

Guidelines for Appeals Form for HOAs

This guideline includes information to assist filling out the Appeals Form, which is used to seek review of actions (or inactions) of the East Bay Municipal Utility District in connection with the Regional Sewer Lateral Program.

EAST BAY REGIONAL **PRIVATE SEWER LATERAL PROGRAM**

Required Information

1. Property and Property Owner Information

Guidance

Name, address, and phone number for HOA or property owner; parcel address and parcel number must be completed. HOAs list only one common area parcel. Contact name may be a property management company and relevant information.

2. Are you requesting an extension of time from a deadline?

Select "Yes" if you are requesting more time to comply (e.g., to obtain a Compliance Certificate) and list the specific date you believe the HOA/parcel group will become compliant.

3. Are you appealing a decision made by EBMUD or inaction

Examples: Requirement to comply, Enforcement, etc.

4. Have you signed a contract with a plumbing contractor?

HOAs and parcel groups may be eligible for an extended deadline with a Compliance Agreement if they have a signed contract prior to January 12, 2021.

5. Explain the reason for your appeal

Provide more detail, dates, and circumstances.

6. Describe the specific request

Examples: Additional time to comply, excused from requirements

7. Relevant Documentation Checklist. Include any relevant documentation that supports the appeal request. The following are required for the specified situations:

If the HOA/parcel group has a contractor and the budget reserved, but did not achieve compliance by July 12, 2021 due to contractor delay, enclose:

- Date when the HOA first executed a contract with a plumbing contractor (include copy of contract)
- A statement from the contractor describing the reason for the delays (e.g., high demand, additional work identified or other external circumstances)
- Detailed plan demonstrating how the HOA will complete all work and gain certification by extended deadline requested

If the contractor for the HOA/ parcel group discovers additional failed pipe during the rehabilitation effort, enclose:

- A statement with the following documented:
 - Total pipe length under HOA maintenance responsibility
 - Length of pipe anticipated to be repaired or replaced
 - Additional length of pipe requiring repair or replacement discovered after work began
- A map from the contractor highlighting the significant additional pipe length that was not originally reported to EBMUD with either of the following applicable documents:
 - the Statement of Responsibility (SOR) form or
 - the Condition Assessment Plan (CAP)
- If applicable, a revised Corrective Action Work Plan (CAWP)
- Detailed plan demonstrating how all work will be completed and certification gained by extended deadline requested

Documentation may be required for circumstances not listed above. EBMUD will notify you what to provide during review of the Appeal form.

Monetary Deposit information

A Compliance Agreement may require a refundable monetary deposit. A decision will be made after review of the Appeals form and the District receiving the refundable monetary deposit (if applicable). The District will communicate whether there is a monetary deposit and the amount. At that time, you will need to provide the name of who will receive the funds when compliance is achieved and include a mailing address for the refund recipient. The refundable deposit will be released to the designated party after compliance is achieved. EBMUD automatically mails the refund to the party stated on the Appeal Form, which may not be the same information provided for 1. on the form. Please write legibly.