



BILL SYNOPSIS

Committee: Taxation, Finance and Economic Development

Bill 20-0626

Water Accountability and Equity Act - Modification

Sponsor: President Brandon Scott

Introduced: October 5, 2020

Purpose:

For the purpose of clarifying tenants’ access to programs at the Department of Public Works; protecting against conflicts of interest by employees at the Office of Water-Customer Advocacy and Appeals and by hearing officers and their overseers at the Environmental Review Board; improving and specifying data collection metrics by the Office of Water-Customer Advocacy and Appeals; clarifying a customer’s right to dispute determinations by the Department of Public Works before the Department, the Office, or the ECB; deleting the Director of Public Works or the Director’s designee from the list of members of the Committee for Office Oversight and replacing that member with the Mayor or the Mayor’s designee...

Effective: This legislation takes effect at various dates over the next 9 months

Agency Reports

City Solicitor	Favorable w/Amendments
Department of Public Works	
Health Department	
Office of Human Services	
Department of Housing and Community Development	
Inspector General	
Department of Finance	Defers to DPW

Analysis

Modifications

Article 13. Housing and Urban Renewal: Subtitle 7. Residential Lease Requirements

Within this subtitle a new subsection will be created titled Payment for Water and Wastewater Services. This subsection mandates that written notification be incorporated into a tenants lease agreement by the property owner or managing operator on how the water bill will be paid by the lessee. The new modified provisions would require that those payment arrangements be made as a modification to the existing lease, or that a newly formed lease to created. Also, in the event that the dwelling unit described in the lease is directly metered, the property owner or managing operator will be required to register the tenant as an additional party on the owner's account with the Department of Public Works within 20 days after the notification has been made in reference to the lease modifications.

Article 24. Water: Subtitle 2. Bills; Section 1 – Collection

In section 1 Collections, a provision is being added under subsection E that would prohibit the Department of Public Works from denying a tenant-water-utility customer with the right to request a discount, payment agreement, bill adjustment, or other agency action after the tenant has demonstrated that the property owner or managing operator have been notified of this request and have withheld participation in this process.

Subtitle 2. Bills; Section 17 – Office of Water – Customer Advocacy and Appeals – Office established; Nature, purposes; Primary functions

In section 17 as listed above, a provision is being created as subsection D that would require the Department of Public Works to produce Data and Metrics that identify customer problems, develop a system that works to solve those problems, and build in a performance evaluation process that serves as a checks and balance process to ensure that problems are not being repeated.

Subtitle 2. Bills; Section 18 – Office of Customer Advocacy... - Administration

In section 18, subsection E is being created to ensure employee protections from retaliation and adverse employment action, and to separate the above referenced Office from the Department of Public Works to ensure that there is no perception of impropriety or a conflict of interest in carrying out the required duties of the Office.

Subtitle 2. Bills; Section 19 – Office of Customer Advocacy... - Request for assistance; Right to Dispute.

In section 19, subsections B, C, and D are being created to enact further guidelines that explain a tenants right to Request Assistance and Dispute a determination by the Department of Public Works, Office of Customer Advocacy, or the Environmental Control Board. Within those provisions it explicitly expresses that a customer may not be required by any of the aforementioned entities to provide proof that DPW equipment was faulty,

have service performed by a tradesman of any kind as receipt that a problem exist, or pay any bills being challenged by the customer who is claiming that the increased cost are a directly attributed to DPW. In this subsection it also requires the Department of Public Works to publish for public comment all proposed new or modified rules and regulations that govern or affect the operations of the Office of Customer Advocacy or the Environmental Control Board.

Subtitle 2. Bills; Section 23 – Office of Customer Advocacy... - Committee for Office Oversight

In section 23, subsection B has been modified to remove the Director of Public Works from the Committee for Office Oversight and have that individual replaced by the Mayor or the Mayor’s designee.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

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