

**California Association of Mutual Water Companies  
SB 998 Implementation Webinar Q and A  
May 28, 2019**

<b>Q&amp;A Details</b>	<b>Questions</b>	<b>Answers</b>	<b>Name</b>	<b>Email</b>
Scope and requirements	Our property owners are the billing customer. Does this mean that if the tenant needs a payment arrangement, the Owner would be required to sign the arrangement?	If the property owner is the billed/paying customer and is paying the bill, then the tenants' status does not matter. That only comes into play if the owner stops paying.	Kelle Barrette	barrette@bbldwp.com
Scope and requirements	Does SB998 apply to all residential customers or only those stating they are low income?	SB 998 applies to all residential customers. All customers must be given 60 notice prior to service turn-off. There are provisions in the law that apply only to low-income customers.	Maria Bemis	mbemis@ci.porterville.ca.us
Scope and requirements	Is this policy only for customers that meet these two qualifications: low income and have a certification from a primary care provider?	No, it applies to all customers. Special protections apply only to low-income customers.	Francisco Olivares	folivares@cityofhemet.org
Scope and requirements	For WHWC, to be a customer they have to be a shareholder. How would this apply to a tenant?	You are providing service to the shareholder's property, so it is permissible to provide service to a tenant - which the Legislature is now requiring.	Mark Iverson	m.iverson@westernheightswater.org
Scope and requirements	Does the sb998 overrule the sb120 rules?	Yes. To the extent of any inconsistency with another law (i.e., non-constitutional), SB 998 will apply (Health & Safety Code Sec. 116924).	Roy Watson	royw@cityofalhambra.org
Scope and requirements	Do you know if there is any direction as to the use of water flow regulators in-lieu of shut-offs?	There is nothing in SB 998 that addresses that issue.	ADRIAN GARCIA	AGARCIA@BUENAPARK.COM
Scope and requirements	On slide 11 it says ALL 3 conditions must be met to prevent disconnection; health, gov't assistance, willingness for arrangement. ALL 3 for one service customer?	Yes.	Sheryl Heyser	sheyser@simivalley.org
Scope and requirements	Would we need separate policies for income qualified and non-income qualified customers?	No, you can address both instances in one policy.	Francisco Olivares	folivares@cityofhemet.org
Scope and requirements	Our property owners are the billing customer. Does this mean that if the tenant needs a payment arrangement, the Owner would be req to sign the arran	If the owner does not pay and the tenant becomes the customer, the law will supersede your agency/company requirements and the owner would not be required to sign the arrangement.	Kelle Barrette	barrette@bbldwp.com
Scope and requirements	If the property owner is not paying and the tenant is low income, how does that work?	If property owner is not paying bills, need to give tenants at least 10 calendar days notice with alert to pending shut off of service and opportunity to become direct customers.	Mark Iverson	m.iverson@westernheightswater.org
Scope and requirements	For WHWC, to be a customer, you need to be a shareholder. To be a shareholder, you have to own the property.	Answered above.	Mark Iverson	m.iverson@westernheightswater.org
Scope and requirements	Can the water at the meter be throttled down and not be shutoff completely to avoid any parts of SB 998?	SB 998 does not prohibit that.	Max Brandenburg	max.brandenburg@cityofwatsonville.org

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Scope and requirements	As far as the annual reporting, do we have to report all customer that have been shut off or only the ones that fall under the low income	All shut offs must be reported, not just low-income shut offs.	Rebeca Mejia	bmejia@cityofcamarillo.org
Deposits	What about required deposits to become a customer?	SB 998 does not change the law on requiring deposits, so you can still require them based on the customer's creditworthiness (or lack thereof).	Jennifer McCoy (Lester)	jlester@diablowater.org
Deposits	Does this change being able to require a deposit after disconnection?	No. SB 998 does not address customer deposits.	Laurie McNeil	lmcneil@ci.antioch.ca.us
Deposits	We turn water off if the deposit is unpaid within 15 days, is this policy effected by 998?	That should be okay. The requirement for a deposit is not impacted by SB 998.	Leslie Cliche	leslie.cliche@cityofvacaville.com
Fees	cont: s unpaid but then send a reminder notice with a fee around the 25 day mark?	Yes, that would be acceptable.	Tiffany Currier	tiffany.currier@sbmwd.org
Fees	Our agency charges for termination and reconnection, can we charge full cost of services for the termination charge?	Yes, but you need to be careful to ensure that termination charge is justified and not being used to circumvent the reconnection charge limitation.	Theresa Schweitzer	tschweitzer@newportbeachca.gov
Fees	Are agencies able to charge a disconnection fee, and a reconnection fee in order to comply with the \$50 reconnection fee limit?	Yes, that is not prohibited by SB 998. For a public agency, you need to support the amount of the disconnection fee with cost support.	Sheryl Heyser	sheyser@simivalley.org
Fees	When talking about what we can charge for restoration of service once they are turned off. Are we able to charge a deposit to the customer?	You are allowed to charge a deposit under existing law. Would be a complicating factor for customers that are already challenged to pay their bill.	Leslie Cliche	leslie.cliche@cityofvacaville.com
Fees	The \$50 reconnection fee does not cover our cost to dis/reconnect. As other ratepayers are now subsidizing, doesn't this violate Prop 218?	It very well may violate Prop. 218. A court will need to determine that.	Alberto Preciado	apreciado@chwd.org
Fees	May agencies charge a disconnection fee separately from a reconnection fee?	Yes, but you need to be careful to ensure that disconnection charge is justified by costs your district incurs and is not being used to circumvent the reconnection fee limitation.	Alberto Preciado	apreciado@chwd.org
Late Fees	Can collected late fees be used for the rate assistance program?	Yes.	Julie Interrante	JInterrante@tustinca.org
Late Fees	Can a customer that has been shut off for not paying as agreed, then go through the appeal process to avoid having to pay for this additional time?	You can specify in your policy a time limit for appeal and/or in the payment agreement, state all appeals for those charges are waived.	Angela Courter	acourter@cotaticity.org
Late Fees	What about multiple offenders?	No provision in SB 998 on multiple offenses, other than the 5 day termination for failing to pay current charges while alternative payment arrangement is in place.	Mark Iverson	m.iverson@westernheightswater.org
Late Fees	Does this specify when we apply late fees or how much can be assessed for late fees?	No. SB 998 does not address late fees.	Mark Iverson	m.iverson@westernheightswater.org

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Late Fees	Current late fee is applied after 30 days, does SB998 require the late fee to be applied after 60 days?	No. SB 998 does not address late fees.	Lupe Montejano	lmontejano@dinuba.ca.gov
Lein fo rnon-payment	Can we attach a property lien for non-payment of residential bill?	Yes. Nothing in SB998 restricts ability to lien a property as long as you comply with all prerequisites for the lien.	Mark Iverson	m.iverson@westernheightswater.org
Low Income Certification	How would you certify the low income qualification?	Law requires water supplier to take customers at their word regarding their low income status. If customer self identifies as a recipient of public assistance it is allowable to ask for proof of participation in public assistance program like CalFresh.	Angela Courter	acourter@cotaticity.org
Low Income Certification	Our customers are the property owners, not the tenants. For the low-income waiver, is it for the property owner or the tenant?	The waiver will apply to whomever the customer is at that time. Initially, it would be the property owner, but if the tenants subsequently become responsible for the service after an owner payment default, then it would apply to the tenant.	Mark Iverson	m.iverson@westernheightswater.org
Low Income Certification	Everyone in CA can qualify for share of cost Medi-Cal, no matter the the income level. This doesn't seem like a good qualifier for SB998 relief.	While we understand this, this is a qualifier articulated by the legislature.	Joel Metzger	joelm@ccwd.org
Low Income Certification	Can we require them to sign an affidavit that they are under the 200% poverty level or do we have to accept a verbal response?	Written certification, like an application for low income status, would be allowable.	lori rake	lorir@cityoflapalma.org
Low Income Certification	For our customers to qualify for low income, we require proof that the customer is on PG&E's low inc. (e-care). Do we need to offer more ways to qualify?	Yes, you will need to allow for acceptance of any of the public assistance programs listed in SB 998 to satisfy the low income condition to avoid disconnection.	Amanda Cordova	amanda.cordova@cityoftracy.org
Low Income Certification	Are there tenant protections if a multi-family address only has a single meter? What if they're low income?	Yes - that is the required tenant notification issue. Tenant would have to agree to accept service and then subsequently become delinquent under SB 998 for the low income protections to apply.	juliana demers	jdemers@elsegundo.org
Low Income Certification	Does the customer have to show low income before the water is shut off or does AB998 allowed them show this after shut off?	To avoid shut-off, they would need to meet the 3 conditions (health impact, low-income and willingness to enter into alternative payment) before shut-off. SB 998 does not address a post-shut off situation. It merely states that the water supplier cannot discontinue service if those 3 conditions are met.	Deana Cardona	cardona1234@sbcglobal.net

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Certification of Health Impact	Is there a form that would need to be completed by a Dr. for the medical reason of no shut offs?	Would be permissible to develop a form that requests certification from a medical professional that shut off of water would seriously threaten health and safety.	Kari Lee	klee@californiacity-ca.gov
Notification	Does a door hanger qualify as the seven day notice or does it have to be mailed?	Door hanger is fine as long as door hanger contains all of notice requirements and is hung within required 7 business days.	Mark Iverson	m.iverson@westernheightswater.org
Notification	Is mailing a notification sufficient or does it need to be a door hanger for notification before shut off?	Mailing is fine, but if the mailing gets returned, you have to make a good faith effort to deliver the notice to the residence. SB 998 does not include a 48 hour notice requirement.	Roy Watson	royw@cityofalhambra.org
Notification	Can you include the amount due on door hangers?	Yes, but you should be careful of that for privacy reasons. Perhaps include instructions to have the customer contact your agency for repayment information, including amount.	Sheetal Talwar	stalwar@downeyca.org
Notification	For the 5 day notice, does that need to go out after day 60 or can it go out at day 55?	The most conservative path is to wait until the expiration of the 60 day period to give the 7 business day notice. However, nothing in the law prohibits providing the notice before expiration of the 60 day period - that notice would just need to be at least 7 business days before the date the service would be disconnected.	NATALIE DI IORIO	NDIIORIO@CERRITOS.US
Payment arrangements	Can a customer with an active good-standing arrangement on bill 1, be granted another arrangement on the next bill?	Once an alternative payment arrangement is in place, the customer has an obligation to keep its account current on any new charges. If they fail to make full payment on their account for 60 days, service can be disconnected on 5 business days notice.	Sheri Brown	sbrown@oceansideca.org
Payment arrangements	Does the payment plan alternative has to be 12 months or it can be at the discretion of public agency.	It would have to be at least 12 months, but could be longer at the agency's discretion.	Sheetal Talwar	stalwar@downeyca.org
Payment arrangements	defaulting on payment arrangements we have to wait another 60 days before giving 5 day notice to terminate services?	Yes.	Tracie Cacciatore	tcacciatore@brentwoodca.gov
Payment arrangements	Can the customer have back-to-back payment arrangements and be on a payment arrangement year-round?	Potentially, yes. They can enter into a payment arrangement, pay off their delinquent amounts, while keeping their account current, and then enter into another payment agreement.	Kristine Sosa	ksosa@cityofmartinez.org

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Payment arrangements	Right now we allow a 30 day payment arrangement on the full account balance. Will we be allowed to still use this type of arrangement?	No. You will need to extend that up to 12 months.	Deana Cardona	cardona1234@sbcglobal.net
Payment arrangements	Can we limit the number of payment extensions per year?	Yes, but it depends on the exact circumstances.	Julie Interrante	JInterrante@tustinca.org
Payment arrangements	Once a payment arrangement has been completed by the customer, per the agreement, can they start a new payment arrangement on their next bill?	Yes. Nothing in SB 998 precludes that.	Joel Metzger	joelm@ccwd.org
Payment arrangements	If they have an arrangement and say, 30 days into that arrangement, they call for another extension. How much time are we required to give them?	Under that situation, you are not REQUIRED to provide a further extension.	NATALIE DI IORIO	NDIIORIO@CERRITOS.US
Payment arrangements	If the customer sets up a payment arrangement and after 60 days receives a disconnect notice, would the customer be able to start the process again?	If a payment arrangement is breached the customer is entitled to a 5 business day notice (not another 60 day notice) before the service can be terminated.	Lucila Datiles	ldatiles@cityofamericancanyon.org
Pending litigation	Our city attorney wants to wait until appeals have been resolved in court until the court decision on SB998. Are there any active appeal stop SB998?	We are not aware of any pending litigation on SB 998.	Eden Alomeri	eden.alomeri@oxnard.org
Time frame for disconnection	You stated that the 60 day period before shut-off begins from the bill date. How did you determine that it begins on the bill date and not the past du	Each agency will need to address when delinquency period starts in their policy. CalMutuals sample policy identifies the date the bill is given as the start date.	ADRIAN GARCIA	AGARCIA@BUENAPARK.COM
Time frame for disconnection	How many days of service can a customer get without paying? - Worst case, 120 days??	Yes, in the neighborhood of 120 days.	Mark Iverson	m.iverson@westernheightswater.org
Time frame for disconnection	For customers that have an extension, do we need to notify 5 business days before shut off? Example, customer requests an extension for current bill.	Yes, you would still need to provide the 5 day notice because the extension would be considered to be one of the acceptable alternative payment arrangements.	Marc Morales	mmorales@cityofhesperia.us
Time frame for disconnection	Can an agency communicate to customers that bills are due upon presentation and services are subject to disconnection after 60 days if the bill remai	Yes.	Tiffany Currier	tiffany.currier@sbmwd.org
Time frame for disconnection	In terms of the 60 requirement. Are we not allowed to send any notices until 60 days, Or is it that our Final Notice can't be until 60 days ?	The account does not become delinquent until the 60th day. However, you can provide the Final Notice at least 7 business days before that date of delinquency if you plan on terminating on that date.	Laurie McNeil	lmcneil@ci.antioch.ca.us

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Translation	One of languages is listed as Chinese. Which Mandarin or Cantonese?	Legislature does not articulate which dialect is required. Would advise to use Chinese language which is most prevalent in your service area. We have also been informed that Cantonese and Mandarin use the same writing symbols, and it is the spoken dialects that are different.	Lewis Humphries	lhumphries@cityofnewman.com
Translation	On the internet website, would a link to Google Translate be sufficient?	We do not believe that Google translate will be adequate to meet the requirements of the law. Cannot guarantee that online tools will provide accurate translations. However, it is possible that if you are able to confirm the accuracy of the Google translation, that such a method would be acceptable.	Sheryl Heyser	sheyser@simivalley.org
Translation	Do the door hangers need to be in the multiple languages?	Yes	Cammie Morin	cmorin@sidwater.org
Translation	Could you please clarify where it states the door hanger would need to be in the 5+ languages that are required?	Health & Safety Code Sec. 116922 - all written notices required under this chapter shall be provided in English and the specified languages.	Kristy Mincey	minceyk@emwd.org
Translation	Where would we go to find out what other languages 10% or more of our population speak? Is it agency wide or broken out by area?	I am not sure. Perhaps start with Census information. I am not aware of any agencies that have over 10% of their population that primarily speaks other than any of the 6 specified languages.	Theresa Schweitzer	tschweitzer@newportbeachca.gov
Implementation Resources	This would appear to be an unfunded mandate. Are there any actions being taken that would provide for govt	Some agencies may submit petitions to the Commission on Mandates to try to recover costs. But that is an agency by agency decision.	Sheryl Heyser	sheyser@simivalley.org
Implementation Resources	cont: assistance programs to assist with utility payments?	There is no state-wide water utility assistance program. AB 401 is designed to tackle this need.	Sheryl Heyser	sheyser@simivalley.org