

DC WATER CONSUMER BILL OF RIGHTS

At the District of Columbia Water and Sewer Authority (“DC Water”), we constantly strive to be a world-class water utility. Our mission is to exceed expectations by providing high quality water services in a safe, environmentally friendly, and efficient manner. DC Water wants all customers to know their rights and responsibilities as water and wastewater users in the District of Columbia. This Consumer Bill of Rights (CBOR) recognizes that the services provided by DC Water are vital to all District of Columbia residents, and must be made and rendered under just and reasonable terms.

I. *ESTABLISHING SERVICE AT EXISTING PREMISE*

As a general rule, a property owner has the right to establish water service at a property and is deemed the customer of record. Typically, water service is established by a change of property ownership through sale and/or title transfer. A title company, acting on behalf of a customer, will provide DC Water with the required information to complete the change of ownership and settle the final water and sewer charges at the property. To establish new service at a property, DC Water does not require proof of credit or personal identifying information (social security, date and place of birth, and/or mother’s maiden name) from a customer.

D.C. Code § 8–201 Lots to be drained into public sewers and connected with water mains

Each original lot or subdivisional lot situated on any street in the District of Columbia where there is a public sewer shall be connected with said sewer in such manner that any and all of the drainage of such lot, whether water or liquid refuse of any kind, except human urine and fecal matter, shall flow into said sewer; and if such original lot or subdivisional lot is situated on any street in said District where there is a public sewer and water main, such original lot or subdivisional lot shall be connected with said sewer and also with said water main in such manner that any and all of the drainage of such lot, whether water or liquid refuse of any kind shall flow into said sewer.

D.C. Code § 8–203 Failure to make required connections

If the owner or owners of any such lot neglect or refuse to make such connections as are required by § 8-201 within 30 days after the receipt of such notice, such owner or owners shall be deemed guilty of a misdemeanor, and shall, on conviction in the Superior Court of the District of Columbia, be punished by a fine of not less than \$1 nor more than \$5 for each day he, she, or they fail or neglect to make such connections. Civil fines, penalties, and fees may be imposed as alternative sanctions if the owners of any lots neglect or refuse to make the connections required by § 8-201 within 30 days after the receipt of the notice, pursuant to Chapter 18 of Title 2. Adjudication of any infraction shall be pursuant to Chapter 18 of Title 2.

21 DCMR § 100 Access to water supply

No person shall tap, cause to be tapped, or assist in tapping any water main, water pipe, or private connection in any main or pipe of the system of water supply in the District of Columbia for any purpose without the written permission of the Director, except employees of the Department who are authorized to do so in connection with the operation of the water distribution system.

21 DCMR § 305.1 Notification of Property owners

Written notice required under this chapter shall be mailed to property owners at the mailing address on file with the Authority [DC Water].

II. NEW OWNERS ESTABLISHING SERVICE AT NEW PREMISE

To establish service at a new property, DC Water must approve all new connections to the municipal water and sewer system to ensure that all safety standards and code requirements are met. A meter must be installed prior to water use; however, the water service account will bill for impervious area charges from the time of activation. DC Water owns and is responsible for installing all water meters, unless it provides authorization to a licensed master plumber to complete the installation on behalf of the customer. To ensure that service occurs, the customer is encouraged to contact DC Water about connection to the water system early in the development process. DC Water may assess a one-time water system availability fee.

D.C. Code § 8–201(2) Lots to be drained into public sewers and connected w/ water mains

Whenever there is no such building, stable, shed, pen, or place, as aforesaid, on such original lot or subdivisional lot, then such lot shall be required to be connected with a public sewer only when it has been certified by the Director of the Department of Human Services of said District [DC Water] that such connection is necessary to public health.

D.C. Code § 8–202 Notice of Connection Requirements

It shall be the duty of the Mayor of the District of Columbia [DC Water] to notify the owner or owners of every lot required by § 8-201 to be connected with a public sewer or water main, as the case may be, to so connect such lot, the work to be done in accordance with the regulations governing plumbing and house drainage in said District.

21 DCMR § 301.6 Meter Setters and Connections

Whenever water is introduced into a new building, a registered or licensed plumber, who shall be retained by the owner, owner's agent, builder, occupant or consumer shall be responsible for ascertaining permanent grade, attaching the meter setter to the service pipe, making a suitable opening for the placement of meter housing, in accordance with the Authority's [DC Water] requirements. The registered or licensed plumber shall provide at least 3- business days' notice to the Customer Service Department for the Authority [DC Water] to install meter(s). The General Manager may waive all or any portion of this notice.

21 DCMR § 302.1 Water Meters

The supply of water to any premises, fountain or other automatic fixture shall be determined by meter in accordance with the provisions of this chapter and shall be paid for in accordance with rates, fees and charges established by the Authority [DC Water].

21 DCMR § 302.2 Water meters are required

No water from the mains operated by the Authority [DC Water] shall be introduced onto or used on premises which are supplied through a water meter or meters except water which passes through that (those) meter(s).

21 DCMR § 302.3 Water meters are supplied or authorized by DC Water

The supply of water to any portion of any premises, for any purpose, shall be determined by a meter or meters, which has (have) been determined suitable for such purpose by the Authority.

21 DCMR § 103.1 Water Service to new buildings

Separate fire and domestic services shall be provided for any building, except as follows:

- (a) An entirely metered service may be used for both domestic and fire service;
- (b) A combined service with meter on the domestic branch only may be used where the fire service branch is used solely for supply of a closed-circuit sprinkler system controlled by alarm valves or supervisory service; or
- (c) A combined service with a standard meter on the domestic branch and a detector check of a type approve by the American Insurance Association (AIA) on the fire service branch may be used where the fire service branch supplies any open sprinkler system, standpipes, hose connection outlets, external fire hydrant, or other outlets.

21 DCMR § 103.2 Water supply for combined services

Under §§103.1(b) and 103.1(c), if a combined service with domestic branch not exceeding two inches (2 in.) in diameter is to be installed, the domestic branch shall be supplied by means of a corporation cock inserted in the main line of the combined service by the Department [DC Water] at the expense of the applicant.

21 DCMR § 103.3 Location of water meter for combined service

In all cases involving metering of branches of combined services, the meters shall be installed as close as practicable to the point of branching.

21 DCMR § 103.4 Shut-off valves

Curb-cocks and boxes shall be prohibited.

III. NON-PROPERTY OWNER WATER AND SEWER CUSTOMERS

A non-owner can also be a water and sewer customer. DC Water will allow a property owner to approve third parties (e.g. tenants, agents, energy managers, and property managers) to have access to review account information on-line, receive electronic billing, and to make payments on the account. DC Water will permit court appointed and ordered persons to have access to account information and to make payment arrangements.

To designate a third party, customers can make the request either by phone at (202-354-3600) or by email (Customer.Service@dcwater.com) detailing the third party's name, phone, mailing address and email address that should be added to the account.

21 DCMR § 305.2 Notification of Property Owners

Property owners may have notices mailed to an address other than the service or property address if the owner provides an alternate address to the Customer Service Department, 810 First Street, N.E. Washington, D.C. 20002 [**P.O. Box 97200 Washington, D.C. 20090**] (**Telephone: 202-354-3600**).

21 DCMR § 428.1 Opportunity for a tenant to receive service in own name

WASA [DC Water] may permit the tenant(s) to receive the bills in their own name, when the owner or agent of the rental property fails to pay the delinquent account in full and it is determined to be practicable.

21 DCMR § 428.3 Final bill to owner

Once it is determined that the tenants will be billed directly for water and sewer charges, WASA [DC Water] will read the meter on service at the affected address and render a final bill to the owner or the agent for the owner.

Property Ownership Change/Transfer

A change in property ownership will not nullify or void delinquent water and sewer charges. The property owner is responsible for any and all outstanding water charges, regardless if the charges were incurred by persons other than the property owner.

D.C. Code § 34–2407.01(a) Discontinuance of water services for failure to pay water charges

The Mayor of the District of Columbia [DC Water] is authorized to provide for the collection of water charges, in advance or otherwise, from the owner or occupant of any building, establishment, or other place furnished water or water service by the District, and to shut off the water supply to any such building, establishment, or other place upon failure of the owner or occupant thereof to pay such water charges within 30 days from the date of rendition of the bill therefor. Such authority to shut off the water supply may be exercised by the Mayor [DC Water] regardless of any change in ownership or occupancy of such building, establishment, or other place. When the water supply to any such building, establishment, or other place has been shut off for failure to pay such water charges, whether the water supply to such building, establishment, or other place was shut off before or after May 18, 1954, the Mayor shall not again supply such building, establishment, or other place with water until all arrears of water charges, together with penalties and the costs actually incurred in shutting off and restoring the water supply, are paid.

D.C. Code § 34–2407.01(b) Penalty for restoring water services without authorization

If the water supply to any property has been shut off for failure to pay District water and sanitary sewer service charges, and later restored without the express authorization of the Mayor [DC Water], the Mayor [DC Water] shall impose a fine in an amount not less than 20% of the delinquent charges or more than \$100, whichever is greater, upon the owner or occupant of the property, unless the Mayor [DC Water] determines that the owner or occupant did not restore or solicit a person to restore the water.

D.C. Code § 34–2202.16 (e) Charges and fees and rate setting

The Authority [DC Water] is authorized to shut off the water distribution to any building, establishment, or other place upon failure of the owner or occupant thereof to pay the charges, including the storm water fee, within 90 days from the date of rendition of the bill.

21 DCMR § 432.3 Tenant Payment of Water and Sewer Service Bill

Upon termination of the tenant group or association's account, WASA [DC Water] shall bill the owner of the property directly for water and sewer charges.

III. WATER METERS

DC Water owns and is responsible for installing and maintaining all water meters in the District of Columbia. Customers are not permitted to tamper with the water meter(s) and shall provide DC Water with reasonable access to examine, read or determine whether meter repairs are needed. Small water meters, in most cases are housed in meter pits, typically located in public space near the front of the property. Other water meters, which service large commercial properties, can be found in meter vaults, typically located in public space on the sidewalk or in grassy areas. DC Water will leave a door hanger on the knob of the front door or somewhere else that is easily accessible as notice that we were unable to obtain access to a meter.

The accuracy of a water meter may be tested in conjunction with the investigation of a challenged bill at no cost to the customer. A meter will be determined to be accurate if it registers between 98.5 and 101.5 percent on test flows. A customer may receive an adjustment to his/her bill if a meter is found to be malfunctioning. If you have questions about or would like to dispute the accuracy of your water invoice, please contact DC Water.

21 DCMR § 399 Definition of a water meter

Includes any device which is used to measure the amount of water utilized by consumers.

21 DCMR § 399 Commercial meters

A "commercial water meter" is a meter which serves a premises used as other than a single family dwelling or a two-family flat, whether the premises is served directly from a District-owned water main or from an un-metered privately owned water main.

21 DCMR § 399 Residential Meters

In general, are meters on water services that supply residential users that range in size from five-eighths inch (5/8 in.) through two inches (2 in.).

21 DCMR § 300 General Provisions

All water meters which measure the supply of water to premises shall be installed by the Authority [DC Water] and shall be owned by the Authority [DC Water]. Authority [DC Water] owned water meters are all meters installed at the expense of the consumer by the Authority [DC Water]. The Authority [DC Water] may require the replacement of any existing meter "within a reasonable time frame after written notification is given to the owner or owner's agent".

21 DCMR § 301 Meter Setters and Connections

A meter setter and other approved fittings designed to receive a water meter, shall be a part of the water supply system of all buildings and are to be provided by the owners, the owners agent, the builder, the occupant or the consumer.

21 DCMR § 301.2 Installation of Water Meters

The General Manager [DC Water] may install a meter setter or other approved fittings designed to receive a water meter and may recover all costs of such installation by agreements with consumers. In cases where special costs of installation are recovered through agreements with consumers, the General Manager shall identify all costs of installation in advance of installation.

21 DCMR § 301.3 Location of Water Meter

The meter setter or other similar device shall be set in a horizontal position and shall be connected to the water service by risers of brass pipe or copper tubing so that the inlet and outlet of the appliance where the water meter is to be installed shall be at least eighteen inches (18 in.) below the permanent surface of the ground, as indicated on Drawing No. G-815.

21 DCMR § 301.4 Stop Valves

With the exception of a stop valve, no other outlet will be permitted between the meter setter and the water main in the street.

21 DCMR § 301.5 Installation of Meter Setters and Other Devices

The Authority may permit the installation of a meter setter or other similar device in a cellar or basement; provided, that the meter setter or other similar device shall be installed in a horizontal position adjacent to the wall where the water service enters the building, or at such other location as may be approved by the General Manager [DC Water] and shall be placed so that at all times it will be unobstructed and there will be easy access for examination, reading data transmission and replacement.

21 DCMR § 301.7 Meter Installation Requirements

Persons who install meter setters and other approved fittings, shall comply with all plumbing code and WASA [DC Water] permit requirements.

21 DCMR § 302.1 Water Meters

The supply of water to any premises, fountain or other automatic fixture shall be determined by meter in accordance with the provisions of this chapter and shall be paid for in accordance with rates, fees and charges established by the Authority [DC Water].

21 DCMR § 302.2 Water meters are required

No water from the mains operated by the Authority [DC Water] shall be introduced onto or used on premises which are supplied through a water meter or meters except water which passes through that (those) meter(s).

21 DCMR § 302.5 Authorization to Install Water Meter

The General Manager may authorize a property owner, occupant or consumer to install a meter. If such authorization is given, the property owner, occupant or consumer shall be responsible for all costs of installation, and inspection. Meters that are installed shall meet all specifications, requirements and procedures that are Imposed or made applicable by the General Manager.

21 DCMR § 302.6 Maintenance of Water Meter Setters and Appurtenances

The necessary meter setters, similar devices and appurtenances may be provided, erected, and maintained by the owner, occupant or consumer at the owner, occupant or consumer's expense unless the owner, occupant or consumer and the General Manager agree that the General Manager shall erect, provide or maintain such setters devices or appurtenances.

21 DCMR § 302.7 Water Meters Installed Under DC Water's Supervision

All meters shall be installed under the supervision of the General Manager and shall be installed so that they or the data collected by them can be easily examined or read.

**21 DCMR §§ 302.8, Penalty for Tampering and Obstructing Access to Water Meter
304.2**

In case of violation of any of the requirements of this chapter, or of denial of free access to premises to inspectors or other persons entitled to access, or of tampering or interfering in any way with water meters data collection devices, transmitters or appurtenances, the supply of water shall be stopped and the supply shall not be restored for use of that consumer except upon payment of the cost actually incurred in shutting off and restoring the water supply.

21 DCMR § 302.9 Damaging a Water Meter

Any person, who in the General Manager's sole judgement causes damage to meters shall be responsible for the payment to the Authority for all damage to the water meter and resulting costs to the Authority [DC Water]. The water meter shall be shut off and not cut on until all costs incurred by the Authority [DC Water] and damages to the meter and associated devices and equipment, as determined by the General Manager, are paid.

21 DCMR § 303.1 Connection, Access, Inspection and Reading of Water Meters

Plumbers licensed or registered by the District of Columbia and employees or contractors of the Authority [DC Water] are the only persons authorized to make connections with water mains and to install or remove water meters.

21 DCMR § 303.3 Access to Water Meters

Access to all premises supplied or to be supplied with water meters shall be granted at all proper times to water meter readers, work crews, inspectors or other persons as the General Manager [DC Water] may employ or direct for the purpose of examining or reading meters or determining whether repair is required.

21 DCMR § 303.4 Notice of Failure to Access Water Meter

If the Authority [DC Water] is unable to gain access to the property after two (2) attempts, the owner or occupant shall be notified to contact the Authority [DC Water] within three (3) business days, after the notice is mailed to the owner.

21 DCMR § 303.5 Penalty for Unavailable Water Meter

Failure by the owner or occupant to contact the Authority [DC Water] shall be presumed to be refusal of access to the property and the Authority [DC Water] may impose a penalty of one hundred dollars (\$ 100) and terminate the water and sewer services to the real property.

21 DCMR § 304.1 Maintenance of meter setters, other similar devices appurtenances

Consumers are required to keep their meter setters, other similar devices and appurtenances in good repair and to protect them against frost and injury of any kind at their own expense.

21 DCMR § 304.3 Complaint of Deficient Water Supply

In case of deficient supply through water meters or of any other cause for complaint, reports should be made to the Department of Customer Service of the Authority [DC Water] so that the difficulty may be investigated.

21 DCMR § 304.4 Removal of Water Meters

Water meters and appurtenances shall not be removed, repaired, or in any manner tampered with, except in accordance with a permit which has been issued by the Authority [DC Water].

21 DCMR § 304.5 Replacement of Water Meter and Charges

If a meter is removed for any cause, the Authority [DC Water] will cause the installation of another meter to be put in its place and shall charge the consumer the full cost of such replacement and installation.

21 DCMR § 304.6 Inspection of Water Meter

Each water meter shall be inspected periodically by representatives of the Authority [DC Water]. Inspection shall be conducted in accordance with standards determined to be appropriate by the General Manager.

21 DCMR § 304.7 Removal of Water Meter for Testing

Any water meter may be removed by the General Manager for preventive maintenance, testing repair, or replacement at any time, in the discretion of the General Manager.

21 DCMR § 304.8 Removal of Water Meter for Testing by Plumber

The General Manager may under conditions determined appropriate by the General Manager, offer a property owner the option of arranging with a licensed plumber to remove a water meter and deliver it to the Authority [DC Water] for testing and repair.

21 DCMR § 304.9 Conditions Preventing the Inspection, Reading or Removal of a Meter

If the General Manager determines that conditions exist (such as lack of access, faulty pipes, or other obstacles) that prevent the Authority [DC Water] from inspecting, removing, reading, testing, accessing or repairing a meter or receiving transmissions from any consumption measuring device or meter, the Authority [DC Water] may direct the correction of the condition at the property owner's sole expense. The Authority [DC Water] may:

- (a) Require the property owner to correct the conditions within 14 days after receiving written notification,
- (b) Fix the problem and charge the property owner, the appropriate labor access charge, or
- (c) Replace the meter.

21 DCMR § 304.10 Fees to Correct Meter Reading, Inspection and Removal Conditions

The General Manager shall assess fees to the property owner to recover the costs incurred by the Authority [DC Water] for all services performed under this chapter. All fees shall be paid to the District of Columbia Water and Sewer Authority. Fees due under this section shall be paid within thirty (30) days of the date of the bill. Failure to pay fees on time may result in the denial of water to the premises concerned. The General Manager may shut off service to any property if any fee or charge is not paid within thirty (30) days of the date of the bill for such fee or charge.

21 DCMR § 310 Termination of Water Supply for Denying Access and Tampering with Water Meter

In addition to any other penalty authorized by law, violations of this chapter shall, result in the termination of the water supply which shall not be restored until all arrears of water charges, together with penalties and the costs incurred in terminating and restoring the water supply, are paid. The same penalties shall apply when any Authority [DC Water] inspector is denied access to premises for the purpose of inspecting, reading, or installing water meters, setter, pits, vaults and other appurtenances and when any water meter or appurtenance is tampered with in any way.

21 DCMR § 399 Preventive Maintenance

Preventive maintenance means maintenance, including testing and repair (if necessary and when possible) performed in accordance with the current American Water Works Association (AWWA) schedule based on meter size and recorded consumption, or as otherwise determined by the General Manager.

IV. METER READING

Meter readings explain how much water is being used during a time period at a property. DC Water measures water consumption using CCF units which represents 100 Cubic feet of water. One CCF is equivalent to 748 gallons. To determine the number of gallons of water used during a billing period, simply multiply the number of CCFs located on the billing statement by 748. The average amount of water used by a residential household in the District of Columbia is approximately 6.2 CCFs per month. Common causes for increased consumption can include people coming to visit and warmer weather activities (washing cars, watering the lawn, watering plants, etc.).

DC Water can read most meters electronically as a result of its automated meter reading (“AMR”) system. The AMR system consists of small, low-power radio transmitters connected to individual water meters that send daily readings to a network of radio receivers maintained by also owned and maintained by DC Water. This AMR technology sends readings to a computerized billing system 4 times a day, even more frequently for larger or commercial accounts. Additionally, it should largely improve the accuracy of customer billing statements and eliminate the need for meter reading personnel to visit customer properties. Meter reading cannot be transmitted if the radio signal is blocked. It is the customer’s responsibility to ensure the water meter top is clear of flower pots, trash cans, dirt, mulch, vehicles and other obstructions. DC Water recognizes technological failures may prevent and/or hinder the transmitter from functioning properly.

At a minimum, a customer’s meter should be read quarterly. If DC Water is not able to get an actual meter reading, and the account estimates for a longer period, the water service account will continue to bill for the estimated water consumption (typically the historical usage at the premise) and all monthly fixed fees. DC Water will attempt to obtain actual readings by reaching out to customers, leaving doorhangers or visiting the meter and inspecting it. A customer may also submit photographic evidence of their current meter reading to obtain an invoice based on an actual meter reading. Customer photo reads must display all of the meter digits and the serial number.

21 DCMR § 308.1 Meter Reading & Billing

Meters shall be read quarterly or at such other times as the General Manager shall determine.

21 DCMR § 308.2 Schedule for Monthly Billing Cycle

The General Manager shall determine the schedule upon which bills shall be rendered and may establish and implement a monthly billing cycle or such other billing cycle deemed, in his sole discretion, appropriate to meet the needs of the Authority [DC Water]. An Owner may request a monthly billing cycle with no additional charge from the Authority [DC Water] provided an AMR meter is installed at the location for which the change in cycle is requested.

21 DCMR § 308.3 Estimated Billing for Inaccessible Meter

If free access to the premises cannot be gained for the purpose of reading a District or Privately-owned meter at the interval(s) determined by the General Manager under this chapter, the water charge for that interval or succeeding intervals shall be based on the average previous consumption for that interval until access can be gained and actual consumption determined by meter readings.

21 DCMR § 308.4 Estimated Billing for Inoperable Meter

If at any time, a meter, data collection device or transmitter fails to register correctly or collect, deliver or transmit data or otherwise operate or bears evidence of having been tampered with, as determined by qualified personnel of the Authority [DC Water], the water charge for the interval in which the incident occurred shall be based on the average previous water consumption for that interval.

21 DCMR § 308.5 Invisible Leakage

In case of excessive water consumption seemingly due to invisible leakage from an underground service pipe on either public or private property between the meter and fixtures, the General Manager is authorized to make adjustment of the water bill; provided, that the following conditions and requirements are met:

- (a) There has been no negligence on the part of the owners in notifying the Authority [DC Water] of unusual conditions indicative of waste of water;
- (b) Upon ascertaining the existence of an invisible leak, the owner has taken prompt steps to have the leak repaired;
- (c) The Authority [DC Water] has been notified immediately, and notification was made prior to repairs when the leak is exposed;
- (d) Repairs have been made by a registered plumber and approved by the Chief, Plumbing Inspection Branch, Department of Consumer and Regulatory Affairs (DCRA) or his or her lawful successor;
- (e) The request for adjustment is made to the Authority [DC Water] within thirty (30) days of the date of rendition of a water bill after the leak has been repaired; and

- (f) Form SE-138, or other documentation acceptable to the Authority [DC Water] shall be furnished to the Authority [DC Water]. The form or other documentation shall be completed in full, signed by the owner of the premises or the owner's agent, and certified by the plumber making repairs.

V. ***FEES AND THE BILLING STATEMENT***

A customer shall receive a billing statement from DC Water monthly or every 26-34 days. The billing cycle shall be the period of time from a customer's last meter read to the current meter read.

DC Water shall make certain that all fees assessed against a customer are properly displayed on the bill and during the billing cycle that charge was incurred. A customer's billing statement will include charges for water usage, sewer usage, customer metering, clean rivers impervious area, and a water system replacement fee. Additionally, each billing statement must include information advising the owner or occupant how to challenge the bill. The owner or occupant may request a written statement of billing, for the most recent eighteen (18) month billing and payment history of the account. Upon receipt of a written request, WASA shall prepare this statement of billing within thirty (30) days.

- **Water and Sewer Usage Fees** are charges billed volumetrically for water usage.
- **Clean Rivers Impervious Area (CRIAC)** is a sewer charge based on the area on a property that is impervious (surface that storm water cannot flow through, such as buildings, asphalt and/or concrete). These areas contribute to the District's combined sewer overflows. Enacted in 2009, CRIAC fees cover the cost of the federally mandated Clean Rivers Project. The total amount of impervious area is converted into ERUs (Equivalent Residential Units) and reduced down to the nearest 100 square feet.
- **Water System Replacement Fee (WSRF)** – Enacted in 2016, this fee is designed to cover the costs of the renewal and replacement of the aging water mains and infrastructure over time. The fee is based on a customer's meter size and average flow. Low income customers under DC Water's Customer Assistance Program (CAP) do not pay this fee and CAP2 customers receive 50% off.
- **Metering Fee** is a flat fee charged to a customer based on the meter size at the property.
- **Storm water Fee** is a charge assessed on behalf of the District Department of Energy and Environment (DDOE) for storm water pollution control as required under the District's separate storm sewer system (MS-4) permit, which accounts for roughly two-thirds of the city's storm water control infrastructure.
- **System Availability Fee (SAF)** is a one-time fee charged for new development projects that requires a new potable water and sanitary sewer connection, as well as the renovation or redevelopment projects for existing connections to the District's potable water and sewer systems that requires an increase in the size of the meter. The SAF is charged to recover the

proportionate share of the increased system costs associated with the larger water and sewer demands that new or larger connections place on the municipal water and sewer system. The amount charged is determined based on the meter size.

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- **Backflow Prevention Assembly Fee (BPAF)** – Beginning August 2019, customers will be billed for each backflow prevention assembly (BPA) on their property. BPAs are required by law to prevent non-potable water from mixing with potable water. Points where this can occur are called “cross-connections” and include lawn irrigation, fire sprinklers, swimming pools, boilers, cooling towers, chillers, and other systems.
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- **Fats, Oils, and Grease Fee (FOGF)** – Beginning August 2019, customers will be billed for each food-serving establishment (FSE) associated with their property. The new fee will prevent fats, oils, and grease (FOG) from entering and damaging the sewer system. Only FSEs licensed with the Department of Consumer and Regulatory Affairs will be affected by this fee.

21 DCMR § 40.1.1 Notice of Right to Challenge Water Bill

Each water, sewer, and groundwater sewer service bill shall contain a written statement advising the owner or occupant of the following:

- (a) The owner or occupant may challenge the bill in accordance with the provisions of § 402;
- (b) Upon receipt of a challenge to a water, sewer and groundwater sewer service bill, WASA [DC Water] will investigate the bill;
- (c) If WASA [DC Water] finds the bill to be erroneous, it shall adjust the bill accordingly and refund any overcharge paid;
- (d) The owner or occupant will not be subject to any penalty, interest charge or termination of service for nonpayment of the disputed bill until the owner or occupant has been advised in writing of the results of the investigation;
- (e) The owner or occupant will be notified in writing of the results of the investigation;
- (f) If the bill has not been paid, the owner or occupant will be notified in writing of the amount found to be due as a result of the investigation, and the date on which the bill shall be paid;
- (g) The owner or occupant may request a hearing in writing, within fifteen (15) days, if he or she is not satisfied with the decision of WASA [DC Water];and
- (h) The owner or occupant may request a written statement of billing, for the most recent eighteen (18) month billing and payment history of the account. Upon receipt of a written request, WASA [DC Water] shall prepare this statement of billing within thirty (30) days.

21 DCMR § 199.1 System Availability Fee

A one-time fee assessed to a property owner of any premises, building or structure to recover the cost of system capacity put in place to serve all metered water service and sanitary sewer connections and renovation or redevelopment projects that require an upsized meter service connection to the District's potable water system. The fee is assessed based on the peak water demand, excluding fire demand, for new meter water service connection and renovation or redevelopment projects that increase the peak water demand and associated SAF meter size for the property.

21 DCMR § 199.1 Water System Replacement Fee or WSRF

The monthly fee charged to residential, multi-family, and non-residential customers to recover the cost of the one percent (1%) renewal and replacement of aging water infrastructure.

21 DCMR § 402.7 Initiating a Challenge for Impervious Surface Area

Non-residential and multi-family owners or their agents may seek an impervious surface area charge adjustment if the owner or agent can establish that the property has been assigned to the wrong rate class, the impervious service area used in the computation of the charge is incorrect or if the ownership information is incorrect.

21 DCMR § 402.8 Survey to Show Impervious Area

Non-residential and multi-family owners or their agents shall submit a site survey, prepared by a registered professional land surveyor, showing impervious surfaces on the site and other information that may be requested by WASA [DC Water].

Assessment of Interest fees

All current charges that are not paid by the due date of the bill will be subject to an additional 10% late charge.

Any charges that have been outstanding for 60 days or more are assessed 1% interest compounded monthly. Bill amounts associated with bill disputes or administrative hearing with DC Water will not be assessed interest or additional charges while under determination.

D.C. Code § 34–2202.16 (d) Authority to Assess Late Fees and Penalties

The Authority [DC Water] may impose additional charges and penalties for late payment of bills.

21 DCMR § 112.4 Late Fees and Penalties for Nonpayment

The Customer Penalty Late Fee is 10% interest on any unpaid water and sewer charges, and 1% interest a month thereafter on the delinquent charges.

VI. WHERE AND HOW TO PAY YOUR BILL

DC Water offers 5 different ways for you to pay your bill:

Billing/Payment Online: Pay online with My DC Water. Register online and pay using your credit card, checking or savings account to make a one-time payment through My DC Water (www.mydcwater.com). You can also sign up for recurring payment options using a credit card or your checking or savings account.

Check or Money Order: Mail a check or money order to DC Water in the envelope enclosed with your printed bill. To avoid late fees, please allow a minimum of 3 business days before your due date for your payment to reach us by mail. Payments can be mailed to:

District of Columbia Water and Sewer Authority
Customer Service Department
P.O. Box 97200
Washington, D.C. 20090

Automatic Bill Payment: DC Water offers automatic bill payment through Electronic Funds Transfer (EFT), which automatically deducts money from your checking or savings account. You will still receive an itemized statement, but you won't have to write checks. Instead, the bank sends the funds for you. You may sign up for this option on My DC Water under the "Pay my Bill" option. See a demo of how easy it is to register for "My DC Water" before you get started.

Credit Card: DC Water accepts credit card payments from your VISA, MasterCard, or Discover Card. You can pay online at www.mydcwater.com or call (202) 354-3600, 24 hours a day.

Cash payments in person: You may pay your DC Water bill in cash in person at multiple Western Union locations in the District and elsewhere.

VII. LEAKS

DC Water is authorized to repair, maintain, and where necessary, renew all water service pipes and building sewers from the water main or the public sewer to the property line of each lot, and to perform all such repairs, as are necessary, to maintain or improve any roadway, alley, minor street, highway or other public space above such repaired or renewed water service pipes or building sewers.

Thus, DC Water shall investigate all complaints of leaking water and sewage to determine if the leak is in public space, and shall provide a written investigation report to the customer.

If the leak is determined to be in public space, DC Water shall repair the leak at no cost to the property owner or customer. If the leak is determined to be on private property, or in public space but caused by the property owner or customer, then DC Water will notify the customer that they are responsible for the repairs which must be completed by a registered master plumber at his/her expense. Failure to repair a leak that is a public nuisance, hazard, or damaging property, may result in termination of services until repairs are made. The Customer must notify DC Water that the leak has been repaired.

A leak must be repaired promptly and as soon as possible to the benefit of the customer. DC Water recognizes this may be a hardship for some customers and will acknowledge the request for adjustment at the time repairs are completed to a retroactive period not to exceed 30 days (or one billing cycle).

D.C. Code § 8-205 (a)(5) Definitions of Public Space

“Public space” means all the publicly owned property between lines on a street, as such property lines are shown on the records of the Surveyor of the District of Columbia, and includes any roadway, tree space, sidewalk, or parking between such property lines.

D.C. Code § 8-205 (b) Repair, Maintenance, and Renewal of Water Service Pipes and Building Sewers; Compensation to Property Owners; False Claims for Compensation; Severability

The District of Columbia Water and Sewer Authority of the District of Columbia is authorized to repair and maintain and, where necessary, to renew all water service pipes and building sewers from the water main or the public sewer to the property line of each lot in the District of Columbia required to be so connected by § 8-201 at the costs of such owner or owners and to perform all such repairs, as are necessary, to maintain or improve any roadway, alley, minor street, highway or other public space above such repaired or renewed water service pipes or building sewers. The District of Columbia Water and Sewer Authority, where he deems such action necessary, may also perform maintenance or repair work on private property, in which case, the cost, including overhead expense, shall be paid by the property owner. The cost of any repair or maintenance work on water service pipes or building sewers beyond the property line away from the house or structure, made necessary by the negligence or through the action of a property owner or tenant as reasonably determined by the District of Columbia Water and Sewer Authority, shall be charged to the property owner.

21 DCMR § 107.1 Unnecessary Waste of Water

No occupant of premises into which water has been introduced shall permit the water to run or waste unnecessarily from any water pipe, hydrant, cock, street washing, or other fixture.

21 DCMR § 107.2

Dangerous Conditions and Nuisance Caused by Leaking Water

No occupant of premises into which water has been introduced shall permit the water to overflow or flood the sidewalk or foot pavement, and thus become annoying or dangerous.

21 DCMR § 107.3

Leaking Water Damage to Adjacent Property

No occupant of premises into which water has been introduced shall permit a flow of water to be conducted into adjacent premises, and there be used, except in case of fire or other emergency.

21 DCMR § 107.4

Penalty for Failure to Repair Water Leak

If any water pipe, hydrant, cock hose connection, curbcock box, or other fixture be found leaking, out of repair, or inoperable, and the occupant, owner, or agent of the premises refuses or neglects to have the necessary repairs made, after due notification by the Department [DC Water]; or if that person refuses admission to authorized representatives of the Department [DC Water] into the premises when in the official discharge of his or her duties, the water supply to the premises may be terminated until satisfactory repairs or arrangements have been made to prevent the waste or unlawful use.

21 DCMR §§ 110.2 and 202

Maintenance/Repair of Water Service Pipes in Public Space

The Department [DC Water] shall maintain all water service and sewer pipes from the street mains to the property line.

21 DCMR §§ 110.3 and 202.3

Maintenance/Repair of Water Service Pipes Beyond Public Space

If a portion of the structure (such as a porch, vault, or footing) projects beyond the property line, the Department [DC Water] shall maintain the water or sewer connection only to the outermost structural projection of the premises.

21 DCMR §§ 110.4 and 202.4

Maintenance/Repair of Water Service Pipes on Private Property

All pipes and appurtenances on private property shall be maintained by and at the expense of the property owner.

21 DCMR §§ 110.5 and 202.5

Emergency Repair of Leaking Water Service Pipes on Private Property

When action is necessary to expedite or facilitate the maintenance of a water connection, the Department [DC Water] may perform maintenance or repair work on private property if agreed to in advance by the property owner. The cost of the work, including overhead expenses, shall be paid by the property owner.

21 DCMR §§ 110.6 and 202.6

Excavations in Public Space by DC Water

Excavations in public space made and left open by the Department [DC Water] for the use or convenience of registered plumbers employed by private owners or other parties for the repair of water service pipes or other water appurtenances, shall be promptly reported to the police division or precinct with jurisdiction over the area of excavation by telephone, and followed by written confirmation.

21 DCMR §§ 111.1 and 203.1

Determination of Leaks in Water Service Pipes

When there is a complaint of a leak in a building water connection, the Director shall determine if the leak is in public space or at a meter set by the District.

21 DCMR §§ 111.2 and 203.2

Leaks in Water Service Pipes in Public Space

If the Department [DC Water] determines that the leak is in public space or at a meter set by the District, the leak shall be repaired at no cost to the property owner.

21 DCMR §§ 111.3 and 203.3

Leaks in Water Service Pipes on Private Property

If the Department [DC Water] determines that the leak is not the responsibility of the District, the property owner shall be notified and shall be responsible for having the leak repaired by a registered master plumber at the owner's expense.

21 DCMR §§ 111.4 and

Dangerous Conditions and Nuisance Caused by Leaking Water

203.4

If a leaking water pipe is a public nuisance or hazard, or the leak is damaging property, the water supply to the premises will be shut-off immediately to abate the problem and shall remain shut-off until repairs are made.

21 DCMR §§ 111.5 and 203.5

Leaks in Water Service Pipes at the Property and Building Line

If the property line and the building line are the same, and the leak is on public space, the Department [DC Water] shall insert the repaired service into the building and provide a service valve in the building. The owner shall be responsible for internal connection.

21 DCMR § 407.1

Adjustment for Leaks Which Occur Between the Meter and the Structure that are Served by the Meter and for Underground Leaks

When a meter leak is discovered, the Authority shall make the repairs. A licensed plumber may make the necessary repairs at the expense of the Authority if the amount and nature of the repairs is approved in advance by the General Manager but only if the General Manager has not determined that the leak constitutes an emergency or unsafe condition.

21 DCMR § 407.2.

Investigation and Determination of Reported Leaks by DC Water

The General Manager shall investigate the cause and location when notified of the possibility of leaks. If the investigation discloses a leak, other than a meter leak, of indeterminate location in the underground service, or at some other location where the leak is not apparent from visual or other inspection, the General Manager shall determine whether the leak is on public space, on private property, or on property that is under the control of the occupant.

High Usage Notifications (HUNA)

Most spikes in usage are caused by one of the following: a leaking toilet, an unattended hose, an internal plumbing problem or leaky faucet, but also could simple be the result of having more people in your home than usual, taking baths and showers, doing more loads of laundry than usual, making home improvements involving plumbing, doing a landscaping project or starting a new lawn, washing your car more often than usual.

HUNA alerts will notify a customer via email or phone call if your water usage is higher than normal. If there is a problem within your home, such as a broken pipe or leaking toilet, HUNA might

be your first indication. This may help you determine the source of your problem and avoid high water bills. Please note, this service is offered as a courtesy to our customers and does not guarantee a leak will be detected.

Customers can also enroll in HUNA alerts by registering at My DC Water, calling DC Water at 202-354-3600 or by sending an email to custserv@dcwater.com to request high usage alerts via telephone. Be sure to include your name, service address, telephone number and DC Water account number.

VIII. BILL ADJUSTMENTS

DC Water understands that customers may have increased bills due to an unforeseen leak. Customers are responsible for investigating and monitoring higher than expected usage and to make necessary property repairs to service lines, fittings and fixtures to prevent water to run or waste. DC Water shall investigate the cause and location of a leak when notified by the customer of the possibility of leaks. If the investigation discloses a leak, other than a meter leak, of indeterminate location in the underground service, or at some other location where the leak is not apparent from visual or other inspection, the DC Water shall determine whether the leak is on public space, on private property, or on property that is under the control of the customer.

DC Water shall adjust a customer's bill for the following:

Public Space: These are leaks that have been determined to be the responsibility of DC Water. DC Water shall repair the leak and adjust the customer's bill to equal the average consumption of water at the same premises for up to three (3) previous comparable periods for which records are available. If the leak is determined to have been caused by the customer, then no adjustment will be made.

Meter Leaks: These are leaks that occur at the meter or in the meter pit for which DC Water may make the repairs. If the leak was not caused by the customer, and is determined to be on property that is not under the control of the owner or occupant, then DC Water will adjust the water and sewer service bill to equal the average consumption of water at the same premises for up to three (3) previous comparable periods for which records are available, and as DC Water determines to be appropriate if the comparable records are unavailable.

Private Property: These are leaks that have been determined to be on private property or on property that is under the control of the customer. The customer shall repair the leak, and upon written request from the customer, DC Water will adjust the bill(s) for the periods during which the leak occurred by up to 50% of the excess water usage over the average consumption of water at the same premises for up to three (3) previous comparable periods for which records are available. DC Water will adjust up to 100% of the excess sewer charges resulting from an underground leak if it is determined that the water did not enter the wastewater system. DC Water may consider the customer's negligence in discovering and reporting the leak to DC Water; steps taken by the customer to have the leak repaired after discovery or determination; and if the leak repair was made by a District registered

plumber. To receive an adjustment, the customer must submit a plumber's report validating that the repairs are complete.

Meter Malfunction/Error: If a customer's meter is determined to have malfunctioned, overread or provided faulty computations or doubtful registrations, then DC Water may adjust a customer's bill to equal the average consumption at the same premises for up to three (3) previous comparable periods for which records are available.

In cases which all checks and tests result in inconclusive findings that provide no reasonable explanation for excessive consumption, no adjustment shall be made to the bill for any portion of the excessive consumption, except as may be approved by the General Manager, based upon a demonstration by the owner or occupant that such an adjustment will further a significant public interest.

21 DCMR § 111.2 Leaks in Water Service Pipes Located in Public Space

If the Department determines that the leak is in public space or at a meter set by the District, the leak shall be repaired at no cost to the property owner.

21 DCMR § 111.3 Notification of Responsibility for Water Leaks and Repairs

If the Department determines that the leak is not the responsibility of the District, the property owner shall be notified and shall be responsible for having the leak repaired by a registered master plumber at the owner's expense.

21 DCMR § 111.5 Leaks in Water Service pipes at the Property and Building Line

If the property line and the building line are the same, and the leak is on public space, the Department shall insert the repaired service into the building and provide a service valve in the building. The owner shall be responsible for internal connection.

21 DCMR § 405.1 Bill Adjustments for Meter Reading Errors

If the investigation discloses meter overread or faulty computation, adjustment(s) shall be made to reflect the correct charges, as indicated by the correct reading or corrected computations.

21 DCMR § 405.2 Removal of Meter for Faulty Reads and Registers

If the investigation reveals doubtful meter registration or possible meter malfunction, WASA shall remove the meter and test it.

21 DCMR § 405.3 Bill Adjustments for Faulty Meter Reads

If the results of the tests under § 405.2 verify doubtful registration or meter malfunction, the water and sewer service bill shall be adjusted to equal the average consumption of water at the same premises for up to three (3) previous comparable periods for which records are available.

21 DCMR § 405.4 Bill Adjustments for Meter Reading Errors Using Billing Records

If the results of the tests under § 405.2 verify doubtful registration or meter malfunction, and the investigation concerns groundwater sewer service, the groundwater sewer service bill shall be adjusted to equal the average groundwater meter registration at the same premises for up to three (3) previous comparable periods for which records are available.

21 DCMR § 405.5 Unavailability of Previous Billing Records for Bill Adjustment

If records for up to three (3) comparable billing periods are not available, the bill shall be adjusted in accordance with the provisions of § 408.2.

21 DCMR § 406.1 Leaking Faucets and Fixtures

The repair of leaking faucets, household fixtures, and similar leaks, and the repair of malfunctioning water-cooled air conditioning equipment, are the responsibility of the owner or occupant.

21 DCMR § 406.2 No Bill Adjustments for Leaking Faucets and Fixtures

If the investigation discloses leaking faucets, leaking fixtures, or similar leaks, no adjustment will be made to the bill for any portion of the excessive consumption attributable to those leaks.

21 DCMR § 406.3. No Bill Adjustments for Malfunctioning HVAC

If the investigation discloses a malfunctioning water-cooled air conditioning system, no adjustment will be made to the bill for any portion of the excessive consumption attributable to that air conditioning system malfunction.

21 DCMR § 407.3. Adjustments for Leaks which occur between the Meter and the Structures that are Served by the Meter and for Underground Leaks (Public Space)

If the leak is determined to have been caused by the Authority, or is determined to be in public space, the Authority shall repair the leak and the General Manager shall adjust the bill to equal the average consumption of water at the same premises for up to three (3) previous comparable periods for which records are available. If the leak is determined to have been caused by the owner or occupant, no adjustment shall be made.

21 DCMR § 407.4 Adjustment for Leaks Beyond Public Space on Private Property

If the leak is determined to be on private property or on property that is under the control of the owner or occupant, the owner or occupant shall repair the leak. The General Manager may, at his discretion, upon request of the owner, adjust the bill(s) for the periods during which the leak occurred by an amount not to exceed 50% of the excess water usage over the average consumption of water at the same premises for up to three (3) previous comparable periods for which records are available. The General Manager may take the following into consideration in determining whether there should be a reduction in the bill(s):

- (a) There has been no negligence on the part of the owner or occupant in notifying the Department of unusual conditions indicative of a waste of water;
- (b) The owner has taken steps to have the leak repaired promptly upon discovery of a leak on private property;
- (c) Repairs have been made by a District registered plumber and approved by the Chief, Plumbing Inspection Branch, Department of Consumer and Regulatory Affairs, or his or her designee in accordance with D.C. Code §8-205;
- (d) Form ES-138 has been obtained from the Authority, completed in full, signed by the owner or occupant, and certified by the plumber who made the repairs; and
- (e) The request for adjustment has been made promptly.

The General Manager may, at his discretion, adjust up to 100% of the excess sewer charges resulting from an underground leak if it is determined that the excess water usage did not enter the wastewater system.

21 DCMR § 407.5 Bill Adjustment for Leaks by Property Owner

No Adjustment shall be made if the leak is determined to have been caused by the owner or occupant.

21 DCMR § 408.1 Inconclusive Findings and Test Results

In cases in which all checks and tests result in inconclusive findings that provide no reasonable explanation for excessive consumption, no adjustment shall be made to the bill for any portion of the excessive consumption, except as may be approved by the General Manager, based upon a demonstration by the owner or occupant that such an adjustment will further a significant public interest.

21 DCMR § 409.1 Notice of Investigation Results and Bill Adjustment

After reviewing the report and making any adjustments to the water or sewer service charges, in accordance with the provisions of this chapter, the Authority [DC Water] shall mail written notice of the following to the owner or occupant:

- (a) The results of the investigation; and
- (b) If the bill has been adjusted, an amended bill reflecting any adjustment(s) made.

21 DCMR § 409.3 Adjusted Bill Due Date

The new date for payment of the original or adjusted bill, as set forth in the notice, shall not be less than fifteen (15) days after the mailing date of the notice.

21 DCMR § 409.4 Adjusted Bill Results in Customer Overcharge

If the original bill was paid and an adjustment has been made, the amount of the overcharge shall be refunded to the party who paid the bill.

21 DCMR § 409.5 Appeal of Bill Adjustment

The notice shall also inform the challenging party of the right to appeal the determination and bill (or amended bill) set forth in the notice, and shall set forth the following:

- (a) The requirements for filing the appeal under § 410.2; and
- (b) If an appeal is filed, there will be no penalty or service cut-off for non-payment of the bill until the appeal has been considered and he or she has been notified in writing of the results of the appeal and a new date for payment.

IX. DISCONNECTION/RESTORATION OF SERVICE

DC Water may shut off the water services to any property if water charges have remained delinquent for 30 days or more from the date of the bill. 15 Days prior to disconnection, DC Water will provide the customer and/or property owner written notice to make payment and other

arrangements. If DC Water terminates services, the property owner and/or customer is assessed a termination fee of \$50.00, and a reconnection fee of \$50.00. A customer and/or property owner must pay all outstanding water and sewer charges, and penalties to restore water services.

Prior to a scheduled disconnection of service, a customer may make payment arrangements to pay water charges in installments. DC Water may allow a customer to pay water charges in installments up to 12 months based on the customer's payment history and the amount of the delinquency. If a customer enters an installment agreement, DC Water will provide the customer with a written copy of payment terms to include start and end dates, amount of outstanding charges, the amount of each monthly payment, and other conditions. Installments due are also listed on the monthly invoice. If the customer adheres to the repayment agreement during the installment period, DC Water shall not terminate the customer's water services for nonpayment, nor assess any late fees, interest or penalties. A customer may renegotiate payment arrangements if he/she has incurred an unforeseen hardship that may prevent payment. If a customer fails to comply with an installment arrangement, DC Water will disconnect services for nonpayment and assess accrued interest, late fees and penalties.

A customer will be assessed a fee in the amount of \$245.00 if water is restored at the property without authorization from DC Water.

D.C. Code § 34–2407.01(a) Discontinuance of Water Service for Failure to Pay

The Mayor of the District of Columbia [DC Water] is authorized to provide for the collection of water charges, in advance or otherwise, from the owner or occupant of any building, establishment, or other place furnished water or water service by the District, and to shut off the water supply to any such building, establishment, or other place upon failure of the owner or occupant thereof to pay such water charges within 30 days from the date of rendition of the bill therefor. Such authority to shut off the water supply may be exercised by the Mayor [DC Water] regardless of any change in ownership or occupancy of such building, establishment, or other place. When the water supply to any such building, establishment, or other place has been shut off for failure to pay such water charges, whether the water supply to such building, establishment, or other place was shut off before or after May 18, 1954, the Mayor shall not again supply such building, establishment, or other place with water until all arrears of water charges, together with penalties and the costs actually incurred in shutting off and restoring the water supply, are paid.

D.C. Code § 34–2407.01(b) Unauthorized Restoral of Water Service and Use

If the water supply to any property has been shut off for failure to pay District water and sanitary sewer service charges, and later restored without the express authorization of the Mayor [DC Water], the Mayor [DC Water] shall impose a fine in an amount not less than 20% of the delinquent charges or more than \$100, whichever is greater, upon the

owner or occupant of the property, unless the Mayor [DC Water] determines that the owner or occupant did not restore or solicit a person to restore the water.

D.C. Code § 34–2202.16 (e) Disconnection of Water Service for Failure to Pay Stormwater Fee

The Authority [DC Water] is authorized to shut off the water distribution to any building, establishment, or other place upon failure of the owner or occupant thereof to pay the charges, including the storm water fee, within 90 days from the date of rendition of the bill.

21 DCMR § 112.4 Fee for Unauthorized Water Service

The fee for the “Unauthorized Turn On” of water is \$245.00.

21 DCMR § 425.2 Notice of Termination of Water Services

Except as otherwise provided in this chapter, WASA [DC Water] shall provide the owner or occupant with a final notice specifying that the water and sewer services will be terminated.

21 DCMR § 425.3 Final Notice of Termination of Water Services

The final notice shall specify the date that service will be subject to termination.

21 DCMR § 425.4 Staying a Disconnection of Service

In deciding whether or not to terminate water and sewer services for a delinquent account, the General Manager may consider the following:

- (a) Whether a tenant is eligible to establish an account in his or her own name;
- (b) The payment history of the owner or occupant; and
- (c) Any other factor relevant to the efficacy of alternate methods of collecting the amounts due and owing.

21 DCMR §§ 428.2 and 431.1 Notice of Termination at Apartment or Multi-family Dwelling

At least ten (10) working days prior to terminating water and sewer services to the premises, WASA [DC Water] shall send a notice to the tenant(s) in accordance with § 425.2.

21 DCMR § 431.2 Notice to Tenants

The notice shall be addressed to the authorized tenant(s) in the building, but the tenant(s) need not be identified by name. Identifying the apartment unit and the correct address of the premises shall be sufficient to provide the tenant with the notice required under this subsection.

21 DCMR § 431.3

Notice Requirements

The notice shall provide the tenant(s) with the following information:

- (a) The owner is delinquent in the payment of water and sewer service charges;
- (b) Water and sewer services to the premises may be terminated;
- (c) WASA [DC Water] may permit the tenants to establish a water and sewer account in their own names if the General Manager considers it is practicable under the provisions of § 430.1 of this section;
- (d) The tenants may petition the Superior Court to establish a receivership;
- (e) The tenants have the right to deduct all future payments made by the tenants for water and sewer services from rent owed as provided by § 2(g) of D.C. Law 8-136;
- (f) The tenants may request to receive service in their own name either individually or collectively in accordance with the provisions of § 428;
- (g) The time period within which the tenants or their authorized agents must request to assume prospective responsibility for water and sewer service charges; and
- (h) The mailing address and telephone number of the office within WASA [DC Water], where the tenants can obtain additional information.

**21 DCMR § 428.4
and 432.1**

Opportunity for Tenant to Receive Service in Own Name

If water and sewer charges incurred by the tenant(s) remain unpaid for more than thirty (30) days after the rendering of a bill for the charges, penalties and interest shall be applied to the tenant's outstanding charges, and water and sewer services may be terminated.

21 DCMR § 428.5

Billing Tenant for Water and Sewer Charges

If water and sewer service charges billed directly to the tenant or tenants are unpaid and result in the termination of services, the tenant or tenants shall be required to pay all delinquent charges, penalties, interest and fees incurred during the period they received bills.

21 DCMR § 428.6

Termination of Services for Tenant's Nonpayment

If service has been terminated due to a delinquent tenant account, services shall not be restored until all charges, penalties, interest and fees for the property are paid in full.

Disconnection & Restoration of Service for Denial of Access or Failure to Repair

A customer shall provide DC Water access to the property to install, inspect and read meters, pits, vaults other appurtenances. If access is denied, DC Water shall provide the customer written notice within 3 days. A customer maybe charged \$100.00 if the property remains inaccessible to DC Water.

If DC Water determines that a leak and/or a condition on the property must be corrected, the customer will be notified in writing. DC Water shall provide the customer with 14 days to comply with the repair request, and/or longer depending on the nature of the repair. Water services will be terminated if the customer does not make the repair. Further, DC Water may terminate water services if a leak causes damage, a nuisance or an unsafe condition in public space.

The restoration of service will occur upon verification by DC Water that the issue is resolved.

DC Water assesses a \$50.00 turn on fee for any water service that has been disconnected for any reason.

21 DCMR § 111.4

Termination of Service for Leaks Causing Nuisance and Hazard

If a leaking water pipe is a public nuisance or hazard, or the leak is damaging property, the water supply to the premises will be shut-off immediately to abate the problem and shall remain shut-off until repairs are made.

21 DCMR § 112.4

Fee for Disconnection/Termination of Service

The fee for turning on water and turning off water for nonpayment is \$50.00.

21 DCMR § 302.8

Termination of Services for Inaccessible Meter

In case of denial of free access to premises to inspectors or other persons entitled to access, or of tampering or interfering in any way with water meters data collection devices, transmitters or

appurtenances, the supply of water shall be stopped and the supply shall not be restored for use of that consumer except upon payment of the cost actually incurred in shutting off and restoring the water supply.

21 DCMR § 426.1.

Request by Owner to Terminate Services

WASA [DC Water], upon receipt of a written request from the owner of a property provided water and sewer services, shall terminate services when one of the following conditions exists:

- (a) The property is vacant;
- (b) There is an outstanding delinquent balance on the account;
- (c) The water and sewer service has been terminated for nonpayment, and it is verified that service has been restored by the occupant or someone solicited by the occupant, without the authorization of WASA [DC Water]; or
- (d) The owner provides documentation that the property is occupied by parties without a legal right to be on the property and who occupy the property without the consent of the owner.

21 DCMR § 426.2

Denial of Request to Terminate Services

WASA [DC Water] may determine that the request for termination of service will not be honored if the property is occupied and any of the following conditions exists:

- (a) There is no delinquent balance on the account and the property is occupied by tenants or others with the consent of the owner;
- (b) The owner is the account holder, the tenant agrees to assume prospective responsibility for prospective water and sewer charges and the General Manager determines that it is practicable for the tenant to assume responsibility for the water and sewer charges.

X. LIENS

In the District of Columbia, a lien may be placed against the property for water and sewer charges that are 60 days or more delinquent. Unpaid water and sewer charges remain with property, even if there is a change in ownership. DC Water provides a 10-day notice to the customer of its intention to file a lien for delinquent water and sewer charges. DC Water files a certificate of delinquency with the District of Columbia Recorder of Deeds, on any and all unpaid water charges.

To be deemed valid, a certificate of delinquency shall indicate the amount of outstanding charges along with the real property address, lot and square information. The water lien is a continuing lien on the property, and it can only be satisfied if the customer and/or property owner pays the delinquent amount, penalties, interest, and administrative costs. A lien for water and sanitary sewer charges shall have priority over any other lien, except a lien for District taxes.

D. C. Code § 34-2407.02(a)(1) Water Liens

Except as provided in subsections © and (d) of this section, if an owner of real property fails to pay district water and sanitary sewer charges in full accordance with § 34-2407.01, for all bills rendered which remains unsatisfied for 60 days or more the Mayor may file a certificate of delinquency with the Recorder of Deeds.

D. C. Code § 34-2407.02(a)(2) Certificate of Delinquency

Upon filing, the certificate of delinquency shall constitute continuing lien against the real property and show the amount of unpaid charges for District water and sanitary sewer services. The continuing lien shall be for the current full amount of the unpaid water and sanitary sewer service charges, penalties, interest, and administrative costs.

D. C. Code § 34-2407.02(a)(3) Enforcement of Lien

The Mayor may enforce the lien if any water and sanitary sewer service charges remain unpaid for more than 180 days from the date the bill is rendered or for more than 15 days after a final decision of an appeal challenging the bill, whichever is later in the same manner that real property tax liens are enforced pursuant to Chapter 13 and Subchapter IV of Chapter 13A of Title 47.

D. C. Code § 34-2407.02(a)(4) Tax Sale

The real property may be sold for the unpaid water and sanitary sewer charges, penalties, interest and administrative costs at a tax sale in accordance with the provisions for the sale of property for delinquent real property taxes pursuant to Chapter 13 of Title 47.

D. C. Code § 34-2407.02(a)(5) Redemption of Sold Property

If any real property sold for unpaid water and sanitary sewer service charges is not redeemed by the owner within 180 days from the date of sale, including payment of 2% interest for each month until the property is redeemed, the Mayor shall furnish a deed to the purchaser or holder of the certificate of sale in accordance with § 47-1304.

D. C. Code § 34-2407.02(a)(6) Tax Sale Proceeds

Proceeds from the sale that represent unpaid water charges shall be credited to the Water and Sewer Enterprise Fund of the District of Columbia as established by § 47-375(g).

D. C. Code § 34-2407.02(b) Priority of Water Lien

A lien for water and sanitary sewer charges shall have priority over any other lien, except a lien for District taxes. The lien for water and sanitary sewer service charges shall remain in effect until the charges set forth in the certificate and any accrued additional charges, interest, penalties, and administrative costs are paid in full. Upon final payment of any delinquent charges, penalties, interest, and administrative costs, the Mayor shall file promptly a certificate of satisfaction with the Recorder of Deeds.

D. C. Code § 34-2407.02(c) Waiver of Lien

The Mayor [DC Water] may defer or forgive, in whole or in part, any water and sanitary sewer service charges due the District [DC Water] for any qualified real property pursuant to § 6-1503.

D. C. Code § 34-2407.02(d) Lien on Single Family Home

The Mayor [DC Water] shall not sell the residence of an owner who occupies a single-family home for failure to pay District [DC Water] water and sanitary sewer charges in accordance with subsection (a) of this section.

21 DCMR § 427.1 Real Property Liens and Tax Sale

When bills for water and sewer service charges, meter maintenance and repairs, or sanitary sewer services are more than sixty (60) days overdue, WASA [DC Water] shall provide the owner of record with a written notice of intent to file a lien.

21 DCMR § 427.2 Tax Lien Notice

The written notice shall state the following:

- (a) The outstanding balance;
- (b) A notice that if the bills are not paid in full or payment arrangements are not made within ten (10) working days of the date of the notice, a certificate of delinquency shall be filed by WASA [DC Water] with the Recorder of Deeds;
- (c) That a certificate of delinquency shall constitute a lien against the real property; and
- (d) The owner of a single-family home has the opportunity to present evidence that he or she occupies the premises.

21 DCMR § 427.3 Single Family Home Owner Must Provide Notice of Occupancy

The owner of a single-family home who occupies the premises shall present evidence of occupancy within ten (10) working days of the date of the notice of intent.

21 DCMR § 427.4 Permissible Proof of Occupancy

Acceptable evidence of occupancy shall include the following:

- (a) Income tax returns;
- (b) Non-driver's identification card or a valid driver's license;
- (c) The most recent electric, gas or telephone bill; and
- (d) Other documentation considered credible by WASA [DC Water].

21 DCMR § 427.5 Prohibition of Sale of Owner Occupied Single Family Home

Single family homes that are owner occupied, shall not be sold at tax sale for delinquent water and sewer charges, but a lien shall be attached to the real property until the outstanding balance is paid in full.

21 DCMR § 427.6 Certificate of Delinquency

At the end of the ten-day (10) period, if the balance has not been paid in full, a Certificate of Delinquency shall be filed by WASA [DC Water] and mailed, by certified mail, to the owner of record at the address listed by the Office of Tax and Revenue for the receipt of tax notices.

21 DCMR § 427.7 Tax Sale

Real property tax sales pursuant to this section shall be conducted by the Office of Tax and Revenue.

XI. HOW DC WATER ESTABLISHES RATES

Rates are set bi-annually through a year-long process that begins with a budget based on capital and operating needs. DC Water conducts a Cost-of-Service Study every three years as a good faith effort to study the impact of any rate change on its customers before submitting any rate for approval by the DC Water Board of Directors. Once the budget is approved by the Board of Directors, the proposed rate structure is published in the DC Register and communicated via various news and media outlets and DC Water holds a public hearing to provide customers the opportunity to comment on the proposed rates. Finally, the DC Water Board of Directors vote on the rate proposal in July, to be implemented in the new fiscal year (October 1st). Currently, DC Water is setting two-year budgets.

D.C. Code § 34–2202.16 (a) Charges and Fees and Rate Setting

The Authority shall collect and abate charges, fees, assessments, and levies for services, facilities or commodities furnished or supplied by it.

D.C. Code § 34–2202.16 (b) Notice of Water and Sewer Rates and Public Hearings

The Authority [DC Water] shall, following notice and public hearing, establish and adjust retail water and sewer rates. The District members of the Board shall establish the retail water and sewer rates prior to the Board's consideration of the Authority's [DC Water's] budget. The water and sewer rates levied by the Authority [DC Water] shall only be a source of revenue for the maintenance of the District's supply of water and sewage systems and shall constitute a fund exclusively to defray any cost of the Authority [DC Water].

21 DCMR § 4000.1

Publication of Notice

Except as provided in §6(c) of the District of Columbia Administrative Procedures Act, approved October 21, 1968 (82 Stat. 5006; D.C. Code §1-1506(c)), before establishing or changing a retail rate for the provision of potable water or sewage services in the District of Columbia, the Board shall first publish notice of its intention to do so in the D.C. Register. The notice may also be published in a newspaper of general circulation in the District of Columbia.

21 DCMR § 4000.2

Requirements of the Notice

The notice shall state as follows:

- (a) The rate under consideration by the Board;
- (b) The date, time, and location of a public hearing to be held by the Board on the proposed rate, or an indication that the date, time and location will be specified in a forthcoming notice;

- (c) The time period during which written comments may be submitted for consideration by the Board;
- (d) The requirements of §4001.5 of this chapter; and
- (e) Whether the Board is considering adopting the new rate at a meeting of the Board immediately following the public hearing.

21 DCMR § 4001.1

Public Hearing

The public hearing, required by §216 of the Act, may be conducted as an agenda item at a Board meeting, or as a separate hearing.

21 DCMR § 4001.2

Hearing Date

The hearing shall be conducted not earlier than ten (10) days after publication of the notice specified in §4000 of this chapter.

21 DCMR § 4001.3

Quorum

At least four (4) District members of the Board shall be present in order for the public hearing to occur.

21 DCMR § 4001.4

Role of DC Water Chair at Hearing

The Chairperson of the Board, or his or her designee, shall conduct the public hearing.

21 DCMR § 4001.5

Public Testimony

Any member of the public who wants to testify at the public hearing shall submit his or her name, and the name of any organization(s), if any, which he or she represents, to the Secretary to the Board at least three (3) days before the date of the hearing, except that this requirement may be waived by a majority vote of the District members present at the hearing.

21 DCMR § 4001.6

Hearing Procedures

Statements of members of the public who are testifying on their own behalf shall be limited to five (5) minutes, and statements of those who are appearing on behalf of organizations shall be limited to ten (10) minutes, except that this requirement may be waived by a majority vote of the District members present at the hearing.

21 DCMR § 4001.7

Witness Conduct at Hearings

If, in the opinion of the Board member conducting the public hearing, a witness is abusive or unruly, such that his or her behavior is disrupting the conduct of the hearing, the Board member conducting the public hearing may call for a recess in accordance with §§4001.9 and 4001.10 of this section, order the witness to cease the behavior, or order the witness to leave the hearing. A person who is ordered to leave a hearing may submit written comments, pursuant to the Act and this chapter.

21 DCMR § 4001.8

Submission of Written Testimony or Comments

In addition to, or in place of, oral testimony, members of the public may submit written testimony or comments during the period specified in the notice of proposed ratemaking. Either form of comment shall be given equal weight.

21 DCMR § 4001.9

Hearing Recess

By majority vote of the District members present at a public hearing, a recess may be called for the reasons stated in §4001.7 of this section or if the public hearing cannot be completed during the time period originally allocated to it.

21 DCMR § 4001.10

Resuming Hearing

If a majority of the District members present at the public hearing agree to a date, time, and place for the continuation of the hearing after the recess, and the Board member conducting the hearing announces this decision in public at the original hearing, then no new notice of the continuation of the hearing will be published in the D.C. Register.

21 DCMR § 4002.1

DC Water Board Vote on Rate

Following the completion of the hearing and the comment period specified in the Board's notice of proposed ratemaking, a rate may be established or adjusted by a majority vote of all of the District members at a Board meeting.

21 DCMR § 4002.2

Approved Retail

An approved retail rate shall take effect upon its publication in the D.C. Register.

21 DCMR § 4100.3

Retail Rates for Water

See the DC Water website for the current retail rates for metered water service.

21 DCMR § 4100

Minimum Rate for Water Services

See the DC Water website for the minimum rate for water furnished to any premises through a metered service.

21 DCMR § 4101.1.
service.

See the DC Water website for the retail rates for sanitary sewer

21 DCMR § 4104.1

Customer Classifications

The customer classifications for water and sewer rates shall consist of a residential class, multi-family, and a non-residential class:

(a) Residential – a single-family dwelling used for domestic purposes; a condominium or apartment unit where each unit is served by a separate service line and is individually metered and the unit is used for domestic purposes; or a multifamily structure of less than four apartment units where all the units are served by a single service line that is master metered.

(b) Multi-Family – a multifamily structure (such as a condominium or apartment dwelling) used for domestic purposes, with four or more units.

(c) Non-residential – all customers not within either the residential or multi-family class.

XII. SEWER BACK-UPS OR STOPPAGES

Sewer clogs, back-ups and clogs can be very difficult and expensive for customers. Unless there is evidence that DC Water was negligent in maintaining, repairing, or installing the main sewer line, then the customer is usually responsible for resulting damages. However, if a customer is experiencing a sewer back-up, clog, or stoppage, they must contact DC Water to determine whether the public sewer main is backed-up or clogged. If the public sewer is functioning appropriately, then the customer must contact a licensed plumber to determine if the clog is in the sewer lateral located on the property. If the plumber discovers that the blockage is located between the property line and public main sewer, then he/she must submit a report to DC Water the findings. DC Water shall remove a clog or blockage.

21 DCMR § 200.1 Entry to a Public Sewer

No person other than those employed in the Bureau of Sewer Services of the Department, while on duty, shall enter any public sewer or appurtenance of a public sewer without a written permit from the Director.

21 DCMR § 200.2 Tampering with a Public Sewer

No person shall turn, lift, remove, raise, or tamper with any cover of any manhole, basin, inlet, or other appurtenance of any public sewer without a written permit from the Director.

21 DCMR § 200.3 Tapping into a Public Sewer

No person shall cut, break, pierce, or tap any public sewer or appurtenance of a public sewer, or introduce any tube, pipe, trough, or conduit into any public sewer or public sewer appurtenance without a written permit from the Director.

21 DCMR § 200.4 Penalty for Tapping/Tampering or Unlawful Entry into a Public Sewer

Violation of any provision of this section shall be punishable, upon conviction, by a fine not to exceed three hundred dollars (\$300).

21 DCMR § 204.1 Sewer Back-up/Stoppage Complaint

If there is a complaint regarding a sewer stoppage, the Director shall first ascertain if the main sewer is clear. If the main sewer is clear, the complaining party shall be so informed.

21 DCMR § 204.2 Sewer Back-up/Stoppage in Public Sewer Main

Any stoppage in the main sewer shall be relieved within a reasonable period of time.

21 DCMR § 204.3 Sewer Back-up/Stoppage in Building Sewer

If the main sewer is clear, the complaining party shall, at his or her own expense, employ a registered master plumber or sewer cleaner to clear the stoppage from the building to the main sewer.

21 DCMR § 204.4 Excavating in Public Space to Access to Resolve Sewer Back-ups/Stoppages

A registered master plumber or sewer cleaner employed under §204.3 shall not excavate in public ways beyond the property line.

21 DCMR § 204.5 Determining Sewer Back-up/Stoppage by Master Plumber

If the registered master plumber or sewer cleaner finds that the stoppage is located between the main sewer and property line, and that it cannot be cleared by power rodding or snaking, he or she shall inform the Director [DC Water].

21 DCMR § 204.6 Determining Sewer Back-ups/Stoppages by DC Water

If the Director [DC Water] finds that the stoppage is in the building connection between the property line and the main sewer, and that the stoppage could not have been cleared by power rodding or snaking, the condition shall be corrected by the District [DC Water].

21 DCMR § 204.7 Sewer Back-up/Stoppage due to Condition of Building Sewer

If the Director [DC Water] finds that the stoppage is not due to the faulty condition of the building sewer connection between the property line and the main sewer, the property owner shall pay the D.C. Treasurer the amount of expense incurred by the District [DC Water].

21 DCMR § 204.8 Plumber's Report Required

All stoppages in public space outside of the property line, whether relieved or not, shall be reported to the Director [DC Water] by the registered master plumber or sewer cleaner.

XIII. DISPUTE RESOLUTION PROCESS

An owner or occupant may challenge their most recent bill by either: a) Paying the bill under protest and notifying DC Water in writing that he or she believes the bill to be incorrect; or, (b) Not paying the current charges contained in the bill and notifying DC Water in writing, within ten (10) working days after receipt of the bill of the reason(s) why the bill is believed to be incorrect.

The Office of the People's Counsel is the statutory advocate for matters concerning DC Water. If you have a complaint or concern about your DC Water service, you may contact OPC at (202) 727-3071 to talk with consumer complaint resolution specialist.

Challenges received after the ten-day (10) period will be deemed untimely and will not stop the imposition of a penalty for nonpayment of charges or the possibility of termination of service for nonpayment. If the bill is not paid, but a challenge is made within ten (10) working days after receipt of the bill by the customer, DC Water will suspend the customer or owner's obligation to pay the disputed bill until he/she has been provided a written decision of the results of the investigation.

DC Water will investigate a challenged water, sewer or groundwater bill, and will provide the customer a written report of its investigation findings. DC Water's written decision will include the date that the bill should be paid and the amount. If it is determined that the bill is erroneous, DC Water shall adjust the bill accordingly and refund any overcharges paid.

DC Water provides one (1) audit free of charge during a 24-month period. A second audit within 24 months results in an assessment of a \$125.00 service fee.

D.C. Code § 34–2305

Administrative Review/Right to Contest Charges

Any owner or occupant of a property that receives water and sewer services may contest a water or sanitary sewer service bill rendered for water and sewer services in accordance with §§ 2-509 and 2-510, as set forth in rules issued by the Mayor pursuant to § 34-2306. The Mayor or the Authority [DC Water] shall require the owner or occupant to post a surety bond or deposit upon the filing of a request for an administrative hearing, except that the requirement to post a surety bond or deposit shall not apply to an owner who occupies a single-family house. The amount of the surety bond or deposit shall be determined by the Mayor or the Authority [DC Water] and shall not be less than one-half of the total amount of charges, penalties, and interest owed. The surety bond or deposit shall be placed into an escrow account and accrue interest at a rate to be determined by the Mayor or the Authority [DC Water].

D.C. Code § 34–2202.16 (d-7) Owner May Contest Stormwater User Fees

Any owner or occupant of a property that is charged a stormwater user fee may contest a stormwater user fee bill rendered for managing stormwater runoff, according to the same procedures provided to owners or occupants of properties that receive water and sewer services, under § 34-2305.

21 DCMR § 400.1 Right to Challenge General Manager’s Decisions and Bills

The owner or occupant of the premises may contest any water bill, sanitary sewer service bill or groundwater sewer service bill rendered for the premises, or any determination of practicability made by the General Manager.

21 DCMR § 400.2 Owner May Challenge Any Determination by DC Water

The owner or agent of the owner may contest any determination of practicability made by the General Manager pursuant to section 5403 of this title, or any determination of imminent threat made by the General Manager.

21 DCMR § 400.4 Right to Inspect Records

Any owner or occupant shall have the right to inspect WASA [DC Water] records regarding his or her account upon request during the normal business hours of the Department.

21 DCMR § 401.1 Notice of Right to Challenge Charges on Billing Statement

Each water, sewer, and groundwater sewer service bill shall contain a written statement advising the owner or occupant of the following:

- (a) The owner or occupant may challenge the bill in accordance with the provisions of § 402;
- (b) Upon receipt of a challenge to a water, sewer and groundwater sewer service bill, WASA [DC Water] will investigate the bill;
- (c) If WASA [DC Water] finds the bill to be erroneous, it shall adjust the bill accordingly and refund any overcharge paid;
- (d) The owner or occupant will not be subject to any penalty, interest charge or termination of service for nonpayment of the disputed bill until the owner or occupant has been advised in writing of the results of the investigation;
- (e) The owner or occupant will be notified in writing of the results of the investigation;
- (f) If the bill has not been paid, the owner or occupant will be notified in writing of the amount found to be due as a result of

- the investigation, and the date on which the bill shall be paid;
- (g) The owner or occupant may request a hearing in writing, within fifteen (15) days, if he or she is not satisfied with the decision of WASA [DC Water]; and
 - (h) The owner or occupant may request a written statement of billing, for the most recent eighteen (18) month billing and payment history of the account. Upon receipt of a written request, WASA [DC Water] shall prepare this statement of billing within thirty (30) days.

21 DCMR § 401.2

Notice of Right to Challenge DC Water's General Manager's Decision

Each determination of practicability made by the General Manager pursuant to § 207 of this title shall contain a written statement advising the owner or occupant of the following:

- (a) The owner or occupant may challenge the determination in accordance with the provisions of § 402;
- (b) Upon receipt of a challenge to a determination of practicability, WASA [DC Water] will investigate the determination; and
- (c) The owner or occupant will be notified in writing of the results of the investigation and the date and time of any hearing, if required.

21 DCMR § 402.1

Initiating a Challenge

An owner or occupant may challenge the most recent charges assessed by WASA [DC Water] for water, sewer and groundwater sewer service by either:

- (a) Paying the bill, and notifying WASA [DC Water] in writing that he or she believes the bill to be incorrect and is paying under protest; or
- (b) Not paying the current charges contained in the bill and notifying WASA [DC Water] in writing, within ten (10) working days after receipt of the bill of the reason(s) why the bill is believed to be incorrect.

21 DCMR § 402.2

Untimely Bill Challenges

Challenges received after the ten-day (10) period stated in § 402.1 will be deemed to have been filed in an untimely manner and will not stop the imposition of a penalty for nonpayment of charges or the possibility of termination of service for nonpayment.

21 DCMR § 402.3

Payment of Undisputed or Uncontested Charges

Nothing in this section shall be interpreted to relieve the owner or occupant of responsibility for paying all previously or subsequently rendered, uncontested water, sewer and groundwater sewer service charges, penalties, interest, and administrative costs.

21 DCMR § 402.4

Appealing Findings of Bill Challenge

An owner or occupant may appeal a practicability determination made by the General Manager pursuant to Section 207 by filing a petition for an administrative hearing within fifteen (15) calendar days of the date of the notice required in § 207. This petition shall be filed in accordance with the requirements set forth in Section 412 of this chapter, "Petition for Administrative Hearing."

21 DCMR § 402.5

Appealing Findings of Practicability Determination

An owner or owner's agent may appeal a practicability determination made by the General Manager pursuant to Section 5403 by filing a petition for an administrative hearing within fifteen (15) calendar days of the date of the notice required in § 5403. This petition shall be filed in accordance with the requirements set forth in Section 412 of this chapter "Petition for Administrative Hearing".

21 DCMR § 402.6

Appealing Determination of Imminent Threat

An owner or owner's agent may appeal a determination of imminent threat made by the General Manager pursuant to § 5405 by filing a petition for an administrative hearing within fifteen (15) calendar days of the date of the termination. This petition shall be filed in accordance with the requirements set forth in Section 412 of this chapter "Petition for Administrative Hearing."

21 DCMR § 402.7

Appealing Determination of an Impervious Surface Area Charge

Non-residential and multi-family owners or their agents may seek an impervious surface area charge adjustment if the owner or agent can establish that the property has been assigned to the wrong rate class, the impervious service area used in the computation of the charge is incorrect or if the ownership information is incorrect.

21 DCMR § 402.8

Permissible Proof of Impervious Area Charge

Non-residential and multi-family owners or their agents shall submit a site survey, prepared by a registered professional land surveyor, showing impervious surfaces on the site and other information that may be requested by WASA [DC Water].

21 DCMR § 403.1

Suspension of Obligation to Pay Contested Charges

Upon receipt of a challenge to a water, sewer or groundwater sewer bill, WASA [DC Water] shall suspend the obligation of the owner and occupant to pay the contested charges contained in the bill pending investigation.

21 DCMR § 413.6.

Payment of Uncontested Charges

The owner or occupant shall pay all charges not in dispute within thirty (30) days of the date that the bill for such charges is rendered.

21 DCMR § 403.2

Investigation of a Challenged Bill/Account Audit

As necessary to investigate the challenge, WASA [DC Water] may:

- (a) Verify the computations made in the formulation of the water and sewer charges;
- (b) Verify the meter reading for possible meter overread or doubtful registration;
- (c) If feasible, check the premises for leaking fixtures, underground invisible leaks, and house-side connection leaks;
- (d) Check the meter for malfunction;
- (e) Check the water-cooled air conditioning system, if any, for malfunction; and
- (f) Make a reasonable investigation of any facts asserted by the owner or occupant which are material to the determination of a correct bill.

21 DCMR § 404.1

Investigation Report

Upon completion of the investigation, WASA [[DC Water] shall issue a written decision containing a brief description of the investigation and findings.

21 DCMR § 404.2

Adjustment of Bill

On the basis of the investigation and findings, WASA [DC Water] shall make appropriate adjustments to the bill for water or sewer charges in accordance with the provisions of this chapter.

IXV. ADMINISTRATIVE HEARING PROCEDURES

If the customer or owner is not satisfied with DC Water's decision from the investigation, then he/she may request in writing an administrative hearing within fifteen (15) calendar days of the date of the decision. The customer and/or owner is not relieved of the responsibility for paying all previously or subsequently rendered, uncontested water, sewer and groundwater service charges, penalties, interest, and administrative costs.

If you want to have an attorney represent you at the administrative hearing, you can contact OPC at (202) 727-3071. An OPC attorney will review the facts of your complaint and explain the merits of your case.

A customer may request an administrative hearing to appeal DC Water's decision pertaining to the validity of any water, sewer or groundwater sewer service charge. At an administrative hearing, a customer may represent himself or herself or be represented by an attorney; present his or her case or defense by oral or documentary evidence; submit rebuttal evidence; and conduct a cross-examination as may be required for a full disclosure of the facts. The customer shall be notified of the hearing date in writing.

The hearing is administered by a neutral third party, an Administrative Hearing Officer. At the hearing, both DC Water's representative and the customer and/or property owner will present their respective cases to the Administrative Hearing Officer. In most instances, the Administrative Hearing Officer will render a decision within 30 days of the close of the hearing. The Hearing Officer's final decision shall contain a concise statement of facts, conclusions of law, and specific findings on each issue of fact. It shall also be based on entire record and evidence. If the Hearing Officer rules in favor of the customer and/or owner, and finds that customer and/or owner made payments in excess of the amount due, the appropriate portion of the funds, plus any accrued interest, shall be credited to the customer and/or owner's account within fifteen (15) days of the notice of decision. If the Hearing Officer rules in DC Water's favor, then the customer and/or owner shall be required to pay the difference between the amount in escrow and the amount of outstanding charges, penalties, interest, and fees within fifteen (15) days of the notice of the decision. A customer may appeal a Hearing Officer's ruling to the District of Columbia Court of Appeals within 30 days from the date of the written decision.

For more information on your rights please visit us at dcwater.com/disputing-bill or by phone: Mon. - Fri. 8:00 am - 5:00 pm at (202) 354-3600.

Mail your letter to:

**District of Columbia Water and Sewer Authority
Customer Service Department**

**P.O. Box 97200
Washington, DC 20090**

D.C. Code § 34–2305

Administrative Review

Any owner or occupant of a property that receives water and sewer services may contest a water or sanitary sewer service bill rendered for water and sewer services in accordance with §§ 2-509 and 2-510, as set forth in rules issued by the Mayor pursuant to § 34-2306. The Mayor or the Authority [DC Water] shall require the owner or occupant to post a surety bond or deposit upon the filing of a request for an administrative hearing, except that the requirement to post a surety bond or deposit shall not apply to an owner who occupies a single-family house. The amount of the surety bond or deposit shall be determined by the Mayor or the Authority [DC Water] and shall not be less than one-half of the total amount of charges, penalties, and interest owed. The surety bond or deposit shall be placed into an escrow account and accrue interest at a rate to be determined by the Mayor or the Authority [DC Water]

**21 DCMR §§ 409.2
and 412.1**

Notice of Investigation Results and Adjusted Bills

An owner or occupant may appeal the General Manager's decision by filing a petition for an administrative hearing within fifteen (15) calendar days.

21 DCMR § 412.2

Petition for Administrative Hearing

A petition for administrative hearing shall be made in writing within fifteen (15) calendar days of the date of the notice specified by § 409.1.

21 DCMR §§ 412.3

Filing Petition for Administrative Hearing

Petitions for review shall be filed with:
District of Columbia Water and Sewer Authority
Customer Service Department
P.O. Box 97200
Washington, D.C. 20090

21 DCMR § 413.1

Surety Bond/Deposit

The owner or occupant shall post a surety bond or deposit, equal to not less than one-half (1/2) of the outstanding water, sewer, or groundwater sewer service charges, penalties, and interest owed at the time the request for administrative hearing is made.

21 DCMR § 413.2

Surety Bond

The requirement to post a surety bond or deposit shall not apply to an owner who occupies the single-family house where the contested charges were incurred.

21 DCMR § 413.3

Deposit of Surety Bond

The deposit shall be in the form of a certified check or money order. The deposit shall be placed in an escrow account and accrue interest. The interest rate shall be determined based on the Annualized Treasury Bill Yield Rate, which is published in nationally circulated newspapers, including the Washington Post and the New York Times. If more than one rate is published, the lowest rate shall be used.

21 DCMR § 413.4.

Accrual of Interest on Surety

A surety bond shall accrue interest only if it is in a form that is equivalent to cash.

21 DCMR § 413.5

Penalties and Interest on Challenged Bill Charges

Upon receipt of the surety bond or deposit, the portion of the water and sewer charges being challenged shall not be subject to penalty or interest, and service shall not be terminated for non-payment of the contested charges, until a final decision has been rendered.

21 DCMR § 410.1

Matters Determined in Administrative Hearing

The purpose of hearings held under this section is to provide the petitioner with an opportunity to appeal the decision of the General Manager pertaining to:

- a) The validity of any water, sewer or groundwater sewer service charge;
- b) The practicability determination made pursuant to section 207 of chapter 2 regarding metering of groundwater flows;
- c) A practicability determination made pursuant to section 5403 of chapter 54 regarding the installation of backflow preventers to prevent cross connections;
- d) An imminent threat determination made pursuant to section 5405 of chapter 54;
- e) A denial, suspension, or revocation of a certificate to test backflow preventers pursuant to section 5408 of chapter 54;

- f) (f) The determination that a User's uncontaminated non-wastewater flows are discharging to a sewer specifically designated as sanitary sewer;
- g) (g) Issuance, revocation, or non-transferability of a Wastewater Discharge Permit, or the terms and conditions of a Wastewater Discharge Permit;
- h) (h) Issuance, suspension, termination, or denial of a Temporary Discharge Authorization or Waste Hauler Discharge Permit, or the terms and conditions of a Temporary Discharge Authorization or Waste Hauler Discharge Permit; and
- i) (i) Suspension of water and sewer service due to an imminent danger to the environment or the operation or integrity of the District's wastewater system.

21 DCMR § 410.1.2

Hearing Procedures

The rules of procedure set forth in this section shall govern the form, content and filing of requests for a hearing to contest water, sewer and groundwater service charges, interest, penalties, fees and determinations of practicability made pursuant to chapter 2.

21 DCMR § 410.1.3

Petitioner's Rights

The petitioner shall have the right to do the following:

- a) Represent himself or herself or be represented by an attorney;
- b) To present his or her case or defense by oral or documentary evidence;
- c) To submit the evidence in rebuttal; and
- d) To conduct a cross-examination as may be required for a full disclosure of the facts.

21 DCMR § 414.1

Hearing Officer

Upon the filing of a request for hearing, the General Manager may conduct a hearing or assign a hearing officer ("hearing officer") to the case. Thereafter, all motions and procedural requests shall be addressed to the hearing officer.

21 DCMR § 420.1

Location of Hearings

All hearings shall be open to the public.

21 DCMR § 422.1

Issuance of Final Decision

The hearing officer shall issue a final decision containing a concise statement of facts and conclusions of law.

21 DCMR § 422.2

Final Decision

The final decision shall include specific findings on each issue of fact and shall be based upon reliable, probative, and substantive evidence. Mere conclusory assertions or summaries of evidence shall not constitute a sufficient basis for findings or fact within the meaning of this section.

21 DCMR § 422.3

Hearing Record

The final decision of the hearing officer shall be based upon consideration of the entire record of the proceeding, and no evidence, information, or other knowledge, except that of which official notice is taken, shall be considered.

21 DCMR § 422.4

Hearing Officer Issues Ruling for Petitioner

If the hearing officer rules in favor of the owner or occupant, and finds that the owner or occupant has made payments in excess of the amount due, the appropriate portion of the deposit or escrow funds, plus any accrued interest, shall be credited to the owner or occupant's account within fifteen (15) days of the notice of decision and the balance shall be refunded to the party who posted the surety bond or made the deposit.

21 DCMR § 422.5

Hearing Officer Issues Ruling for DC Water

If the hearing officer rules in favor of DC Water and finds that the owner or occupant has outstanding water and sewer charges, the owner or occupant shall be required to pay the difference between the amount in escrow and the amount of outstanding charges, penalties, interest, and fees within fifteen (15) days of the notice of the decision

XV. *REFUND AND CREDIT POLICY*

A customer may apply for a refund of any payments made in error, within two years of payment. DC Water will review the customer's application to determine if a refund or credit is owed. The customer shall be notified of DC Water's position within 30 days.

D.C. Code § 34-2401.10 Requesting Refund for Overpayment

The Mayor of the District of Columbia [DC Water] is hereby authorized to cause all water rents erroneously paid after March 3, 1905, in the District of Columbia to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes; provided, that application for refund shall be made within 2 years after such erroneous payment. And after March 3, 1905, the said Mayor is authorized to cause to be refunded in the same manner and subject to the same limitations all money paid for water for any special purpose where the project is abandoned and the water not used, and for tapping water mains and for furnishing stopcock where the service is not rendered and the material is not furnished; and all money refunded under this section shall be paid from and charged to the water fund.

XVI. PAYMENT ASSISTANCE

DC Water offers several options for customers that are struggling to pay their water bills, including:

- **Extended payment plans:** Please call 202-354-3600 to speak with a Customer Care Associate for more details about extended payment plan options.
- **SPLASH (Serving People by Lending A Supporting Hand):** SPLASH is a DC Water program that helps customers maintain critical water and sewer service in times of financial emergencies. SPLASH is funded solely by contributions from employees, customers and the community, and every dollar is distributed to eligible customers. Visit the DC Water website for more information.
- **Customer Assistance Program (CAP):** Funded by DC Water, CAP provides eligible DC Water customers a discount on the first 400 cubic feet (4 Ccfs) or 3,000 gallons of water and the first 4 Ccfs or 3,000 gallons of sewer services used each month. The annual discount is approximately \$760. Eligible households also receive a 50 percent reduction in the monthly CRIAC and a waiver to cover 100% of the Water Service Replacement Fee.
- **Customer Assistance Program II (CAP2):** Funded by DC Water and the District, CAP2 provides eligible DC Water customers a discount on the first 3 Ccfs of water use and first 3 Ccfs of sewer services used each month, with the exception of the PILOT and ROW fees. Eligible households also receive 50% off the monthly billed CRIAC charges. The annual discount is approximately \$520.00.
- **District of Columbia's Department of Energy and Environment (DOEE) Customer Assistance Program:** A new assistance program (CAP3) funded by the District, CAP3 provides eligible DC Water residential customers with a discount of 75% off of the monthly CRIAC. The average annual discount is approximately \$210.

Eligibility for the CAP, CAP2 and CAP3 programs is determined by DOEE using federal low-income guidelines. Applicants must provide: most recent tax return, photo identification and a

current utility bill. For more information, and to apply, please visit DOEE's website or call 202-535-2600. More information is available at dcwater.com/customer-assistance.

D.C. Code § 34–2202.16 (b-1)(1) DC Water’s Financial Assistance to Low-Income Residents

The Authority [DC Water] shall offer financial assistance programs to mitigate the impact of any increases in retail water and sewer rates and the impervious area charge on low-income residents of the District, including a low-impact design incentive program.

How DC Water uses your water usage data

We do not sell or monetize any customer data.

Customers’ Water Usage Data

Your privacy is very important to us and DC Water takes multiple precautions to guard against data breaches or hackers.