



Dear Landlord;

The following is being provided to you by New Holstein Utilities in an effort to inform you as to our policies and a better understanding regarding tenant utility service and subsequent utility bills.

Currently, all meters located in New Holstein Utilities service area are read between the 26<sup>th</sup> and the 3<sup>rd</sup> of each month. Customer's bills are mailed prior to the 15<sup>th</sup> of the current month, for the prior month's usage. Utility payments are due on the 5<sup>th</sup> of the following month. Penalties are applied to all delinquent amounts each month. Landlords are mailed notification of any tenant that has a delinquent amount before the 10<sup>th</sup> of each month.

**Example of Estimated Timeline:**

June 1	Tenant Moves In
July 1	Meter Read (June's Usage)
July 15	Bill Sent to All Customer's
August 5	Account Due Date
August 6	Penalties Applied
August 10	If Past Due, Landlord Sent Notice

We ask that all property owners inform the Utilities of any changes in tenant status, including names of all tenants, phone number, dates moving in or out and forwarding addresses, if possible. New tenants must sign an "Application for Service". We require a photo ID to verify identity along with the applicant's social security and/or driver's license number. **If the tenant fails to sign up for utility services, the account will remain in the landlord's name and the landlord will continue to receive the bills.** NHU does not disconnect or shut off the utilities between tenants, unless the landowners request it. Bills are sent to the landlord when the properties are vacant. Landlords may call the Utilities to verify if their tenant's accounts are current at anytime. Landlords may also call the Utilities to see if we have payment history on any prospective tenant.

**Current Tenants Who Are Past Due:**

When tenants become past due, the Utilities will send them a 10-day disconnection notice. If after 10 days, the tenant does not pay the past due amount or make a payment arrangement, a 24 hour door notice is hung on the door at the property, advising the tenant that services will be disconnected the next day if the past due is not paid or a payment arrangement is not completed.

When door notices are issued, we try to contact all landlords to advise them that their tenant is facing disconnection.

If your tenant does not pay or makes an arrangement for payment, service is disconnected. If services are disconnected:

1. We will **only** reconnect utility service(s) during the departments working hours, of 7:00AM - 3:30PM, Monday through Thursday, 7:00AM -11:30AM Friday, with the exceptions of holidays. If a holiday falls on the weekday, the service will not be restored until the next business day.
2. Someone must be present at the address to have service(s) reconnected. If the resident can't be present, arrangements will need to be made for a family member, friend or neighbor to be there.

New Holstein Utilities must offer deferred payment agreements per Public Service Commission rules. However, pursuant to Wis. Stat. § 66.0809(9) and the Commission's final order in docket 5-EI-152, New Holstein Utilities will not offer a deferred payment agreement (DPA) to a residential customer who is a tenant if any of the following criteria applies:

1. The residential tenant has greater than \$100 of account arrearages that are more than 90 days past due for utilities that bill monthly.
2. The residential tenant has defaulted on a deferred payment agreement (DPA) in the past twelve (12) months. This criteria only applies to deferred payment agreements (DPA) and not to other types of payment extensions or agreements.
3. The residential tenant is responsible for account arrearages that were placed on any property owner's tax bill in the New Holstein Utilities' service territory in the past twenty-four (24) months.
4. The residential tenant has a balance that accrued during the winter moratorium that is more than eighty (80) days past due.

Please be aware that during the winter months (from November 1 to April 15) we **cannot** disconnect electric service, per Public Service Commission rules, even for non-payment of bills. However, we can disconnect water services for nonpayment; as long as it is a separate water service for the apartment/home and we are not informed that it is a necessary part of the dwelling's heating system. We plan to proceed to use this tool to keep a tenant's water account balance current.

### **Deposits:**

If a tenant does not pay during the moratorium, in addition to having to pay their account in full on April 15, the Public Service Commission rule 113.0402(7c) states that a utility may require a cash deposit or other guarantee as a condition of utility service from customers who have a gross quarterly income above the 200% of the federal

income poverty guidelines, if the utility customer has the ability to pay for utility service but, during the cold weather disconnection rules period, had an arrears amount incurred during the period that was 80 days or more past due. The deposit may not exceed the highest actual gross bills for any 4 consecutive months with the preceding 12 months review period, determined by the utility.

The deposit will accrue interest while being held by New Holstein Utilities and will eventually be refunded to the tenant or applied to their utility bill, when utility payments are made on time for 12 consecutive months.

### **Previous Tenants Who Are Past Due:**

When a final bill is done on a tenant, the customer shall have in all cases a minimum of 20 days to make payment. Wisconsin residential rental practices law allows a landlord to withhold unpaid utility bills from a tenant's security deposit. In the event a tenant vacates the property, the property owner has 21 days to return the security deposit. We encourage landlords to call the Utilities for a final balance on that account and withhold such amount from the returned security deposit.

If the account remains unpaid after the due date listed on the final billing statement, a past-due notice will be mailed to the customer, provided we have their forwarding address, several times as a reminder. If the account remains unpaid and no arrangements for payments have been made, New Holstein Utilities will register the account within the Wisconsin Tax Refund Intercept Program. The State of Wisconsin Department of Revenue has developed a program designed to assist agencies in collection of money owed to them. If a customer has a State tax refund owed to them, agencies, such as New Holstein Utilities, can collect the money they are owed, prior to customer receiving that tax refund.

**If a finalled account remains unpaid as of October 1 of each year, it will be placed as a lien upon the property on the annual property tax roll. A letter notifying the current property owner of this action will be mailed on October 15 of each year. In all cases, the property owner shall have until November 1 to make payment without additional penalty. If payment is not received, on November 2 a 10% penalty shall be applied to the account. If the account still remains unpaid as of November 15, it shall be submitted to the City/County Clerk for inclusion on the annual property tax roll.**

If the property owner pays the past due utility charges, Wisconsin law provides that the lien on their tenant's personal assets transfers to them as the property owner. The property owner may then file notice of the lien with the County Clerk of Court and notice of the lien would appear under your tenant's name in the Wisconsin Consolidated Court Automation Program (CCAP).

We realize that the tenant is incurring these utility charges, however in the event of nonpayment by a tenant, the owner of a rental unit(s) is ultimately responsible for paying delinquent utility charges owed by a tenant. **Under Wisconsin revised s. 66.069, Stats.**, municipal utilities may treat delinquent unpaid bills owed by tenants as a tax levy against the property.

To ensure that landlords are aware of their tenant(s) current status, each month New Holstein Utilities provides “landlord notices” to the owner of a property informing them of any tenant delinquencies.

### **Suggestions to Help Minimize the Transfer of Arrearages to the Tax Roll:**

- Have the services put in the landlord’s name and then increase the rent to include the cost of the utility service.
- Check the Wisconsin Consolidated Court Automation Program (CCAP).
- Call the Utilities on prospective tenants to see if we have any payment history.
- Revise the rental lease to include language making tenancy dependent on payment of utility bills. If the tenant fails to pay utility bills, the landlord can pursue an eviction action.
- Deduct unpaid utility bills from the tenant’s security deposit. Wisconsin residential rental practices law allows a landlord to withhold unpaid utility bills from a tenant’s security deposit.

**Throughout the year, NHU provides information on energy assistance and organizations that may be able to assist our customer’s in paying their utility bill.**

**New Holstein Utilities looks forward to working with you to provide quality utility service(s) to you and your tenants. In implementing these policies and practices we hope to keep rates economical and your investment profitable.**

If you have any questions regarding this information, please contact our office. The New Holstein Utilities office hours are from 7:00 AM to 4:30 PM Monday thru Thursday, 7:00AM to Noon on Friday.

Our phone number is: (920) 898-5776 Fax: (920) 898-5879