



RESOLUTION NO. 2026-04

**RESOLUTION OF THE GOVERNING BOARD OF THE
WESTERN HILLS WATER DISTRICT ADOPTING
A DELINQUENCY AND DISCONNECTION POLICY
FOR NONPAYMENT OF WATER CHARGES**

WHEREAS, the Governing Board (the “Board”) of the Western Hills Water District (the “District”) is the governing authority responsible for the management and operation of the District’s water system and for establishing policies governing the provision of water to its customers;

WHEREAS, the District has the statutory and common law right to collect charges for water service provided to its customers, and, when necessary, to disconnect service for nonpayment of delinquent accounts, subject to the procedural requirements and customer protections set forth in California law;

WHEREAS, the District has prepared a new policy on delinquency and disconnection of water accounts for nonpayment (the (“Policy”), which establishes clear, fair, and consistent procedures for notifying customers of delinquency, offering alternative payment arrangements, and disconnecting service as a last resort in accordance with California state law;

WHEREAS, the Board finds the adoption of the Policy necessary to protect the financial stability of the District, ensure equitable treatment of all customers, and maintain compliance with state law while preserving the District’s ability to recover amounts owed for water service; and

WHEREAS, the Board desires to formally adopt the Policy and to authorize the appropriate District personnel to implement and enforce the Policy;

NOW, THEREFORE, the Governing Board of the Western Hills Water District does hereby resolve:

SECTION 1. Incorporation of Recitals.

The Board finds and determines that the above-referenced recitals and findings are true and correct and material to this Resolution.

SECTION 2. Board Actions.

The Board hereby takes the following actions:

(a) The Board hereby adopts the new Delinquency Disconnection and Collection for Nonpayment Policy, a copy of which Policy is attached hereto as Exhibit A (or is on file with the District Secretary).

(b) The Board authorizes the Board President (or designee) to implement the Policy and to take all actions necessary and appropriate to enforce the District's rights thereunder.

Moved by Director M. Johnson, seconded by Director M. Kovich, that the foregoing resolution be adopted. Upon roll call the following vote was had:

Ayes: M. Davies, J. Frederick, M. Oliver

I, Lori Lawson, Secretary of the Board of Directors of the Western Hills Water District, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a duly noticed meeting of the said Board of Directors held on the 12th day of March, 2026.



Lori Lawson, Board Secretary

Exhibit A

Western Hills Water District Delinquency Collection and Disconnection for Nonpayment Policy (Adopted pursuant to Health & Safety Code § 116906)

Effective Date: March 12th, 2026

1. Purpose and Legal Authority. This policy governs the collection of delinquent water service charges and the discontinuance of residential water service for nonpayment. It is adopted in compliance with Health and Safety Code §§ 116900–116926 (Water Shutoff Protection Act) and California Government Code §§ 60370–60375.5. The policy is posted on the District website as required by law.

2. Scope. This policy applies only to discontinuance of service for nonpayment of water and recycled water charges. It does **not** apply to termination for unauthorized use, emergency, condemnation, or reasons unrelated to non-payment.

3. Definitions.

- **Delinquent Account:** Any account unpaid (and without an approved amortization agreement) by close of business 30 days after issuance of the bill.
- **Amortization Agreement:** The only form of deferred payment arrangement offered by the District. An amortization agreement is the agreement whereby the District and account holder agree to spread delinquent payment amounts out over future billing periods.
- **Past Due Notice:** Written notice mailed after 30 days delinquency.
- **Written Disconnection Notice:** Mailed notice given at least 7 business days before disconnection.
- **48-Hour Notice:** Door hanger delivered at least 48 hours before disconnection.

4. Late Fees. If payment is not received by close of business on the 30th day after issuance of the bill, a late fee of 10% of the past-due amount will be assessed. The due date and late fee are prominently displayed on each bill.

5. Amortization Agreements. The District offers no other payment plans except formal amortization agreements.

5.1 Eligibility – Mandatory Offer. The District shall offer and delay disconnection for a customer who:

- a. Requests an amortization agreement in writing before the disconnection deadline,

and

- b. Satisfies **both** of the following criteria:

i. Provides a signed certification from a qualifying primary care provider (which includes any internist, general practitioner, obstetrician/gynecologist, pediatrician, family practice physician or surgeon, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic, or hospital outpatient clinic enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal beneficiaries) stating that disconnection would be **life-threatening** or pose a **serious threat to health and safety** of a resident (which risks must be distinct from the general risks of lacking water service),

and

ii. Demonstrates financial hardship by either:

- Providing proof that a household member receives CalWORKs, CalFresh, Medi-Cal, SSI/SSP, WIC, General Assistance, or
- Submits a signed written declaration that household annual income is ≤ 200% of the federal poverty level (currently \$66,000 for a family of 4, \$54,640 for a family of 3, \$43,280 for a family of 2, or \$31,920 for an individual as of 2026 – updated annually).

5.2 Discretionary Amortization. If the mandatory criteria to qualify for a mandatory amortization offer are **not** met, the District may or may not, in its sole discretion, offer an amortization agreement.

5.3 Terms of Amortization Agreement.

- Must be in writing and signed by the customer.
- Unpaid balance amortized over a period set by the customer, not to exceed 12 months from original bill date.
- Amortized payments are added to and due with regular monthly bills.
- Customer must remain current on all new charges during the amortization period.
- No additional amortization requests allowed while repaying prior delinquent amounts.
- Failure to comply with the agreement for 60 days or more may result in disconnection.

6. Disconnection Process for Nonpayment.

6.1 Past Due Notice. The District will mail a Past Due Notice after 30 days of account delinquency to inform the account holder of the amount due and delinquency date.

6.2 Written Disconnection Notice. The District will mail a written disconnection notice at **least 7 business days before** any scheduled disconnection of residential water service for nonpayment. Disconnection itself will not occur until the account has been delinquent for at least 60 days. The Written Disconnection Notice will include:

- Customer name and address
- Past-due amount

- Date by which payment or an amortization agreement must be arranged to avoid disconnection
- Description of how to request an amortization agreement
- Description of the process to dispute or appeal the delinquency
- District phone number and link to this policy
- Translation into Spanish, Chinese, Tagalog, Vietnamese, Korean (and any other language spoken by ≥10% of customers)

If mailing address differs from service address, second notice sent to “Occupant” at service address. If notice returned undeliverable, District will attempt in-person door notice.

6.3 48-Hour Notice. The District will make a reasonable, good faith effort to notify the customer 48 hours in advance of disconnection of water service for nonpayment. This notice will contain the same information as the Written Disconnection Notice.

6.4 Final Deadline. Payment (or approved amortization) must be received by 5:30 p.m. on the date specified in the written disconnection notice to avoid disconnection.

6.5 Disconnection. Service disconnected by locking the meter. District will attempt phone contact 24 hours prior (customer responsible for maintaining a current phone number).

7. Reconnection After Nonpayment Disconnection. To restore service, customer must pay:

- All past-due amounts and associated fees
- \$50 reconnection fee
- \$350 security deposit (cash or check only)

Service will be restored as soon as practicable, but no later than end of business day after full payment is received. If water service is turned on by any person other than authorized District personnel, additional fees, penalties, and liability will apply. The account holder shall be responsible (jointly and severally with any other responsible party) for damages resulting from unauthorized reconnection.

8. Returned Checks.

- Returned check treated as non-payment.
- District will attempt phone contact and issue 48-hour door-tag notice.
- If returned check was used to restore previously disconnected service, District may disconnect **without further notice**.

9. Appeals / Disputes. Customers may appeal the amount of any delinquency under two separate windows: a general appeal shortly after receiving any bill, and a second opportunity after receiving a Written Disconnection Notice.

9.1 General Appeal Process. A customer may request an appeal or review of any water service bill or charge within 5 days of receipt of the bill. The request must be made in writing and delivered to the District office (or as otherwise specified in the bill or on the

District website). For so long as the customer's appeal and any resulting investigation is pending, the District will not disconnect water service for nonpayment related to the disputed charges.

9.2 Disconnection Appeal. If a customer receives a Written Disconnection Notice (Section 6.2), they may request an appeal of the delinquent charges referenced in that notice within three business days of the date of the disconnection notice. The request for appeal must be made in writing, include supporting documentation or explanation, and be delivered to the District's office by the end of the third business day following the notice date.

9.3 Appeal Decision Process. Following receipt of a timely written appeal request under either Section 9.1 or 9.2, the Board President or designee will review the appeal and supporting material provided by the customer, along with District records. Within 10 days after receipt of the appeal request, the reviewer will render a written decision on the accuracy of the charges and provide the customer with a brief written summary of the decision.

- If the charges are determined to be incorrect, the District will issue a corrected invoice. Payment of the revised charges will be due within 10 calendar days of the corrected invoice date.
- If the revised charges remain unpaid for more than 60 calendar days after the corrected invoice, the District may proceed with disconnection after issuing a new written disconnection notice (per Section 6.2).
- If the charges are determined to be correct, the original amount is immediately due and payable. The District may issue a new disconnection notice specifying a revised disconnection date.

10. Changes in Law If any applicable law or regulation is modified, repealed, or added, the most current law supersedes any inconsistent provision of this policy.

Adoption This policy was adopted by the Board of Directors on March 12th, 2026 and supersedes all prior collection policies.