges computed specifically by the District for the real property, the owner may request a hearing before the District's Board of Commissioners. The owner shall file a notice in writing with the District before connection, stating the owner's name, the legal description of the real property sought to be connected to the District's system, the total amount of the charges computed by the District, the owner's contention as to what the reasonable charges should be, if any, and the basis for the owner's calculation of the charges. The Board of Commissioners, upon receiving the notice, shall set a time and date for the hearing. At the hearing, the Board shall afford the property owner reasonable opportunity to present evidence and argument in support of the property owner's contention regarding the charges. After considering the evidence presented and the argument made, the Board shall render its decision, in writing, as to the correct charges.

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.

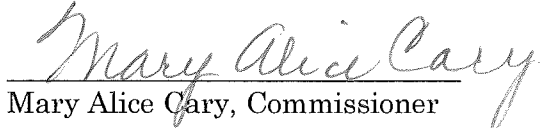
10. **Repeal.** All other District resolutions, policies, and procedures, including Resolution 2015-08 and Resolution 2015-06, are hereby modified, repealed, and/or superseded to be in accordance with this resolution effective as of the date of adoption.

**ADOPTED** by the District Board of Commissioners at its scheduled meeting on this 12<sup>th</sup> day of November, 2015.

Hartstene Pointe Water-Sewer District  
Mason County, Washington

  
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Roger Ray, President

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Nancy Nelson, Commissioner

  
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Mary Alice Cary, Commissioner