



## SUDBURY WATER DISTRICT ABATEMENT APPLICATION

**Complete, sign and submit this application together with all required supporting documentation within 45 days of the original invoice date**

_____ DATE	_____ BILL AMOUNT
_____ ACCOUNT NUMBER	_____ FOR THE BILLING PERIOD OF

**SERVICE ADDRESS**

\_\_\_\_\_

STREET NO      UNIT NO      STREET NAME

**REGISTERED OWNER OF PROPERTY (LEGAL TITLE HOLDER)**

_____		_____	
NAME		CONTACT PERSON/TITLE	
_____		_____	
STREET ADDRESS		MOBILE PHONE	OTHER PHONE
_____	_____	_____	
CITY	STATE	ZIP CODE	EMAIL ADDRESS

**APPLICANT (IF DIFFERENT FROM REGISTERED OWNER OF PROPERTY)**

_____		_____	
NAME		CONTACT PERSON/TITLE	
_____		_____	
STREET ADDRESS		MOBILE PHONE	OTHER PHONE
_____	_____	_____	
CITY	STATE	ZIP CODE	EMAIL ADDRESS

**ABATEMENT TYPE check applicable box**

**ADMINISTRATIVE ABATEMENT**       **FINANCIAL HARDSHIP ABATEMENT**

### SECTION I – ADMINISTRATIVE ABATEMENT

**POLICY SUMMARY**

To be considered for an Administrative Abatement, a completed and signed application together with all required supporting documentation must be submitted within forty-five (45) calendar days of the original invoice date. The Registered Owner of Property (Legal Title Holder) or their authorized designee shall submit a completed, signed formal application for consideration of an Administrative Abatement for charges resulting from a verified water leak (located after the curb stop) and subsequent repair. Eligibility is contingent upon strict compliance with the following conditions and the provisions of the District's Abatement Policy:

**a. Eligibility and Payment Requirement**

- The invoiced amount must be paid in full (100%), however if the invoiced amount exceeds five (5) times the average consumption, as determined by the same three preceding quarterly billing cycles, the applicant must remit at least fifty percent (50%) of the invoiced amount at the time of application.
- The Registered Owner of Property or their authorized designee must be in full compliance with all prior billing obligations, with no outstanding balances at the time the application is submitted.

**b. Application and Supporting Documentation**

Required documentation includes:

- A detailed invoice identifying the cause of the leak and the repair work executed by a plumber licensed by the Commonwealth of Massachusetts, or certified in-ground irrigation specialist, as applicable.
- Photographic evidence of the leak and completed repair (strongly recommended).
- If the repair was self-detected and completed without a licensed or certified professional (i.e., a DIY repair), the application shall be reviewed solely at the discretion of the Executive Director. In such cases, detailed receipts for all materials and parts must be provided.
- No application shall be deemed complete or accepted for review unless the applicant has fully satisfied the payment requirement and submitted a completed and signed application together with all required supporting documentation.

**c. Clarifying Conditions (For the Avoidance of Doubt)**

- Water loss resulting from user negligence (e.g., unintentionally leaving a fixture running) does not constitute a leak and is not eligible for abatement.
- The burden of proof rests solely with the applicant, who must demonstrate eligibility by clear and convincing evidence.
- Unexplained or uncharacteristic high-water usage, without verifiable evidence of a leak, does not constitute grounds for abatement.

**d. Review Process**

The completed and signed application together with supporting documentation will be reviewed by the Executive Director, in consultation with the Executive

Administrator and the Foreman. A written determination shall be issued within thirty (30) calendar days of receipt of a complete application.

**e. Leak Abatement Limitations**

- An abatement may be granted only when water usage during the affected billing period exceeds one hundred fifty percent (150%) of the average consumption, determined by the same three preceding quarterly billing cycles.
- Water usage exceeding one hundred fifty percent (150%) of the established average shall be recalculated at the Tier 1 water rate. Usage up to one hundred fifty percent (150%) of the established average shall be billed in accordance with the District’s current tiered rate structure.
- Only one (1) abatement may be granted per property during a continuous ownership tenure.
- The abatement shall not exceed fifty percent (50%) of the invoiced amount.

**f. Right to Appeal**

If an applicant is dissatisfied with the determination of the Executive Director, the applicant may submit a written appeal to the Board of Water Commissioners. The appeal shall be placed on the agenda for discussion during an open public meeting of the Board of Water Commissioners.

**g. Further Legal Remedies**

If an appeal is denied by the Board of Water Commissioners, the applicant may pursue the following remedies, as applicable:

**Where disputed charges have been paid in full:**

The registered property owner may pursue a civil action for recovery of overpayment in District Court pursuant to G.L. c. 218, § 19 (for amounts not exceeding \$2,500), or in Superior Court pursuant to G.L. c. 212, § 4. See Epstein v. Executive Secretary of the Board of Selectmen of Sharon, 22 Mass. App. Ct. 135 (1986).

**Where disputed charges remain unpaid:**

The District may record a municipal lien for the unpaid balance and/or terminate water service at the curb stop until payment in full is rendered, including any applicable turn-on fees, in accordance with Section 6.4.1 of the District’s Rules and Regulations. In such cases, jurisdiction lies with the Appellate Tax Board pursuant to G.L. c. 40, §§ 42A–42F. An aggrieved owner may appeal under G.L. c. 59, § 65.

**DESCRIPTION OF LEAK AND REPAIR**

Please provide a brief description identifying the cause of the leak and repair services provided:

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**ADDITIONAL PROVISION**

A payment extension may be considered on a case-by-case basis, subject to approval by and at the sole discretion of the Board of Water Commissioners.

**SECTION II – FINANCIAL HARDSHIP ABATEMENT**

**POLICY SUMMARY**

The Board of Water Commissioners recognizes that some customers may experience extraordinary financial hardship. In such cases, discretionary relief may be considered under the Financial Hardship Abatement Policy.

**a. Application Procedure**

A registered property owner, or their authorized designee, may apply for a Financial Hardship Abatement within forty-five (45) calendar days of the original invoice date by submitting:

- A completed and signed Abatement Application;
- A signed written statement describing the nature of financial hardship; and;
- Supporting documentation substantiating the applicant’s financial condition.

Applications for Financial Hardship Abatement shall be scheduled as an agenda item for deliberation during a closed executive session of the Board of Water Commissioners.

The Board of Water Commissioners recognizes that certain customers may experience extraordinary financial hardship. To address such circumstances, the Board has adopted a Financial Hardship Abatement Policy to provide discretionary relief.

**If the Charges Remain Unpaid:**

The Sudbury Water District reserves the right to record a municipal lien for the unpaid balance; and/or terminate water service at the curb stop until payment in full is received, including any applicable fees, pursuant to Section 6.4.1 of the Sudbury Water District Rules and Regulations.

The unpaid amount shall become a lien upon the property, and jurisdiction shall lie with the Appellate Tax Board pursuant to G.L. c. 40, §§ 42A–42F. An aggrieved property owner may appeal to the Appellate Tax Board under the procedures applicable to a tax abatement denial as set forth in G.L. c. 59, § 65.

**Additional Provision**

A payment extension may be considered on a case-by-case basis, subject to approval by and at the sole discretion of the Board of Water Commissioners.

**Financial Hardship Abatement Request**

Provide a written statement detailing the hardship, attach supporting documentation evidencing the financial condition:

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**SECTION III – SIGNATURE AND SUBMISSION**

\_\_\_\_\_  
Registered Property Owner or Authorized Designee  
This application is signed under the pains and penalties of perjury

\_\_\_\_\_  
DATE

**SIGN AND DATE HERE**

**SUBMIT COMPLETED AND SIGNED APPLICATION TOGETHER WITH REQUIRED SUPPORTING DOCUMENTATION, USING ONE OF THE BELOW DELIVERY METHODS:**

**ELECTRONICALLY**

customerservice@sudburywater.com

**MAIL**

SUDBURY WATER DISTRICT  
P.O. BOX 111  
SUDBURY, MA 01776

**HAND DELIVERY**

SUDBURY WATER DISTRICT - ADMINISTRATION BUILDING  
199 RAYMOND ROAD  
SUDBURY, MA 01776