

3.14 COLLECTION/LIENS AND CERTIFICATIONS PROCEDURES**3.14.1 Property Owner Customer Accounts**

- 1) When a delinquent account has been turned off for non-payment and the account has been finalized with a balance remaining the following steps will be taken after 30 days of no payment;
 - a) A pre-lien letter will be issued for the Sewage, Trash and Stormwater balances with notation that the Water portion will be turned over to the collection agency if not paid in 30 days.
 - b) After expiration of pre-lien letter process accordingly.
- 2) When property is listed on any tax and/or Sheriff's sale listing (see 3.15.5) from the County the following procedures will be taken;
 - a) A pre-lien letter will be issued for the Sewage, Trash and Stormwater balances with notation that the Water portion will be turned over to the collection agency if not paid in 10 days.
 - b) After expiration of pre-lien letter process accordingly.

3.14.2 Non Property Owner Customer Accounts (Renters)

- 1) When a delinquent account has been turned off for non payment of services and the bill has been finalized with a balance remaining the following steps will be taken;
 - a) Bill will be held for 30 days to allow for transfer to new residence.
 - b) If within 30 days no new residence has been established, full balance of bill will be forwarded to the collection agency in the customer's name.
 - c) A letter will be sent to the property owner with a copy of the bill for that address, informing them that we have turned the bill over to collections in customers name.
 - i) New Castle Utilities along with the cooperation of the Property Owner will make a coordinated attempt to collect from the customer.
 - ii) If the property owner receives payment in litigation it is the owners responsibility to pay balance due to clear the account.
 - d) After 12 months if the bill remains uncollected, the Sewage, Trash and Stormwater will be reduced from the collection agency amount and a pre-lien letter will be issued to the property owner informing them it has gone uncollected and if not paid in 21 days will be processed for lien.
 - e) If property appears on a tax sale listing New Castle Utilities will immediately proceed to 3.14.1-2.

3.14.3 Utility Customer Contracts for past due bills

- 1) Any amount agreed upon to pay with a signed Utility Contract, that amount is no longer the responsibility of the property owner. New Castle Utilities has entered into a contract over and above the renter/landlord agreement and that amount become the responsibility of the customer and New Castle Utilities. No portion of that contract amount is billable to the property owner.

3.15 LIEN AND CERTIFICATION PROCEDURES

Once all time tables noted above have lapsed. All State and Local laws will be followed using procedures established in the Keystone Billing system to prepare documents to be submitted to the Henry County Auditor;

- 2) Timeline procedures for submitting to the Henry County Auditor
 - a) As Liens and Certifications are processed (per day) they will be submitted to the Henry County Auditor's office no later than 9:00 a.m. the following day.
 - b) After review by the Henry County Auditor and Recorder's offices they will be processed, with the Auditor/Recorder calling the Utility Office Manager for amount due for recording. (NOTE: any incorrect documents will be returned for corrections and must be resubmitted the following working day for review and processing.)

3.15.5 TAX SALE LIEN PROCEDURES

- 1) All attempts will be made to monitor the following websites for Commissioner and Sheriff Tax Sales on a regular basis;
 - c) Commissioner Tax Sale website: <http://www.sri-taxsale.com/>
 - d) Sheriff Tax Sale website: <http://www.in-sheriffsale.com/33Site/SheriffSalesDefault.htm>
- 2) If a delinquent account appears on either list the following procedures will be taken;
 - a) Liens will be processed and submitted to the Henry County Auditor no later than 7 days prior to tax sale date.
 - b) Liens not processed in a timely manner will be processed to Atlas in the account name for collection.
- 3) Liens dismissed or removed by court order will be processed to Atlas in the account name for collection.

NOTE: Bad debt can only be removed by payment, court order or account owner is deceased.

Policy Amendment

Approval Date: 4-7-14

SAMPLE LETTER TO PROPERTY OWNER OF 12 MONTH COLLECTION PROCESS:

Date:

Property Owner Address

Service Address:

Account Name:

Account Number:

Balance due:

The New Castle Utility Department has forwarded the full amount of the attached bill to Atlas Collections in the customer/tenants name. Please note this does not relieve you of the lien-able portion of this bill which is \$_____. It is only to attempt to assist you in recovering the balance left by your tenant.

If you include and receive through litigation for payment for this bill, please pay promptly.

After 12 months of attempt to collect by New Castle Utilities with no payment, the above listed lien-able amount will be pulled from collections in the customer name and a pre-lien letter will be issued to you as the property owner to pay within 21 days or liens will be applied to the property.

If this property appears on any tax sale listings we will proceed with immediate lien procedures allowing the property owner 10 days to settle the account or it will be liened to the property.

If you have any questions or need more information please feel free to contact this office.

Sincerely,

Janice Burns
Utility Office Manager

Presented April 7, 2014 to Utility Impact Board for review and approval.

Approved

Denied

Junie L. Buras
Robin Watson
John Hill
Don B. Lofgren
King M. K.
Dave Buck

Recommended for approval by Utility Impact Board April 7, 2014 to Board of Works and Safety for review and approval.

Approved

Denied

Greg Fox
Dave Buck
Don B. Lofgren

