

FALL RIVER
DEPARTMENT OF COMMUNITY UTILITIES (DCU)
WATER AND SEWER DIVISIONS

DCU APPEAL FORM
AND
WATER LEAK ADJUSTMENT POLICY

AS OF AUGUST 29, 2013



City of Fall River
Massachusetts
Department of Community Utilities
WATER DIVISION

WILLIAM A. FLANAGAN
Mayor

JOHN FRIAR
Director

DCU Fee Appeal Form

Water _____ **Sewer** _____ **Stormwater** _____

Customer Name: _____ Date: _____

Property Owner's Name (if different): _____

Property Address: _____

Mailing Address (if different): _____

Bill Account Number: _____ Assessor's Map/Lot Number: _____

Contact Telephone Number: _____ Property Type (check one): Residential _____

Commercial _____ Industrial _____ Condo _____ Apartment _____ Other (describe) _____

Bill number(s) appealed: _____ Total amount appealed: _____

Describe the reason for the high bill (toilet leak, sprinkler leak, etc.): _____

Explain why the bill should be adjusted. Attach additional sheets if more space or sketches are needed: _____

What is the remedy desired: _____

Print Owner/Customer Name: _____

Sign Owner/Customer Name: _____

CITY OF FALL RIVER
DEPARTMENT OF COMMUNITY UTILITIES (DCU)
WATER AND SEWER DIVISIONS
Water Leak Adjustment Policy
UPDATED 7/2/13

Billing Adjustments

The Fall River Department of Community Utilities (DCU) may consider utility billing adjustments for the following reasons **ONLY**:

- Clerical billing or reading error on part of the Department
- Proven malfunction of the water meter (see information below)
- Water leak adjustment in accordance with approved policy

If you Suspect a Water Leak

If you determine that your water bill has gradually or dramatically been getting larger and does not decrease throughout several meter reading cycles, you may have a water leak. The Fall River DCU has a water leak adjustment policy that **MAY** give you a credit on your utility bill, depending upon the nature of the water leak. If the **water leak** is determined to be your responsibility, you should repair the water leak and submit documentation of the repair (including receipts for labor, supplies and equipment) to the Fall River Water Division billing office along with the completed Billing **DCU Fee Appeal Form**. Once your documentation has been reviewed, the documentation will be processed and adjustment made if the abatement request meets the guidelines of this policy and receives approval. The amount and time period to which the adjustment can be applied varies depending on the nature of the water leak. Any request for water leak adjustments must be made within 45 days of the water leak repair. If you have any questions, call the Fall River Water Division billing office at 508-324-2330.

The Fall River DCU retains the right to deny any claim for adjustment that is not caused by the fault of the Department.

Meter Tests

If you suspect that your water meter is not reading accurately, you can request a test of your water meter.

HOWEVER, YOU ARE FOREWARNED THAT RESIDENTIAL WATER METERS GENERALLY SLOW DOWN AND READ LOW; RESIDENTIAL WATER METERS ARE NOT KNOWN TO READ HIGH. You can read multiple policies at Water Divisions across the country that reflect this condition of reading low, not high.

If a meter test is requested by the customer, and the meter reading is accurate (within standards of the American Water Works Association), a testing fee **of \$100 will be charged to your account**. If the meter tests high above the AWWA standards, the Department will pay for the meter test and adjust your account by the percentage that the meter reads high. Please see the Water Leak Adjustment Policy for further information on meter testing.

For any adjustments made, a credit will be applied to your utility account in the event an adjustment is given. **Any dispute of a meter reading does not waive your responsibility to pay a utility bill by its due date.**)

Failure to pay the bill results in interest accruing on said bill; and over an extended period can result in a lien on the property and/or termination of service.

Please read the following before submitting a request for an adjustment to your bill for a water leak. The DCU Fee Appeal form is available at the Water Division billing office at the Government Center.

1. The need to adjust a water bill may be evident by a customer complaint of excessive billing or evidence of water leakage on the customer side of the meter. To qualify for a water leak adjustment, the water usage must be at least 100 percent above the average quarterly usage (i.e. water leaking commode/toilet). Average usage is defined as the average normal consumption for the previous twelve months.
2. It is the customer's responsibility to keep their plumbing system in good working order.
3. Only one water leak adjustment per customer is allowed per every 5 years, unless otherwise waived by action of the Watuppa Water Board and/or the Sewer Commission.
4. The DCU will first determine that the meter has been read properly. If an investigation of the meter and meter records establishes that the meter was misread or that there was a failure of utility equipment, then the account shall be adjusted.
5. If an investigation of the meter and meter record establishes that the meter was properly read and that there was no failure of utility equipment, the bill will remain valid and payable.
6. If the customer questions the accuracy of the meter, he must pay the bill in question, but can request a meter test (testing fee is \$100). Failure to pay the bill results in interest accruing on said bill; and over an extended period can result in a lien on the property and/or termination of service. The DCU will remove the meter and have it tested in accordance with guidelines established for used meters by the American Water Works Association (AWWA). If the meter tests accurate, the customer account shall be charged \$100. If the meter does not meet AWWA accuracy standards, the Utility shall pay the meter testing cost and repair or replace the meter at the Water Department's cost.
7. If an adjustment of the customer's bill is warranted due to a leak, the amount of the bill will be determined based upon the same billing period from the prior 12 month billing plus one-half of the overage. The Water Department shall collect the average water bill and 50 percent of the excess water charges.
8. To be adjusted, there must be some reasonable evidence that a water leak occurred or other reasonable incident that is acceptable to the Water Division.
9. Adjustments on water bills will **NOT** be made on the following:
 - a) Premises left or abandoned or vacated without reasonable care for the plumbing system;
 - b) More than one occurrence per any 5 year period;

- c) Filling of swimming pools;
- d) Irrigation systems, watering of lawns;
- e) Bills claimed to be lost or not received;
- f) Homes under construction/major renovation;
- g) Customer did not take immediate steps, after detection of the water leak, to prevent further loss of water; and
- h) Customer did not provide proof of the repair (receipts for any materials or services related to that repair)
- i) Meter was tampered with in any way
- j) Estimated bills

10. The Water Department shall not be obligated to make adjustments of any bills not contested within forty five (45) days from the billing date. An adjustment can only be made on the billing for one billing period. In the event the water leak extends into a second billing period, the higher bill of the two can be adjusted.
11. The Water department shall be under no obligation to extend the discount or due date or the time for paying the bills because the customer disputes the amount of the bill.
12. All requests for billing adjustments must be received in writing or in person at the Water Department billing office during regular business hours. A written form must be completed for each adjustment stating the necessary information about the water leak and verifying the water leak repair. The Water Dept. shall file a written report of the customer billing adjustment and the action of the staff regarding the adjustment.
13. Account adjustments can be made at the administrative level. If the customer and the Water Division Administrator cannot resolve the issue; then the customer will be scheduled to appear before the Water Board and/or Sewer Commission to be heard. Votes of the Boards are final.

Fall River, MA, Department of Community Utilities

Customer Bill Abatement Procedure

You may appeal your Community Utilities bill if you do not agree with it. Here's how:

Call or come in to discuss your issue with one of our billing staff. If they cannot resolve the issue (in other words, if it is not simply a mistake in a bill's address, owner, etc.; and they tell you they can't help you), please ask the clerk for the correct abatement form:

A "Community Utilities Abatement Request Form" is used to dispute any portion of your bill. (Water, Sewer and/or Stormwater).

If you wish, the clerk will help you fill it out; or, you may take it with you to complete.

When ready, send or bring it to:

Water Division
1 Government Center
Fall River, MA 02722

We will review your request and respond. We will call you if we have any questions, so be sure to include the phone number at which you prefer to be called.

The first response will be from either the Director of the Water Division or the Administrator of Community Utilities, and is called "the administrative review".

A decision that agrees with your request will result in Corrective Action, which will be spelled out in the response. (This action is subject to ratification of the respective governing body, but you do not need to be present for the ratification process.)

An administrative decision that denies your request gives you two options: you can accept the decision and the matter is closed; or you can disagree with the decision and ask us to forward the request for abatement to either the Watuppa Water Board or the Fall River Sewer Commission.

You will be notified of the time and place at which your request will be heard. The Board or Commission will listen to you, and make its decision. The decision is final insofar as the City is concerned, and the matter will be closed.

Guidance to Customers

Here are some basic principles of the Department of Community Utilities:

1. The Water Division does not abate water bills that are based on water meter readings.
2. The Sewer Division uses water meter readings as the basis for calculation of most bills, so it does not abate bills based on water meter readings, unless it is shown that some or all of the water did not go to a sewer.
3. Stormwater charges are billed to every property from which run-off results in cost (direct or indirect), to the Sewer Division. This includes ponds, swales, and culvert maintenance.
4. One time leak abatements are possible on strict conditions.

Please keep these principles in mind when deciding if you have a valid reason to request abatement of a Community Utilities bill.

7/2/2013 TS