



www.orrutilities.com

JEFF A. BREDIGER
Director of Utilities

P.O. Box 107
207 North Main Street
Orrville, Ohio 44667-0107

jbrediger@orrutilities.com
Phone 330.684.5012
Fax 330.684.5040

February 23, 2018

Dear Property Owner:

As you know, the Orrville Public Utility Board has been contemplating changes to the Delinquent Utilities Policies / Procedures.

To recap the events that have transpired:

1. Proposed Draft Delinquent Utility Policy / Procedure mailed to Rental Property Owners.
2. Public Meeting held October 23, 2017 to discuss the proposed policy. (31 individuals attended)
3. Questions presented during the public meeting were addressed, in writing, and mailed to all property owners who were present at the public meeting or called with inquiries. The public meeting response was also sent to all rental property owners with more than 25 units.
4. Rental property owners were asked to respond, in writing, with any information believed to be contrary to what was presented in the Public Meeting Response. (1 response was received)

As a result of the public meeting comments and rental property owner response to the public meeting the Utility Board intends to proceed with a modified proposal which is attached.

If you have any remaining questions, concerns, or believe that additional information should be considered, prior to board adoption, one additional public meeting will be held. The meeting will be March 26, 2017 at 6:30 p.m. To address the Utility Board during the meeting, you are required to submit, in writing, the items you would like to address to the Orrville Director of Utilities. Any assertions of fact need to have adequate supporting documentation to be considered and/or discussed. Please note, only individuals who have submitted information, in writing, on or before 5:00 p.m. on March 16th will be permitted to present information at the public meeting.

Written responses must be delivered to the following address on or before 5:00 p.m. on March 16th.

Orrville Director of Utilities
207 North Main Street
Orrville, OH 44667

Sincerely,

Jeff A. Brediger
Director of Utilities

Participants in





ORVILLE UTILITIES

Draft Delinquent Utilities and Service Transfer Policy / Procedure

Implementation of Policy

Procedures and Policies associated with property owner responsibility of tenant utility bills shall not apply to current utility accounts, in a tenant's name, at a rental address until such time as the current tenant moves and is replaced by another tenant. ~~At this time the new~~ The policy adopted _____ shall take effect on January 1, 2019. Throughout this document the term "tenant" is applicable to commercial building tenants, multi-family or single family residential rental property tenants.

Customers who have established service on or after the policy effective date of January 1, 2019 will cause formal implementation of this policy. When service has commenced after the policy date the property owner will be responsible for the payment of any and all charges billed for electricity, water, sewer and sanitation service used at his, her or their property after reasonable collection efforts have been made.

New Account Set Up

1. New property owners of owner occupied residences will require at least one property owner to complete a Utility Service Application in person at the Utility Billing Office to establish service.
2. Rental properties will require that at least one tenant complete a Utility Service Application in person at the Utility Billing office. Tenant must provide a current Rental ~~Agreement~~ Agreement to ensure the property owner has authorized said Tenant to establish utility service. Occupants of rental properties will also be required to authorize disclosure of their account status, at any time, to the rental property owner.
3. A deposit for service will be determined based on the customer's personal credit history or business credit history (for commercial properties) which is obtained by using a third party provider.

Any customer, whose account has previously been written off for non-payment or had a balance transfer to the rental property owner paid by a rental property owner in the past will be required to pay the deposit established for the highest credit risk. Said deposit will remain on the account until the account closes.

4. Following completion of a Utility Service Application, and payment of applicable fees and / or deposit, utility service will be established the next business day. ~~following payment of all fees and deposits.~~

Delinquency and Disconnection Procedures

1. If a rental or commercial property owner has completed any one of the 2 available Landlord / Property Owner Transfer ~~Agreement~~ Agreement (Attachments 1, 2, ~~3~~) the rental / commercial property owner will be notified, by email, when a tenant account reaches delinquent status. In the case of owner occupied properties the occupant whom established service will be notified once their account reaches delinquent status.
2. Failure to execute a Landlord / Property Owner Transfer ~~Agreement~~ Agreement, or update the Landlord / Property Transfer ~~Agreement~~ Agreement with current information, will result in NO NOTIFICATION of delinquent accounts and or disconnection of services.
3. After a disconnection notice is issued, payment must be made in accordance with the date stated on the notice to avoid disruption of service. Property owners may contact Orville Utilities to inquire the status of tenant(s) utility accounts at any time if tenants application date for service is dated on or after January 1, 2019.

4. If disconnection of utility services for non-payment or cancellation of service requires access to the inside of a property the property owner is responsible for providing access to a representative of Orrville Municipal Utilities. will grant access. Failure to provide access will result in future billings (discontinuation and forward) for the property reverting to the property owner along with all current and past due charges.
5. If services are disconnected for any reason, any unpaid utility charges and fees must be paid in full before any utility services are restored.
6. Once After utility services have been disconnected for any reason (non-payment, move-out, or abandonment), and the account is not brought current within 90 days any outstanding electric, water, wastewater and sanitation balances, including any penalties, will become the responsibility of the Rental Property Owner. If the transferred account balance is not paid within 45 days the remaining balance will be assessed to the property taxes along with a 10% assessment fee through the process described by the Wayne County Auditor. PLEASE NOTE: Orrville Utilities Wastewater Division General Rules and Regulations GENERAL 1 and ORC 729.49 provide this authority. The Water Division General Rules and Regulations GENERAL 1 and ORC 743.04 provide this authority. The Electric Division General Rules and Regulations 17 Consumers Liability provide this authority.
7. Any electric amounts unpaid will be sent to a third party collection agency. A penalty of 35% will be added to any accounts sent to collection to fully recover electric service charges.
8. In all instances of disconnection no utility services will be restored until the delinquent amounts for electric, water, wastewater and sanitation are paid in full.
9. 6. Delinquent amounts incurred by tenants prior to the implementation of this policy shall stay with the tenant and shall not be considered for property assessment or collection agency action.

Ownership of Property Transfers to Realtor or Financial Institution (repossession)

If ownership or stewardship of a property with an unpaid utility account transfers to either a realty company (temporary) or to a financial institution (i.e. repossession, foreclosure, etc.) as in the case of property repossession, said utilities will not be commenced in the name of final purchaser until all amounts owed for all utility services are paid in full.

Landlord-Tenant Relationships

It is the property owner's responsibility to ensure the tenant has transferred service into their name, prior to allowing the tenant access to the rental unit. Orrville Utilities may not be used as a tool for property owners to disconnect services for tenants who have already taken up residence at a property and not taken the necessary steps to transfer the utility services.

How Orrville Utilities Can Help

There are several things Orrville Utilities can do to help property owners keep informed about delinquencies at their property or properties.

Orrville Utilities can immediately notify a property owner, by email, if a property they own has become delinquent when a fully executed Landlord Property Owner Transfer Agreement is on file with Orrville Utilities.

Orrville Utilities offers a budget payment plan for utility services. Customers may work with Utility Billing Staff to determine their yearly average for utility service. A flat monthly rate will then be determined and agreed upon by the customer. Utility Billing Staff will then bill the same flat monthly rate to that customer each month. In June the balance is then reconciled of any differences (over/under). ACH payments are required when using the budget payment plan.

Orrville Utilities can provide property owners with information on utility usage at a particular piece of property for the past three years. While individual habits do vary, this should give property owners an idea of what type and amounts of usage have been at that property in the past so they may establish security deposits or rent accordingly.

The property owner can check on the status of an account they own at any time.



ORRVILLE UTILITIES

Landlord / Property Owner Transfer Agreement (No service transfer but provide delinquent notification)

To Landlord, Property Owner or Rental Agent:

Thank you for your interest in our Landlord / Property Owner Transfer Agreement program. Please read this agreement, fill in the requested information and return to:

**Orrville Utilities
Landlord / Property Owner Transfer Agreement
P.O. Box 107
Orrville, Ohio 44667**

Please read the following statements:

- I understand that by signing this Agreement Orrville Utilities **is NOT authorized** to automatically transfer the electric, water, and wastewater, and trash service to my name if a tenant/occupant requests that their utility service be is disconnected due to any one of the following reasons: a) non-payment of a bill, b) non-access to the meter, c) theft, d) fraud and/or non-compliance with State, local or other codes, e) presence of dangerous or hazardous conditions or f) tenant/occupant requests that their utility service be disconnected at a rental property listed on this Agreement. Utility service includes all applicable utility services provided to a property. As such, I understand that this agreement includes ALL utility services and I cannot choose which utilities will NOT be transferred.

If disconnection of utility service requires inside access to the property and the current / vacating occupant has not provided access the rental property owner (or designated representative indicated on this Agreement) is ultimately responsible for establishing an appointment to accompany a representative of Orrville Municipal and to provide access to the premises to complete the disconnection. Failure to provide access will result in future billings (date of discontinuation of service and forward) reverting to the property owner.

Orrville Utilities will notify the Landlord / Property Owner by email when a tenant account becomes delinquent or requests a service disconnection. There are approximately 20 days from delinquent status to shut off. Orrville Utilities will also notify the Landlord / Property Owner by email if when utility service is disconnected.

- I understand that Orrville Utilities is not responsible to ensure that the tenant moves out of the rental property listed on this agreement by the requested disconnection date.
- ~~I understand that an automatic transfer will be performed if a tenant's service is disconnected due to: a) non-payment of a bill, b) non-access to the meter, c) theft, d) fraud and/or non-compliance with state, local or other codes, or e) due to dangerous or hazardous conditions. Orrville Utilities will notify the Landlord / Property Owner by email when a tenant account becomes delinquent or requests a service disconnection. There are approximately 20 days from delinquent status to shut off. Orrville Utilities will notify the Landlord / Property Owner by email when utility service is disconnected.~~ (Moved to first bullet point).
- I understand that if I change my billing or email address, sell the property, need to add or delete rental properties, or wish to discontinue this agreement I must notify Orrville Utilities in writing at the address listed above, at least 30 days prior to the desired change date.
- I understand that in the event the rental property is vacated, with or without notice to Orrville Utilities, or utility services are disconnected to the rental property for any reason, Orrville Utilities is not responsible for any damages to the rental property as a result of failure to deliver utility services. Landlord / Property Owner hereby waives any claim for damages to the rental property occurring as a result of the failure to deliver utility services to the rental property.

Landlord / Property Owner

Date

Accepted Orrville Utilities

Date



ORRVILLE UTILITIES

Landlord / Property Owner Transfer Agreement (Complete Transfer)

To Landlord, Property Owner or Rental Agent:

Thank you for your interest in our Landlord / Property Owner Transfer Agreement program. Please read this agreement, fill in the requested information and return to:

**Orrville Utilities
Landlord / Property Owner Transfer Agreement
P.O. Box 107
Orrville, Ohio 44667**

Please read the following statements:

- I understand that by signing this Agreement Orrville Utilities **is authorized** to automatically transfer the electric, water, wastewater, and trash service to my name if a tenant/occupant requests that their utility service be disconnected due to any one of the following reasons: a) non-payment of a bill, b) non-access to the meter, c) theft, d) fraud and/or non-compliance with State, local or other codes, e) presence of dangerous or hazardous conditions or f) tenant/occupant requests that their utility service be disconnected at a rental property listed on this Agreement. Utility service includes all applicable utility services provided to a property. As such, I understand that this Agreement includes ALL utility services and I cannot choose which utilities will be transferred.

Orrville Utilities will notify the Landlord / Property Owner by email when a tenant account becomes delinquent or requests a service disconnection. There are approximately 20 days from delinquent status to shut off. Orrville Utilities will also notify the Landlord / Property Owner by email if when utility service is disconnected. After notification a Rental Property Owner may choose to have the utilities remain disconnected at a particular address. Such request must be made, in writing, and hand-delivered or emailed to Orrville Utilities.

- I understand that Orrville Utilities is not responsible to ensure that the tenant moves out of the rental property listed on this agreement by the requested disconnection date.
- ~~I understand that an automatic transfer will be performed if a tenant's service is disconnected due to: a) non-payment of a bill, b) non-access to the meter, c) theft, d) fraud and/or non-compliance with state, local or other codes, or e) due to dangerous or hazardous conditions. Orrville Utilities will notify the Landlord / Property Owner by email when a tenant account becomes delinquent or requests a service disconnection. There are approximately 20 days from delinquent status to shut off. Orrville Utilities will notify the Landlord / Property Owner by email when utility service is disconnected.~~ (Moved to first bullet point).
- I understand that if I change my billing or email address, sell the property, need to add or delete rental properties, or wish to discontinue this agreement I must notify Orrville Utilities in writing at the address listed above, at least 30 days prior to the desired change date.
- I understand that in the event the rental property is vacated, with or without notice to Orrville Utilities, or utility services are disconnected to the rental property for any reason, Orrville Utilities is not responsible for any damages to the rental property as a result of failure to deliver utility services. Landlord / Property Owner hereby waives any claim for damages to the rental property occurring as a result of the failure to deliver utility services to the rental property.

Landlord / Property Owner

Date

Accepted Orrville Utilities

Date

