Nonconforming Sewer Conversion Fee Reimbursement

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1. Applicability

This program applies to owners of residential property who have paid or obtained financing from the City for their Nonconforming Sewer Conversion fees since January 2, 2008.

2. Purpose

The Nonconforming Sewer Conversion Fee Reimbursement Program provides reimbursement to eligible ratepayers to meet the following program goals:

A. To treat equitably ratepayers who have previously paid sewer conversion fees and residential ratepayers who will be charged branch fees to connect in the future.

INTERIM RULES

B. To establish clear applicability criteria for ratepayers who are eligible for reimbursements.

3. General Program Eligibility

Ratepayers meeting the following criteria are eligible for reimbursement of a portion of their paid or financed sewer conversion fees:

- **A.** The property is a single-family, duplex, three-plex or four-plex residential property; and
- **B.** The sewer conversion fees were paid or financed between January 2, 2008 and July 1, 2012.

4. Reimbursement Distribution

- **A. Amount of Reimbursement**. Eligible ratepayers will receive a reimbursement from the City for an amount equal to the difference between the branch fee and the sewer conversion fee as stated on the BES Sewer and Drainage Rates and Charges Schedule at the time they paid or financed the sewer conversion fees.
- **B. Type of Reimbursement**. Eligible ratepayers will receive reimbursement as following:
 - 1. Ratepayers who have paid fees in full: A reimbursement check from the City.
 - **2.** Ratepayers who have financed fees through the City: A credit payment made by the City to their loan balance consisting of the following amounts:
 - a. The reimbursement principle amount described in Section 4.A.; and
 - **b.** The overpayment of fees and accrued interest.
- C. Recipient. Reimbursements will be made to the ratepayer who originally paid the Sewer Conversion Fees, regardless of transfers of interest in the subject property. BES will make reasonable attempts to identify and contact the original eligible ratepayer. If unsuccessful, reimbursements will be forwarded for inclusion in monies sent to the State of Oregon for processing in compliance with the Oregon Unclaimed Property Law.
- **D. Processing**. BES requires Internal Revenue Service W-9 forms from eligible ratepayers in order to allow the City to fulfill its tax reporting obligations. A reimbursement will be processed and sent to an eligible ratepayer after BES receives a completed W-9 form and any other required materials from the ratepayer. BES will include the necessary forms with the initial notice of potential reimbursement.

5. Notices

BES will provide notice to all identified eligible ratepayers. Notices will identify the type and amount of the anticipated reimbursement and contain required materials. Notices will include the name and contact information for the BES representative who can answer questions about the reimbursement process.