

*City of Xenia*  
**UTILITY BILLING  
RULES AND REGULATIONS  
January 28, 2021**

**TABLE OF CONTENTS**

**APPLICATION FOR NEW SERVICE .....2**

**BILLING ADJUSTMENTS .....3**

**BILLING DISPUTES .....4**

**BILLING PROCESS.....5**

**COLLECTION OF DELINQUENT UTILITY BILLS.....6**

**CONNECTED SERVICES/MULTIPLE INSIDE METERS .....7**

**DISCONNECTION FOR NON-PAYMENT .....7**  
**& NOTIFICATIONS PRIOR TO DISCONNECTION**

**DISCONNECTION FOR REASONS OTHER THAN NON-PAYMENT .....9**

**EXTENSIONS TO PAY .....10**

**FINAL BILLS.....10**

**IDENTITY THEFT PROTECTION .....10**

**PAYMENT METHODS .....15**

**RATES.....16**

**RETURNED ITEMS.....17**

**STOPPING SERVICE FOR AN EXTENDED ABSENCE .....17**

## APPLICATION FOR NEW SERVICE

Property owners must complete an application for service in their name or a tenant's name and provide proof of ownership and identity.

If it is determined that any unpaid Xenia utility bill exists for the person applying for service, his/her spouse, any person named on a lease, or any one of the owners of the service address, the unpaid Xenia utility bill must be paid before service will be provided at the requested address. The application for service must be filled out in its entirety. There is an account initiation fee, which will appear on the first month's utility bill. This fee is charged whenever a new account is created on the Utility Billing System (via the addition of a new service location or the finaling out of an existing account). If the service is currently in a tenant's name and the owner wishes to place the service in the owner's own name with no finaling out of the account between tenants for as long as they own the property, there is a one-time waiver of the account initiation fee (upon request from the owner). If the owner later decides to put the service back into a tenant's name, the one-time fee will be added to the final bill of the owner.

The following steps will be performed by Xenia personnel when receiving a completed application for service:

- Check the name(s) listed on the application for unpaid Xenia utility bills. If it is determined that delinquent Xenia utility bills exist in the name(s) listed on the application or ownership documents, service cannot be provided until the delinquent Xenia utility bills are paid or the tenant occupying the premises deposits rent with the Xenia Municipal Court pursuant to Ohio Revised Code §§5321.07 through 5321.08, based upon the failure of the owner of the premises to pay water, sewer, refuse collection and stormwater service charges pertaining to the premises which are due, owing, and unpaid as determined by the Utility Billing Division. These ORC sections do not apply to any landlord who is a party to rental agreements that cover three (3) or fewer dwelling units and who provides notice of that fact in a written rental agreement or, in the case of an oral tenancy, delivers written notice of that fact to the tenant at the time of initial occupancy by the tenant.
- If there are no delinquent, unpaid bills, Xenia personnel will create a work order to obtain a reading and/or reconnect water service.
- Billing overviews are available on the City's website. Property owners are responsible for notifying their tenants of the non-refundable \$50 new account initiation fee that will appear on the tenant's first bill, and may direct their tenants to billing overview material on the City's website or provide their tenants with this information.
- Xenia City Ordinances related to utility service apply to all accounts being serviced by the City of Xenia whether the service address is within the City of Xenia.

Customers who are purchasing their property on a land contract are considered tenants and the deeded owner must complete the "Application for Residential Utility Service in a Tenant's Name" for the land contract customer to have utility service in his/her name. Since the deeded owner (as listed on the Greene County Auditor's website) will ultimately be responsible for any unpaid utility bills if there is a default on the land contract, the deeded owner has the right to disallow extensions to pay and to obtain information about usage and balances on their deeded properties.

## **SPECIAL PROCEDURES FOR SEWER ONLY CUSTOMERS**

There are customers who receive their water service from Greene County Sanitary Engineering, while the City of Xenia provides their sanitary sewer service. Since Greene County allows phone sign-up for service and the City of Xenia has no method to ensure that these customers have completed an application for service, City sewer service for these customers will only be provided in the name of the owner of the property and all sewer bills will be sent to the owner of the property.

## **BILLING ADJUSTMENTS**

Adjustments to bills for billing errors such as incorrect readings, incorrect service starting and/or ending dates may be provided by the Accounts Receivable Division. Adjustments for billing errors are limited to three (3) years from the current billing date except in the case of fraud or criminal act. All other adjustments must be approved by the City Manager's Office or the A/R Manager using guidelines provided by the City Manager. The City Manager has provided the Accounts Receivable Division with the following guidelines for adjustments not related to billing errors. The AR Manager may make adjustments in accordance with the guidelines. Any adjustments not within the parameters of the guidelines must be approved by the City Manager. Any adjustment not related to a billing error that is in excess of \$7,500 must be approved by motion of City Council.

Adjustments for water leaks/plumbing problems may be made with the following general guidelines:

- 1) The problem must be repaired, and proof of repair must be provided. No adjustments can be made until the problem is fixed and proof of repair is provided.
- 2) Adjustments are limited to the last three (3) meter readings. No adjustments may be made for problems that were not fixed for longer periods, i.e., water leak has been ongoing for one (1) year and has now been repaired. Only the last three (3) meter readings will be reviewed for possible adjustment.
- 3) Unless the leak was located in an area undetectable to the customer (e.g., underground leak, leak under the slab), adjustments will be made to the sewer consumption only.

Adjustments are based on a comparison of the average usage of the account to the most recent usage.

One pool adjustment per twelve (12) months per residential account is permitted. *For properties where a pool is filled multiple times a season, an irrigation meter is recommended.* This adjustment will be to the sewer billed amount only and cannot be provided until the customer receives the bill that contains the extra usage related to the pool. The customer must provide the measurements of the pool or the capacity. When calculating the adjustment, the pool size or capacity and the average usage of the account will be used in conjunction with the most recent meter reading to calculate the adjustment. If a review of the adjustment request would result in an adjustment of less than \$20.00, no adjustment will be applied. The City reserves the right to verify the size of the pool via an inspection of the property.

One (1) adjustment per property for new construction sod watering is permitted. For properties doing extensive watering, an irrigation meter is recommended. Sod watering credits will be in sewer only and may be provided on up to three (3) consecutive meter readings. Since only one (1) adjustment may be provided, if the customer wishes to have the adjustment based on more than one (1) meter reading, the customer must pay the monthly bills as they are received and request the adjustment after receiving the bill for the last meter reading they would like included in the calculation of the adjustment. The adjustment will appear as a credit on the account. When calculating the adjustment, the average use of the account will be used.

For adjustments, when consumption history is not available for comparison, the average usage will be based on the number of people in the household and the following average consumption figures:

1 person = 3000 gallon usage/month  
2 people = 5250 gallon usage/month  
3 people = 7500 gallon usage/month  
4 people = 9750 gallon usage/month  
5 people = 12750 gallon usage/month  
6 people = 15000 gallon usage/month

Refuse collection charges will not be adjusted for accounts that are in an individual's name, even if no one is currently living there. To avoid the minimum monthly charge for water, sewer, refuse collection, and stormwater, the water service must be temporarily disconnected and the account must be marked "VACANT" on the City's utility billing system.

All requests for adjustments that are not clearly defined billing errors, leak adjustments, pool adjustments, or new construction sod watering must be requested in writing using the Utility Billing Dispute form. All inquiries, complaints and requests for adjustments must be made prior to the due date of the bill.

### **BILLING DISPUTES**

Inquiries or complaints on a specific utility bill must be made prior to the due date. Utility bill complaints are filed with the Accounts Receivable Division. Complaints may be filed via mail, email or in person. Bills in dispute are still subject to penalty and/or disconnection for non-payment. If the review of the dispute results in an adjustment to the bill, the adjustment will appear as a credit on the account.

To file a complaint via mail, send the complaint (prior to the due date of the bill) to:

City of Xenia  
Accounts Receivable Division  
107 E Main St  
Xenia, OH 45385

To file a complaint via email, email the Accounts Receivable office (prior to the due date of the bill) at [utb@ci.xenia.oh.us](mailto:utb@ci.xenia.oh.us).

To file a complaint in person (prior to the due date of the bill), come to the Accounts Receivable Division on the 1<sup>st</sup> floor of the City Administration Building, 107 E Main St, Xenia, OH 45385 between 8:00 AM and 5:00 PM, Monday through Friday (except recognized holidays).

Your complaint should include specific information about why the billing is incorrect.

NOTE: Failure to receive a bill that was mailed to the current mailing address on file for the account does not waive obligation to pay same when due.

NOTE: A property owner's responsibility for the unpaid utility bill of a tenant or the previous property owner cannot be the sole basis for a billing dispute.

If the dispute is not resolved by the Accounts Receivable Division, the customer may complete a Billing Dispute Form. Billing Dispute Forms should only be used for consumption issues after meter readings have been verified, an inspection for leaks has been completed, and a meter test has been performed.

The Billing Dispute Form will be given to the A/R Manager for initial review. Disputes concerning penalties, fees or charges within fifty percent (50%) of the previous twelve (12) months average charge will be reviewed by the A/R Manager for possible adjustment. The A/R Manager will notify the customer of his/her decision by mail or Secure Email. Disputes that do not meet these criteria will be given to the City Manager for review. The City Manager will notify the A/R Manager of the results of his/her review and the A/R Manager will notify the customer of the City Manager's decision by mail or Secure Email.

If the A/R Manager reviews the dispute and there are no reading or billing errors AND the requested adjustment would be less than \$20.00, the dispute form will not be given to the City Manager and will be returned to the customer via mail or Secure Email with an explanation.

If the A/R Manager or City Manager does not determine that an adjustment should be made or if the customer is not satisfied with the proposed adjustment, the customer may request in writing within thirty (30) days of the notice of the proposed adjustment (or lack thereof) that the decision be appealed with the Utility Billing Appeals Committee. The imposition of penalty/fees or a property owner's responsibility for the unpaid utility bill of a tenant or the previous property owner as prescribed in the Codified Ordinances of the City cannot be the sole basis for an appeal. The Appeals Committee will consist of the three (3) appointed officials (City Manager, Law Director and Finance Director) or their representatives. The Appeals Committee will meet within thirty (30) days of the customer's request for appeal and notify the customer and A/R Manager of their decision in writing.

In the case of a landlord/tenant dispute related to unpaid utility bills for a previous tenant or the property owner, the tenant currently occupying the premises may avoid service disconnection by depositing rent with the Xenia Municipal Court pursuant to Ohio Revised Code (ORC) §§5321.07 through 5321.08 based upon the failure of the owner of the premises to pay water, sewer, refuse collection, and stormwater service charges. These ORC sections do not apply to any landlord who is a party to rental agreements that cover three (3) or fewer dwelling units and who provides notice of that fact in a written rental agreement or, in the case of an oral tenancy, delivers written notice of that fact to the tenant at the time of initial occupancy by the tenant.

## BILLING PROCESS

Utility bills will be generated and distributed monthly, based on monthly usage. The Utility bill will contain information such as:

- A range of service dates will appear in the **SERVICE PERIOD** column.
- A reading will appear in the **PRESENT READING** column.
- A consumption amount will appear in the **CONSUMPTION** column.
- A message "5% PENALTY IF PAYMENT IS NOT RECEIVED BY THE DUE DATE" will appear in the center portion of the bill.
- The **AMOUNT DUE** and **AMOUNT AFTER DUE DATE** will be different to reflect the 5% penalty after the due date.

**NOTE: Any amount appearing under the TYPE OF SERVICE column with a service of PREV that represents a previous balance from a bill and/or penalty is due immediately and must be paid to avoid disconnection.**

Water, sanitary sewer, and stormwater usage are billed in arrears; refuse collection is billed in advance.

Monthly bills are normally mailed around the 16<sup>th</sup> of each month with a due date of the 4<sup>th</sup> of the following month. Failure to receive a bill does not waive obligation to pay same when due.

All active accounts (whether there is water usage or not) are subject to a minimum usage charge based on 1500 gallons usage per month, plus refuse collection and stormwater charges. To stop the minimum billing, the water service must be disconnected and the account must be marked "VACANT". As long as the service is available and the account is in an individual's name, minimum bills will be generated.

If service has been disconnected for non-payment, minimum charges will continue to accrue since service is still available. Refuse collection services continue to be provided even when water service has been disconnected for non-payment.

### **COLLECTION OF DELINQUENT UTILITY BILLS**

Delinquent utility bills may be collected using any or all of the following methods:

#### **Collection via disconnection of water services:**

***See Disconnection for Non-Payment***

#### **Collection via property assessment:**

Per City ordinance, for properties located within the City of Xenia, an unpaid utility bill may be made a lien upon the real property. If the utilities bill is not paid, it may be certified to the County Auditor. The County Auditor shall then place the same on the tax duplicate, with interest and penalties allowed by law, including a \$50.00 assessment charge, and the same shall be collected as other taxes are collected. Thirty (30) days prior to the certification of an unpaid utility bill to the County, the owner of the property will be notified via regular mail of the unpaid utility bill at the owner mailing address currently on file in the utility billing office or the property address. Failure of the owner to receive this notice at either of these addresses will not prevent the certification process from proceeding.

#### **Collection via civil judgment:**

The City reserves the right to pursue a civil judgment against the property owner for unpaid utility bills. Thirty (30) days prior to the filing of a civil judgment, the owner of the property will be notified via regular mail of the unpaid utility bill at the owner mailing address currently on file in the utility billing office or the property address. Failure of the owner to receive this notice at either of these addresses will not prevent the civil judgment process from proceeding.

#### **Collection Agent:**

The City may use a collection agent to pursue outstanding debts owed to the Utility Billing department. The fees for collection services may be passed along to the customer. These fees shall not exceed 30% of the outstanding balance owed.

### **CONNECTED SERVICES/MULTIPLE INSIDE METERS**

In order to enforce payment of utility bills, the City must be able to disconnect water services when properties have delinquent bills. However, in the case of properties with multiple buildings being serviced by a single water line (and curb stop) or properties with multiple inside meters (and a single curb stop), the City is unable to effectively and efficiently disconnect service for delinquency. Therefore, effective July 1, 2011, all utility services for properties that meet either of these criteria will only be provided in the name of the property owner.

## **DISCONNECTION FOR NON-PAYMENT & NOTIFICATIONS PRIOR TO DISCONNECTION**

Service may be disconnected for non-payment of a monthly bill (more than 30 days past due), a final bill, or an extension to pay request. Non-payment disconnection may occur when a monthly bill has become more than thirty (30) days delinquent; a final bill has become delinquent; or an extension to pay request has not been paid per the agreement. To be able to provide disconnection/reconnection services in a timely manner, the Utility Billing Division may adopt office policies that include a minimum thirty (30) days past due dollar amount that is required for an account to appear on the disconnect report.

If a property is disconnected more than three (3) times in one (1) year, the City may require the installation of a meter that can be shutoff remotely. After the third disconnect, the City must be given access to install a new water meter. If access is requested and not granted, then water service will not be reconnected. After installation of the new meter any additional disconnects will continue to incur the disconnect fee in order to offset the City's cost of purchasing and installing the meter. The installation of a remote shutoff meter will not at any time eliminate the property being subject to the disconnect fee.

### ***Non-payment of a bill:***

Each bill is subject to a five percent (5%) penalty on the total unpaid balance if not paid by the due date (the 4<sup>th</sup> of the month). After penalty is applied to the accounts, disconnect (or shutoff) notices are generated for accounts subject to disconnection for non-payment (those with a balance more than 30 days past due). The disconnect notices include the date that either the payment or an extension to pay request must be received by to avoid possible disconnection of services on the date specified in the notice. Notices are mailed first class mail to the current mailing address for the account. The notice will also state the amount of the disconnection service fee. Failure to receive a disconnect notice mailed to the current mailing address for the account does not waive the disconnection service fee. Disconnect notices may be identified by "PAST DUE NOTICE" and "No additional notices will be provided prior to service disconnection" in the upper right of the notice. Since the owner of the property is ultimately responsible for all unpaid utility services, the owner can request to receive a duplicate of the disconnection (or shutoff) notice sent to the tenants. Property owners must keep their mailing addresses updated with Utility Billing to receive the duplicate disconnection notices.

Disconnection notices will also include a message similar to:

**Services will be disconnected ON OR AFTER (date) if payment is not received in our offices by (date). Applications for extension to pay will not be accepted after (date).**

**Services disconnected for non-payment will not be reconnected until the unpaid balance plus a \$25.00 disconnection service fee has been paid.**

**If payment is received in our offices by 3 PM on the day of disconnection, we will attempt to reconnect service on the same day but reconnection of services on the same day of payment is not guaranteed. A responsible party must be present for service to be reconnected unless a signed "Water Reconnection Waiver" has been received by the Utility Billing Office (if the account is eligible for such a waiver).**

If the bill is not paid (or an extension to pay request is not approved) by the date specified on the disconnect notice, or the tenant occupying the premises has not deposited rent with the Xenia Municipal Court pursuant to Ohio Revised Code §§5321.07 through 5321.08 based upon the failure of the owner of the premises to pay water, sewer, refuse collection, and stormwater service charges pertaining to the premises which are due, owing and unpaid as determined by the Utility Billing

Division (these ORC sections do not apply to any landlord who is a party to rental agreements that cover three or fewer dwelling units and who provides notice of that fact in a written rental agreement or, in the case of an oral tenancy, delivers written notice of that fact to the tenant at the time of initial occupancy by the tenant), the account in question will appear on the disconnect report and automatically be charged the disconnection service fee. If payments are received in the Utility Billing office after the date specified on the disconnect notice, Utility Billing will make their best effort to stop the disconnection of service, but this cannot be guaranteed for payments received in the Utility Billing office after the date specified on the disconnect notice.

Service workers performing disconnections are not permitted to accept payments; all payments for accounts on the disconnection list must be made at the Utility Billing office.

Since the owner of the property is ultimately responsible for all unpaid utility services, the owner can request a three- (3) day notice of disconnection be sent once a bill has become delinquent (30 days past due). These notices are hand delivered by service workers and placed on the front door of the residence or business. Owners must request this service on an individual account and individual bill basis; however, the tenant occupying the premises may avoid disconnection by depositing rent with the Xenia Municipal Court pursuant to Ohio Revised Code §§5321.07 through 5321.08 based upon the failure of the owner of the premises to pay water, sewer, refuse collection and stormwater service charges pertaining to the premises which are due, owing and unpaid as determined by the Utility Billing Division. These ORC sections do not apply to any landlord who is a party to rental agreements that cover three or fewer dwelling units and who provides notice of that fact in a written rental agreement or, in the case of an oral tenancy, delivers written notice of that fact to the tenant at the time of initial occupancy by the tenant. The City will attempt to deliver the requested three- (3) day disconnect notice the following business day, but this cannot be guaranteed. Service on a three- (3) day disconnect notice will not be disconnected on a Friday or the day before a City holiday since this would provide the tenant no method to pay and have service reconnected in a timely manner.

In the case of accounts with delinquent balances and inside meters, the owner is responsible for providing access for the disconnection of services.

If water service is disconnected due to non-payment of a bill, service will not be reconnected until all past due charges and a disconnection service fee have been paid. The City can assume no liability for damages caused by open faucets, leaks, etc. If payment is received by 3 PM on the day of disconnection, the City will attempt to reconnect service the same day but reconnection on the same day as payment is not guaranteed. A responsible party must be present for service to be reconnected unless a signed "Water Reconnection Waiver" has been received by the Utility Billing Office and the water meter is located outside the building. For water meters located inside the building, a responsible party must be present for service to be reconnected since City staff will be unable determine if there appear to be any open faucets or leaks. If the "Water Reconnection Waiver" has been received and the customer is not at the property during the reconnection process and it is determined by City staff that the outside meter is continuously running after two (2) minutes, the water service will immediately be disconnected and the customer must contact the Utility Billing Office to schedule an in-person appointment for reconnection.

***Non-payment of a final bill:***

Final bills are generated once a month. If the final bill is not paid by the due date, a delinquent final notice will be generated. The account holder will receive a copy of the notice as will the property owner if the property owner and account holder are not one in the same. The property will be subject to immediate disconnection of water service and future property assessments in accordance with City ordinance.

**Non-payment of an extension to pay request:**

Extension to pay requests provide a specific date when payment must be received. Failure to pay per the extension to pay request will result in disconnection without additional notice and the denial of additional extension to pay requests.

**DISCONNECTION FOR REASONS OTHER THAN NON-PAYMENT**

The City reserves the right to disconnect water service when:

- 1) No one is responsible for the service. This type of disconnection only occurs after a door hanger has been left at the property requesting someone to sign in for service and the sign in has not occurred.
- 2) Service address appears to be currently unoccupied and there is an obvious leak or other water usage issue (such as an open faucet). A door hanger will be left by the service worker explaining why the water service has been disconnected.
- 3) Service was disconnected for non-payment and a recheck of the meter shows that service has been reconnected by someone other than the City of Xenia. In this case, the meter will either be pulled from the meter well or locked. No additional service will be provided until the account is current on all payments. If illegal reconnection occurs again, theft of services charges may be pursued. No notice to the occupant is required in these situations since the service was previously disconnected by the City of Xenia.
- 4) The meter is not accessible to the City of Xenia and no meter readings have been provided for six (6) months. A letter will be sent to the owner (at the current address on file in Utility Billing or the property address) and current occupant of the property before this type of disconnection would occur.
- 5) As required in the regular maintenance of the water/sewer lines and/or water meters. The City will attempt to notify customers of the reason for the disruption in service and the projected time of the disruption.

## EXTENSIONS TO PAY

In general, customers are permitted up to three (3) extensions to pay per year. Since the owner of the property is ultimately responsible for utility bills, the owner may request that extensions to pay not be provided without their permission. To be eligible for an extension to pay, a payment must have been received during the previous thirty (30) days or a payment must be made with the extension request. In general, the minimum payment required will be twenty-five percent (25%) of the balance due on the delinquent bill plus penalty.

Extensions to pay must be requested by the date listed on the disconnect (or shutoff) notice. All extension to pay requests must be signed to be valid. Extensions to pay will not be granted:

- 1) If a previous extension to pay was not paid per the agreement.
- 2) If the extension to pay was not requested by the date specified on the disconnect (or shutoff) notice.
- 3) If 3 extensions to pay have already been granted in this calendar year
- 4) If the owner of the property has marked the account "NO EXTENSIONS" and the owner has not approved an extension.

Extension to pay requests provide a specific date when payment must be received to avoid disconnection of service. Failure to pay per the extension to pay request will result in disconnection without additional notice and the denial of additional extension to pay requests.

## FINAL BILLS

When a customer contacts Utility Billing and requests that utility services at an address be discontinued, a work order is generated by Utility Billing so that a final reading can be obtained and if requested, service may be disconnected. The customer remains responsible for the billing at an address until a work order for a final reading has been generated by Utility Billing. If there is an inside meter involved, the customer is responsible for providing the City access to obtain the final reading.

## IDENTITY THEFT PREVENTION PROGRAM

### Purpose

To establish an Identity Theft Prevention Program ("Program") designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

### Definitions

**Identify theft** means fraud committed or attempted using the identifying information of another person without authority.

A **covered account** means:

1. An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions. Covered accounts include credit card accounts, mortgage loans, automobile loans, margin accounts, cell phone accounts, utility accounts, checking accounts and savings accounts; and
2. Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation or litigation risks.

A **red flag** means a pattern, practice or specific activity that indicates the possible existence of identity theft.

### **The Program**

The City of Xenia Utility Billing Division establishes an Identity Theft Prevention Program to detect, prevent and mitigate identity theft. The Program shall include reasonable policies and procedures to:

1. Identify relevant red flags for covered accounts it offers or maintains and incorporate those red flags into the program;
2. Detect red flags that have been incorporated into the Program;
3. Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to customers and to the safety and soundness of the creditor from identity theft.

The program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

### **Administration of Program**

1. The A/R Manager shall be responsible for the development, implementation, oversight and continued administration of the Program.
2. The Program shall train staff, as necessary, to effectively implement the Program; and
3. The Program shall exercise appropriate and effective oversight of service provider arrangements.

### **Identification of Relevant Red Flags**

1. The Program shall include relevant red flags from the following categories as appropriate:
  - a. Alerts, notifications, or other warnings received from consumer reporting agencies or service providers, such as fraud detection services;
  - b. The presentation of suspicious documents;
  - c. The presentation of suspicious personal identifying information;

- d. The unusual use of, or other suspicious activity related to, a covered account; and
  - e. Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts.
2. The Program shall consider the following risk factors in identifying relevant red flags for covered accounts as appropriate:
- a. The types of covered accounts offered or maintained;
  - b. The methods provided to open covered accounts;
  - c. The methods provided to access covered accounts; and
  - d. Its previous experience with identity theft.
3. The Program shall incorporate relevant red flags from sources such as:
- a. Incidents of identity theft previously experienced;
  - b. Methods of identity theft that reflect changes in risk; and
  - c. Applicable supervisory guidance.

### **Detection of Red Flags**

The Program shall address the detection of red flags in connection with the opening of covered accounts and existing covered accounts, such as by:

1. Obtaining identifying information about, and verifying the identity of, a person opening a covered account; and
2. Authenticating customers, monitoring transactions, and verifying the validity of change of address requests in the case of existing covered accounts.

### **Response**

The Program shall provide for appropriate responses to detected red flags to prevent and mitigate identity theft. The response shall be commensurate with the degree of risk posed. Appropriate responses may include:

1. Monitor a covered account for evidence of identity theft;
2. Contact the customer;
3. Change any passwords, security codes or other security devices that permit access to a covered account;
4. Reopen a covered account with a new account number;
5. Not open a new covered account;

6. Close an existing covered account;
7. Notify law enforcement; or
8. Determine no response is warranted under the particular circumstances.

### **Updating the Program**

The Program shall be updated periodically to reflect changes in risks to customers or to the safety and soundness of the organization from identity theft based on factors such as:

1. The experiences of the organization with identity theft;
2. Changes in methods of identity theft;
3. Changes in methods to detect, prevent and mitigate identity theft;
4. Changes in the types of accounts that the organization offers or maintains;
5. Changes in the business arrangements of the organization, including mergers, acquisitions, alliances, joint ventures and service provider arrangements.

### **Oversight of the Program**

1. Oversight of the Program shall include:
  - a. Assignment of specific responsibility for implementation of the Program;
  - b. Review of reports prepared by staff regarding compliance; and
  - c. Approval of material changes to the Program as necessary to address changing risks of identity theft.
2. Reports shall be prepared as follows:
  - a. Staff responsible for development, implementation and administration of the Program shall report to the Finance Director at least annually on compliance by the organization with the Program.
  - b. The report shall address material matters related to the Program and evaluate issues such as:
    - i. The effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
    - ii. Service provider agreements;
    - iii. Significant incidents involving identity theft and management's response; and
    - iv. Recommendations for material changes to the Program.

### **Oversight of Service Provider Arrangements**

The City of Xenia Utility Billing Division shall take steps to ensure that the activity of a service provider

is conducted in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft whenever the organization engages a service provider to perform an activity in connection with one or more covered accounts.

### **Duties Regarding Address Discrepancies**

The City of Xenia Utility Billing Division shall develop policies and procedures designed to enable the organization to form a reasonable belief that a credit report relates to the consumer for whom it was requested if the organization receives a notice of address discrepancy from a nationwide consumer reporting agency indicating the address given by the consumer differs from the address contained in the consumer report.

The City of Xenia Utility Billing Division may reasonably confirm that an address is accurate by any of the following means:

1. Verification of the address with the consumer;
2. Review of the utility's records;
3. Verification of the address through third-party sources; or
4. Other reasonable means.

If an accurate address is confirmed, the organization (utility) shall furnish the consumer's address to the nationwide consumer reporting agency from which it received the notice of address discrepancy if:

1. The organization establishes a continuing relationship with the consumer; and
2. The organization, regularly and in the ordinary course of business, furnishes information to the consumer reporting agency.

## **PAYMENT METHODS**

Payment may be made in person at the Utility Billing office via cash, check, money order or VISA/MASTERCARD during business hours at our offices at the City of Xenia Administration Building at 107 E Main. Customers may also sign-up for automatic withdrawal from their checking or savings accounts for payment of monthly and final utility bills. *Payments may also be made via the City's website using VISA/MASTERCARD/DISCOVER. Payments may also be made over the phone using Payment Services Network. A minimum of three (3) business days should be allowed for processing of payments made via our website or Payment Services Network. Some payments made via on-line banking are not received electronically and a minimum of seven (7) business days should be allowed for payments to be posted.* "Starter" checks including those where the account holders name, address and account number are not preprinted on the check cannot be accepted. Under no circumstances will cash be returned for checks, money orders or charges in excess of the amount due on a utility account; the excess amounts will be applied to the utility account and appear as a credit towards future bills. No third-party checks (checks where the payee is other than the City of Xenia) can be accepted. Credit/debit card payments and electronic check payments are accepted by phone only via Payment Services Network.

A 24-hour drop box is available at the City Administration Building for payments via check or money order. Payments may be mailed to City of Xenia Utility Billing, 107 E Main St, Xenia, OH 45385. Customers should allow a minimum of 3 five (5) business days mailing time for payments to reach the

Utility Billing office. *Payments may be made via the City's website.* For customers signed up for automatic withdrawal, payments will be withdrawn on the bill due date (or the next business day if the bills are due on a weekend or holiday).

Customers using on-line banking should be aware that some payments are not sent to the City electronically; some bank or payment processors print checks and mail them to the City for processing. A minimum of seven (7) business days should be allowed for on-line payments to be posted. Customers are responsible for including their complete account number on their on-line payments. Failure of a customer to include the correct account number on an on-line payment may result in payment to an incorrect account. The City of Xenia utility account numbers are in the format X##-#####-## where X is either A, B, C, D, E, F, G or M and # represents a number.

## **USAGE RATES**

As of February 1, 2021, the following usage rates are in effect:

### **Water Rates**

- Customers inside the City of Xenia -- \$0.0047/Gallon
- Customers outside the City of Xenia -- \$0.0071/Gallon

*Minimum charges are based on usage of 200 cubic feet per month (and the size of the water meter.)*

### **Sewer Rates**

- Customers in Districts A, B, C, D and M -- \$0.0069/Gallon
- Customers in District E -- \$0.0077/Gallon
- Customers in District F -- \$0.0073/Gallon
- Customers in District G -- \$0.0071/Gallon

*Minimum charges are based on usage of 1500 Gallon per month (and the size of the water meter.)*

### **Refuse Collection Rates**

- Individual residential property -- \$19.08 per month, payable in advance
- Multiple-family residences with one utility account and trash collection provided by the City -- \$17.46 per unit.
- Commercial, industrial, institutional and multiple-family residences not receiving trash collection services by the City -- \$4.93\* per month, payable in advance

*\*These charges are for billing, street sweeping, administration, landfill and property maintenance.*

### **Stormwater Rates**

- Residential\*\* -- \$2.50 per month
- Commercial/Institutional/Governmental -- \$7.50 per month
- Industrial -- \$12.50 per month

*\*\*2 units on one water meter – the residential rate will apply. More than 2 units on one water meter – the commercial rate will apply.*

## **RETURNED ITEMS**

A charge for returned items will be added to the utility account to which the payment was applied as a handling charge when a check or ACH withdrawal transaction submitted as payment for a utility bill is not honored for any reason by the bank on which it is drawn.

If the check or ACH withdrawal transaction is returned by the bank as on a closed account, the customer's utility service is subject to immediate disconnection. The customer will receive a door hanger explaining why their service has been disconnected. If service is disconnected for returned item on a closed account, service will not be reconnected until payment is received for the check, the returned item fee and a disconnection service fee. Checks or ACH withdrawal transactions will no longer be accepted from this customer and are subject immediately to criminal charges being filed.

If a check or ACH withdrawal transaction is returned by the bank for non-sufficient funds, the customer will receive notice via a door hanger that they have three (3) business days to make payment for the returned item plus the current returned item fee at the Utility Billing office. If payment is not received within three (3) business days, the customer's utility service will be disconnected and service will not be reconnected until payment is received for the returned item, the returned item fee and a disconnection processing fee. If a second non-sufficient fund check or ACH withdrawal transaction is received from a customer, checks or ACH withdrawal transactions will no longer be accepted from this customer.

Returned items written/submitted by a third party (a check or ACH withdrawal transaction written/submitted on an account that is not in the customer's name) for the payment of utility charges are treated as if written by the customer. Failure to make restitution for returned items can result in criminal charges being filed.

## **STOPPING SERVICE FOR AN EXTENDED ABSENCE**

Residential customers who will be absent from their owner-occupied residence for a minimum of two (2) months and a maximum of six (6) months are eligible to stop billing for water, sewer, sanitation and storm water during this period. The customer must complete and sign the "Request to Stop Utility Services for an Extended Absence" form prior to leaving for each absence and the customer is responsible for notifying the Utility Billing Division when they have returned to their residence and for disconnecting and/or reconnecting the water service via the shutoff within their residence. Water usage will be checked monthly and if the usage is equal to or greater than the minimum usage of 1500 Gallons the account will be reactivated automatically and service will be placed in the owner's name. If the City of Xenia disconnects/reconnects the service at the meter well or via the curb stop, the account will be subject to the normal \$50.00 new account fee when service is reconnected.