

HB 1488 -- WATER AND SEWER SERVICE FOR RENTAL PROPERTY

SPONSOR: Baker

The bill specifies that a landlord or a landlord's water and sewer service billing provider is not a public utility or water or sewer corporation for purposes of regulation by the Public Service Commission.

A landlord may apportion charges for water and sewer services to tenants by actually measuring individual tenant utility usage with a meter or by allocating charges through use of a mathematical formula. Landlords may use a mathematical formula to apportion water and sewer charges for common areas to each tenant. If using a meter, landlords must disclose certain information about the meter readings on the tenant's bill. If using a mathematical formula, landlords must disclose the formula to a prospective tenant before entering into a lease.

The total amount billed to tenants by a landlord for water and sewer service must not exceed the total amount owed by the landlord to the utility for service to the property, except that landlords may charge tenants for reasonable administrative costs, provided that the administrative costs are disclosed before the signing of a lease. Landlords may also charge late fees, which will be considered part of a tenant's rent. Landlords may use third-party billing providers to bill tenants for water and sewer service, but the providers must comply with requirements in the same manner as landlords.