

MICHAEL P. VICTORINO
Mayor

HELENE KAU
Director

SHAYNE R. AGAWA, P.E.
Deputy Director



DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
<http://www.mauicounty.gov/water>

September 15, 2022

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 9/15/22

Mayor Date

For Transmittal to:

Shane M. Sinenci, Chair
Agriculture and Public Trust Committee
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Sinenci,

SUBJECT: **BILL 104 (2022), NOTICE TO PROPERTY OWNERS AND LESSEES WHEN AN ACCOUNT IS IN ARREARS** (APT-64)

Thank you for your letter dated September 2, 2022. Department of Water Supply responds as follows:

1. Please provide an outline of the steps taken when an account is in arrears, including the Department's action, possible response, and the overall timeframe beginning at the point the Department becomes aware of nonpayment and resulting in water meter removal. Please provide this information in a flowchart format, if possible.

Response:

The Department does not immediately remove the water meter for delinquent accounts, instead the Department locks the meter (shuts off water) for nonpayment.

An account is considered delinquent when it has balance of \$50.00 or more and 30 days have passed since the due date. Immediately the Department would:

"By Water All Things Find Life"

- a) Send a missed payment letter to the account holder.
- b) A second letter would be sent to the account holder fifteen (15) days after the first letter was sent.
- c) A field activity request is created requesting to lock the meter (shut off water) ten (10) days after the second letter was sent.
- d) Thirty (30) days after the meter is locked, the service agreement with the account holder is severed.
 - (i) The Department would send a letter via certified mail to the known/new occupant or owner of the property requesting a new signed service agreement and having the new service account holder assume responsibility to pay the monthly meter service fee to the Department.
 - (ii) If no response is received from the known/new occupant or owner of the property within 45 days from the date the certified mail was sent, the Department would create a field activity request to remove the meter. No signed service agreement means there is no party responsible to pay the service fee of the meter which justifies the removal of the meter.

2. At what steps in the collections process does the Department recommend the property owner be notified of nonpayment that may result in possible water meter removal?

Response:

Thirty (30) days after the meter is locked, the service agreement with the account holder is severed.

- a) The Department would send a letter via certified mail to the known/new occupant or owner of the property requesting a new signed service agreement and having the new service account holder assume the responsibility to pay the monthly meter service fee to the Department.
- b) If no response is received from the known/new occupant or owner of the property within 45 days from the date the certified mail was sent, the Department would create a field activity request to remove the meter. No signed service agreement means there is no party responsible to pay the service fee of the meter which justifies the removal of the meter.

3. Once the Department has initiated water meter removal, what is the process for appealing the decision?

Response:

The known/new occupant or owner of the property should notify the Department of their intent to sign the service agreement within a reasonable time.

4. Once a water meter has been removed, what is the process for having it reinstalled?

Response:

The known/new occupant or owner of the property should request reinstallation of the water meter.

- a) If the request for reinstallation is submitted within three (3) years from the date the meter was removed, the current fee to reinstall the meter is \$190 (based on the FY2023 Council Adopted Budget).
 - b) If the request to reinstall the water meter is beyond three (3) years from the date the meter was removed, the request will be handled as a new application for water service and subject to the applicable rules and fees in place at that time.
5. When an account is created in the name of a lessee or tenant, is the endorsement of the property owner required on the application? If so, what information about the property owner is collected?

Response:

Yes, per MCC Section 14.04.030.

Only the property owner's signature is required (see attached sample application).

If you have additional questions, please do not hesitate to contact me.

Sincerely,


HELENE KAU
DIRECTOR

HK:lk
Attachment

APPLICATION FOR WATER SERVICE

- THE APPLICANT IS THE PROPERTY OWNER OR AGENT
 THE APPLICANT IS A TENANT

Applicant:
Address1: The information in this area would be typed by DWS staff based on
Address2: the Tenant's application before sending the form to the property
City, State, Zip: owner.

Service Location:
Account Number:

Tax Map Key:

The undersigned hereby applied to the Department of Water Supply, County of Maui, for water service at the above Service Address. In consideration for such service, Applicant(s) agree to pay all charges incurred for such water service and to abide by all rules, regulations, provisions and/or amendments thereof prescribed by the Department of Water Supply relating to water and waste water services and rates. The Applicant(s) further agrees that water service will continue and charges will accrue until the Applicant(s) gives due notification in writing of discontinuance to the Department of Water Supply.

Payment for charges is due no later than twenty (20) days after the billing date and must be received no later than the "Payment Must Reach Us By" date as identified in the invoice. Failure to pay all balances when due may result in termination of services until such time all amounts due are paid and the account is returned to current status. In the event of termination, there may be additional charges assessed to reinstate services. Unpaid Balances in excess of 30 days are subject to a 1% Late Payment Fee on all past due amounts. In the event of default, your account may be referred to a Collection Agency for payment.

Tenant Applications: Section 14.04.030 of the Maui County Code, provides that a Tenant (including a lessee of licensee) may be granted water service if the property Owner co-signs the application. By Co-signing this application, the Owner agrees that Owner shall be responsible for all water service bills if Tenant fails or refuses to pay such bills. The Owner further agrees that if the Owner fails to pay the Tenant's obligations under this Application for Water Service, the Department may refuse to furnish water service to the above-referenced Service Address. Lastly, the Owner agrees and understands that if Tenant notifies the Department in writing of discontinuance of water service, this water service account will automatically revert back or be registered to Owner.

Date: _____

Receipt #: _____ Amount of Deposit: _____

Primary Phone #: _____ Applicant Signature: _____

Applicant ID: _____ ID Type: _____

Owner Signature (if different than Applicant): _____ Property Owner's signature (required)

** Deposits paid at time of application are held and processed as security deposits.*

APT Committee

From: Michelle Santos <Michelle.Santos@co.maui.hi.us>
Sent: Thursday, September 15, 2022 3:16 PM
To: APT Committee
Cc: Helene Kau; Josiah Nishita; Kayla Ueshiro; Linda Kimura; Michele Sakuma; Michele Yoshimura; Sandy Baz; Shayne Agawa; Stacy Takahashi; Tyson Miyake; Zeke Kalua
Subject: MT#9879 Bill 104 Notice to Property Owners and Lessees When an Account is in Arrears
Attachments: MT#9879-APT Committee.pdf

NOTE: PLEASE DO NOT FORWARD MY EMAIL TO ANYONE OUTSIDE OF THE COUNTY OF MAUI. YOU MAY CLICK ON THE ATTACHMENT ITSELF AND CREATE YOUR OWN EMAIL TO FORWARD THE DOCUMENT TO ANOTHER PERSON OUTSIDE OF THE COUNTY.

Michelle L. Santos

Office Operations Assistant

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