# CITY OF NEW CASTLE UTILITIES

*Collection of Fees & Billing Procedures Policy*

**Document Title:** Utility Policy Section 3.14 / 3.15 / 3.35 - Collections, Liens, and Certifications Procedures
**Policy Amendment Approval Date:** July 2, 2018

## 3.14 Collections / Liens and Certifications Procedures

### 3.14.1 Property Owner Customer Accounts

When a delinquent account has been turned off for non-payment and the account has been finaled with a balance remaining, the following steps will be taken after 30 days of non-payment:

1. A pre-lien letter will be issued for the Sewage, Trash, and Storm Water balances with a notation that the Water portion will be turned over to the collection agency if not paid in 30 days.
2. After expiration of the pre-lien letter, process accordingly.

When property is listed on any tax and/or Sheriff Sale listing (see 3.15.5) from the County, the following procedures will be taken:

1. A pre-lien letter will be issued for the Sewage, Trash, and Storm Water balances with a notation that the Water portion will be turned over to the collection agency if not paid in 10 days.
2. After expiration of the pre-lien letter, process accordingly.

### 3.14.2 Non-Property Owner Customer Accounts (Renters)

When a delinquent account has been turned off for non-payment of services and the bill has been finaled with a balance remaining, the following steps will be taken:

1. Bill will be held for 30 days to allow for transfer to a new residence.
2. If within 30 days no new residence has been established, the non-lienable portion of the bill will be forwarded to the collection agency in the customer's name.
3. 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 non-lienable portion of the bill over to collections in the customer's name.
    1. New Castle Utilities, along with the cooperation of the Property Owner, will make a coordinated attempt to collect from the customer.
    2. If the property owner receives payment in litigation, it is the property owner's responsibility to pay the balance due to clear the account.
4. After 30 days, if the bill remains uncollected, a pre-lien letter will be issued to the property owner for the Sewage, Trash, and Storm Water portion of the bill, informing them that if not paid in 21 days this amount will be processed for lien.

*Note: If property appears on a tax sale listing, New Castle Utilities will immediately proceed to Section 3.14.1-2.*

### 3.14.3 Utility Customer Contracts for Past Due Bills

Any amount agreed upon to pay with a signed Utility Contract 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

becomes the responsibility of the customer and New Castle Utilities. No portion of that contract amount is billable to the property owner.

## 3.15.5 Tax Lien Procedures

1. All attempts will be made to monitor the following websites for Commissioner and Sheriff Tax Sales on a regular basis:
   - Commissioner Tax Sales website: `http://www.sri-taxsale.com/`
   - 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:
   1. Liens will be processed and submitted to the Henry County Auditor no later than 7 days prior to the tax sale date.
   2. Liens not processed in a timely manner will be processed to the collection agency 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.

> **POLICY NOTE:** Bad debt can only be removed by payment, court order, or if the account owner is deceased.

## 3.35 Lien and Certification Procedures

Once all timetables 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.

**Timeline procedures for submitting to the Henry County Auditor:**

1. As Liens and Certifications are processed (per day), they will be submitted to the Henry County Auditor's Office no later than 9:00 AM the following day.
2. 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 the amount due.
   *(Note: Any incorrect documents will be returned for corrections and must be resubmitted the following working day for review and processing.)*