



NOTICE TO RESIDENTIAL AND SMALL BUSINESS WATER CUSTOMERS: Moratorium on Water Service Termination and Lien Actions, and Opportunity for Deferred Payment Agreements

On May 11, 2021, Governor Cuomo signed into law amendments to the Public Service Law that prevent municipalities and public utilities from terminating water service provided to residents and small businesses for non-payment during the COVID-19 state of emergency. Additionally, the amendments prevent municipalities from placing liens or releveling (for our customers, this means transferring unpaid balances to City taxes) on property for previously accrued water charges on or after May 11, 2021, until the end of the COVID-19 state of emergency. The state disaster emergency expired June 24, 2021. The Niagara Falls Water Board did not terminate for non-payment or take lien actions/relevy between May 11, 2021 and June 24, 2021.

Please be advised that service termination and lien actions/relevy for past due water charges is prohibited for an additional 180 days after June 24, 2021, for those residential and small business customers who have experienced a change in financial circumstances due to the COVID-19 state of emergency.

If you are a resident or small business that has experienced a change in financial circumstances due to the COVID-19 state of emergency and would like to request protection from termination or lien actions/relevy, until December 22, 2021, you can fill out the self-certification form on our website and return it no later than November 12, 2021.

Please be further advised that the law provides a grace period to catch up on bills; it does not eliminate a customer's obligation to pay accrued charges. However, customers who have experienced a change in financial circumstances due to the COVID-19 state of emergency must be provided with the opportunity to enter into a deferred payment agreement without the imposition of deposits, late fees, or penalties.

If you are a residential or small business customer who has experienced such a change in financial circumstances and wish to enter into a deferred payment agreement to address any outstanding or accrued balances you must submit the attached self-certification form and contact the Niagara Falls Water Board at 716-283-9770 no later than November 12, 2021. Please be prepared to discuss the payment terms that you can afford. Additional information and supporting documentation from customers seeking to enter into a deferred payment agreement may be required.

Customers that do not request protection from service termination or releveling, or do not enter into a deferred payment agreement, will be subject to the enforcement and lien provisions authorized by State and local law upon the expiration of the Public Service Law's protections. Please direct all other questions and concerns to the Niagara Falls Water Board at 716-283-9770.



SMALL BUSINESS CUSTOMER SELF-CERTIFICATION OF CHANGE IN FINANCIAL CIRCUMSTANCES

If you have experienced a change in financial circumstances due to the COVID-19 state of emergency and wish to request protection against service termination or lien action/relevying (transfer of unpaid balances to City taxes) to provide a “grace period” to catch up on your bills or a deferred payment agreement, please complete, sign, and return a copy of this form, with the Self-Certification filled out, to the Niagara Falls Water Board. If you do not return the signed Certification attesting that you have experienced a change in financial circumstances due to the COVID-19 state of emergency, the Niagara Falls Water Board will assume that you have experienced no such change.

Self-Certification for Small Business Customer:

Name of Small Business Customer: _____

Account Number: _____

Service Address: _____

Mailing Address (If Applicable): _____

Phone number: _____

I attest that due to the COVID-19 state of emergency, which began on March 7, 2020, I have experienced a change in financial circumstances as follows:

I certify that my small business currently has twenty-five (25) or fewer employees; I certify that my small business is not a publicly held company, or a subsidiary thereof; and I certify that the business is not seasonal, short-term, or temporary customer of the Niagara Falls Water Board.

Signature: _____

Print Name: _____

Date: _____

Please return form to:

Niagara Falls Water Board
5815 Buffalo Avenue
Niagara Falls, NY 14304
Fax-(716)283-9748
Email-contactnfwb@nfwb.org



RESIDENTIAL CUSTOMER SELF-CERTIFICATION OF CHANGE IN FINANCIAL CIRCUMSTANCES

If you have experienced a change in financial circumstances due to the COVID-19 state of emergency and wish to request protection against service termination or lien action/relevying (transfer of unpaid balances to City taxes) to provide a “grace period” to catch up on your bills or a deferred payment agreement, please complete, sign, and return a copy of this form, with the Self-Certification filled out, to the Niagara Falls Water Board. If you do not return the signed Certification attesting that you have experienced a change in financial circumstances due to the COVID-19 state of emergency, the Niagara Falls Water Board will assume that you have experienced no such change.

Self-Certification for Residential Customer:

Name of Residential Customer: _____

Account Number: _____

Service Address: _____

Mailing Address (If Applicable): _____

Phone number: _____

Have you applied for assistance from HEAP, SNAP or Temporary Assistance? Yes No

I attest that due to the COVID-19 state of emergency, which began on March 7, 2020, I have experienced a change in financial circumstances as follows:

Signature: _____

Print Name: _____

Date: _____

Please return form to:

Niagara Falls Water Board
5815 Buffalo Avenue
Niagara Falls, NY 14304
Fax-(716)283-9748
Email-contactnfwb@nfwb.org



Spotlight On: **COVID-19 Moratorium on Utility and Municipal Shutoffs**

New York State law* provides temporary shutoff protections of essential utilities and municipal services during the COVID-19 pandemic (“moratorium”). The moratorium is a **grace period** for customers to catch up on their bill and obtain financial assistance.

If you experienced a loss of income due to the COVID-19 pandemic and are in arrears for your utility or municipal bills, you must self-certify to your utility or municipality to protect your account from shutoff. Utility companies and municipalities must also offer you a deferred payment agreement with no money down, late fees or interest, to help pay your arrears.

Taking the steps listed below will help reduce your balance. The moratorium will not pay your utility bills. Any unpaid balance will be due after the moratorium ends.

There are immediate steps you can take to protect your utility service:

❖ **Contact your service provider to self-certify:**

Your first step is always to contact your utility or municipality. Utilities and municipalities must accept your self-certification that you experienced a change in financial circumstances due to the COVID-19 pandemic to protect your account from shutoff.

❖ **Ask for a deferred payment agreement:**

A deferred payment agreement allows you to pay your arrears in affordable, installment payments. While the moratorium is in effect, utilities and municipalities are required to offer self-certifying customers a deferred payment agreement with no money down, late fees or penalties. Utilities and municipalities may require you to submit financial documentation. You are still responsible for your utility or municipal bill during and after the moratorium.

❖ **Pay what you can:**

While your account may be protected from shutoff, you are still responsible for the charges for service. Paying what you can afford now will help you avoid a larger bill later.

❖ **Don't wait until it's too late:**

These temporary protections will end in December 2021. The sooner you contact your utility, the sooner your account will be protected.

*Public Service Law §§32, 89-b, 89-l, 91, 216, and General Business Law §399-zzzzz.

Frequently Asked Questions

1. Q: Who is eligible for these protections?
A: Residential and Small Business customers.
2. Q: What types of small business are eligible for these protections?
A: A small business must: a) have 25 or fewer employees; b) not be a publicly held company; c) not be a seasonal or temporary customer; and d) not be a high energy user.
3. Q: Are there special rules that small businesses must follow to receive these protections?
A: The small business must certify to its utility that it meets the eligibility requirements. The utility may notify the small business that the utility believes the business has the resources to pay its bill and therefore is not eligible for the moratorium protections. If the business disagrees, it may file a complaint about the utility's decision with the Department of Public Service (see below).
4. Q: What utility and municipal services are covered?
A: Electricity, natural gas, steam, landline telephone, water, internet, and cable television.
5. Q: Which water systems are covered?
A: Private water companies and public (water district, city, town, village, and public authority) water systems.
6. Q: How do I self-certify to my utility or municipality that I've been financially impacted by COVID?
A: *Residential customers*: contact your utility or municipality and explain that you experienced a change in financial circumstances between March 7, 2020 and June 23, 2021 due to COVID. Your utility or municipality must accept your self-certification.

Small business customers: contact your utility or municipality and certify that your business was financially impacted by COVID and that it meets the eligibility criteria (see above).

It is critically important for customers to call their utility as soon as possible to self-certify that they were financially affected by COVID. If you do not self-certify, the utility may proceed with shutoffs and collection activity.

7. Q: I need help paying my heating or cooling bill.
A: Eligible residential customers should apply to the Home Energy Assistance Program (HEAP) for help paying their heating and cooling needs. Beginning April 15, 2021, a third HEAP Emergency benefit is available for households to assist with their heating costs and covers utility and municipal electric and heating services as well as heating oil, propane, and wood. The HEAP cooling program opened on May 3, 2021. Contact your local Department of Social Services or <https://otda.ny.gov/programs/heap/> for more info.
8. Q: Are there other assistance programs that can help pay my utility bill?
A: The Emergency Rental Assistance Program (ERAP) can help pay your rent and utility bills. Contact your local Department of Social Services or <https://otda.ny.gov/programs/Emergency-Rental-Assistance/>
9. Q: What can I do if my utility does not protect my account?
A: Your first step is always to contact your utility and try to work it out with them. If you still need help after speaking with your utility, contact the Department of Public Service at <http://www.dps.ny.gov/complaints> or 1-800-342-3377 (Monday-Friday, 8:30 am – 4:00 pm).