

# UTILITY BILLING & COLLECTIONS POLICY MANUAL

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**Owner – Tenant Relationships**

**Policy No: 06-02**

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**Revised:**

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## **Policy for Handling Owner – Tenant Issues**

### **Definitions**

The following definitions shall apply to this policy exclusively:

*Owner*- The legal owner of a property as recorded with the Ada County Property Tax Assessor.

*Property Manager* – A third party, hired by the owner, who manages a service location.

*Tenant* – A party, different from the owner, who is residing at a service location.

### **General Policy Statement**

It is essential that the correct party is billed for services. However, we will not involve ourselves in contracts between two parties. It is the policy of the Utility Billing and Collection Department to uphold our policies but separate ourselves from any arrangements made between an owner and their tenant. Monitoring properties for occupancy changes or deviations from lease agreements is beyond the scope of the City and falls to the owner of the property or their property manager.

### **Establishing Services**

Owners of rental properties may not establish service in the name of a tenant, regardless of the terms of their lease. The lease is a contract between owner and tenant. The City of Boise, not being a party to that contract, cannot be held liable to the terms contained within the lease contract.

Services will remain in the name of the property owner until the day the tenant notifies Utility Billing and establishes service with the City. Utility Billing will not back date a name change or credit for services prior to notification. Any charges accrued on the owner's account may be paid by the tenant, but staff will not transfer service from the owner's account to the new tenant account. It is the responsibility of the owner and tenant to make arrangements for any charges accrued prior to the establishment of the tenant's account. Service will be granted to a tenant upon completion of a credit check and receipt of any required deposits. When the tenant terminates their service, current charges will revert back to the owner effective the next day.

### **Change of Occupancy**

It is the responsibility of the owner to inform Utility Billing of any vacancies between tenants to be eligible for credit. It is also the responsibility of the owner to make sure their tenant fulfills their lease obligation. Utility Billing and the Collection Department will not pursue tenants for whom no service has been established, nor will the City dedicate time to ensure tenants have signed up for service in accordance with their lease agreement.

### **Disputes**

The Utility Billing and Collection Department do not mediate disputes between owners and tenants. Collections will pursue the individual in whose name the bill is established.

### **Right to Privacy**

As with any other collection item, once service has been established for a tenant, the owner has no right to information about the debt. In the event of a sewer termination, the owner is notified of the suspension so they may take steps to avoid damage to the property.

See *Shutoff of Rent* on page 53 of the Collections Policy Manual.

### **Property Managers**

Owners may hire property managers to oversee the tenants and day-to-day maintenance of the service location. Property managers act as the agent of the owner and shall have access to all the same information that would be provided to an owner. However, this arrangement is an agreement between the owner and the property manager; the City of Boise is not a party to this arrangement. The City may contact the owner directly at any time or for any reason related to the billing or services provided by the City.