CITY OF SOMERVILLE, MASSACHUSETTS
WATER & SEWER DEPARTMENT
JOSEPH A. CURTATONE
MAYOR

Policy on Abatement of Water & Sewer Charges

1. Customer must complete the *Request for Abatement Consideration* form and submit this form to the Water and Sewer Department requesting abatement. Request forms can be submitted in person, emailed to water@somervillema.gov, or mailed to the Water & Sewer Department at 17 Franey Road, Somerville, MA 02145.
2. Request Form must be received by the Water and Sewer Department within 45 days of the issuance date of the bill or the request will be denied. If abatement is denied, property owner will be responsible for any accrued interest.
3. All requests for abatements based upon any of the following grounds will be denied:
    a. A mechanical failure in premises, for example, a leaky toilet, broken water boiler, or dysfunctional HVAC system.
    b. Willful waste of owner/occupants/tenants.
    c. Faulty plumbing.
    d. Construction.
    e. Abatement request received more than 45 days after the issuance of the bill.
4. Grounds supporting the allowance of abatement will include the City's equipment being found faulty.
5. Customer account must be current as of the billing period prior to period in question (excluding any past charge which is subject of a pending dispute/abatement request). The abatement will only be considered if all payments on the customer's account have been paid prior to the period of the contested bill.
6. After submittal of the *Request for Abatement Consideration* form with any applicable supporting documentation the case will be reviewed within 30 days of the receipt of the form. The case will be reviewed by the Commissioner of Public Works or their designee, such as the Director of the Water & Sewer department ("Director") or the Director of Finance and Administration for the Water & Sewer department.
    a. Should the Director of Finance & Administration ("Director of F&A") find sufficient grounds for abatement (in part of full), Director of F&A will recommend abatement to the Commissioner and Director, and upon issuance, customer will receive written notice of the abatement, and the abatement will be applied to the account including any applicable interest on the abated amount.
    b. Should the Director of F&A not find sufficient grounds for an abatement, customer will be provided the option of scheduling an in person hearing with the Commissioner of Public Works and the Director or their designee. Should the customer request a hearing, one will be scheduled at the Water & Sewer Department within 15 days of receipt of the hearing request. If a hearing is not requested, Director of F&A will recommend denial of the abatement to the Commissioner and Director, customer agrees to have request decided (con't)

without a hearing, and customer will receive either a notice of abatement or notice of abatement denial.

a. The scheduled hearing will include two alternative times; at least one time will be between 5-7PM on Thursday evening.
b. The customer shall bring all supporting documentation.
c. If the customer cannot attend the scheduled hearing date or the alternative dates, they must notify the department within 10 days after receiving the hearing schedule.
d. Within 15 days of the hearing, the customer will be notified with a decision.

7. To the extent provided by law, if the Water & Sewer Department denies the request for the abatement of a charge, an owner may be able to seek further review of the denial of an abatement by filing with the Appellate Tax Board or court depending upon the particular circumstances.

This policy is intended to serve as guidelines for the administration of abatements, and is not binding upon the Water and Sewer Department, and is subject to modification.

ADOPTED BY: _____

TITLE: John Deluca, Director, Water & Sewer Department

DATE OF ADOPTION: 2-11-19