

**Quarterly Report of the Independent Consumer Advocate (“ICA” or “Consumer Advocate”)**

**for the Metropolitan District of Hartford County (MDC)**

**(July 1, 2022 – September 30, 2022)**

**Introduction**

I respectfully submit this third Quarterly Report for the 2022-23 term, in which I summarize some of my more notable work as ICA during the third quarter of the 2022 calendar year.

**Customer Complaints (e.g., Leak Adjustments and Private Property Damage Claims)**

A good portion of my time spent serving as Consumer Advocate during this quarter was spent on addressing customer complaints, mostly with respect to leaks, property damage, or billing disputes. Some of these individual customer matters involved simply putting the customer in touch with the appropriate MDC staff member or providing the customer with appropriate information, but other matters required more attention. Some more notable matters include the following:

- A Wethersfield residential customer complained of a broken water tank that he suspected was a result of work done by MDC or its contractors near his property on Wells Road. MDC staff or its contractors had done some work at the property across the street and in the process, they flushed the lines. This caused a significant spike in water pressure on the complaining customer’s lines, thereby causing his water tank to crack and begin leaking. The customer was somewhat unique in that he neither lived at the property nor rented it out, and so it was unoccupied. The customer only periodically would check on the property and so he did not return for quite some time until after the leak had started. The customer soon found out that his monthly water bill more than tripled in the following months. After the customer contacted me, I tried negotiating a leak adjustment and submitting a claim for property damage on his behalf. Unfortunately, the claim was denied by the Claims Department and although MDC offered a 50% leak adjustment for the increased bills—which I learned is apparently the maximum that is offered—the customer refused to accept it.
- In addition to the previous matter, several other customers reached out to me complaining about leakage problems with their service lines. One customer, located in a South Windsor condominium complex, complained of a leak but it was determined by staff that because this complex did not have public mains in front of each unit, the leak appeared to have been a private plumbing issue. Another customer—which was one of several West Hartford/Farmington residential customers from the Wood Pond area who called me complaining about low water pressure—was determined to have a potential leak. I am unsure as to whether either of these customers ultimately were afforded leak adjustments. As a more general side note, in communicating with these Wood Pond-area customers, I was able to confirm and communicate to them that MDC staff promptly investigated the low pressure issue, for which I commend them. Nevertheless, it was disheartening to learn that some of these customers could still have a pressure reading as

low as 25psi at the street and they could still be deemed to be within acceptable DPH limits.

- A West Hartford property owner on Price Boulevard contacted me and complained about extensive sewage-related damage that had occurred in her home. The customer alleged that the damage had occurred as a result of CWP-related work that had been performed in June of 2022. Although the customer provided me with a much more detailed timeline, the following basic timeline summarizes her experience as relayed to me:
  - **June 17-19, 2022:** MDC and the Town of West Hartford performed work on the upper section of Price Boulevard. Sewage back-up occurred in the cellar of the customer's home. Prior to this date there were no issues with her house's plumbing and renovations to the bathroom, kitchen, and laundry room had been completed in 2021.
  - **June 20, 2022:** The customer contacted MDC to complain about the sewage backup and because staff could not come out to the property for several days, a staff person recommended that the customer contact one of MDC's sewer drain and jetting-services subcontractors ("contractor") in the area, which the customer did. The contractor arrived at the house that day, but they had dirty tools. Despite the customer's request that they cover the floors and walls when jetting the toilet, the contractor refused to do so. When the contractor did jet the toilet, it splattered wastewater all over the customer's bathroom and caused a general mess. Shortly after the work was performed, water ended up leaking through the customer's home's new kitchen ceiling, causing damage.
  - **June 20-24, 2022:** The customer contacted the contractor numerous times about fixing the damage and needless to say, the contractor gave her the runaround. The customer was told that the contractor apparently told the customer that she should just file an insurance claim and that regardless, the contractor would continue to do business for the MDC because of their long-standing relationship. Further, the contractor refused to accept responsibility.
  - **June 21, 2022:** The customer received a letter from MDC dated June 17, 2022 saying that the work done on Price Boulevard had been completed, yet the work had continued to progress until at least June 19<sup>th</sup> based on the customer's recollection.
  - **June 22, 2022:** MDC staff came to the customer's property and performed a CCTV inspection and found no blockage. Staff, however, did appear to confirm that the contractor's work was shoddy.

After this customer shared her complaint with me, I facilitated her communications with the Claims Department, other MDC staff, and with the contractor, but a resolution of her claim was still being determined as of the end of this quarter.

- Another West Hartford customer with property located on Hillcrest Ave. contacted me to complain about not receiving any resolution of her property damage claim. In short, her claim pertains to personal property and other damage that allegedly resulted from excavation work performed on her street in connection with the South Hartford Conveyance and Storage Tunnel (SHCST) project. I attempted to assist the customer in pursuing her claim, but as of the end of this quarter, the customer was still waiting for the contractor to complete its investigation.

## **LIHWAP and Other Payment Programs**

I continued to assist several customers in applying for payment assistance for their MDC bills through available programs. I assisted one elderly West Hartford customer in qualifying for MDC's installment payment plan in order to avoid a shutoff for nonpayment. In addition to helping customers with MDC's own plan, I also helped customers qualify for programs such as DSS's Low Income Household Water Assistance Program ("LIHWAP"). One customer had substantial difficulty in qualifying for LIHWAP assistance given that she was a renter, the MDC account for her property was in her landlord's name, and the landlord was uncooperative in providing information. As a result, the customer's application was not moving along at the CAA/DSS level, and she became understandably upset when shutoff notices began going out and she received a Termination of Installment Plan Warning Letter. Thanks to MDC staff's assistance, however, the customer was able to get an extension of her MDC payment relief plan for at least a couple months during this quarter.

Later during the quarter, after communicating about this customer's situation with officials from DSS and Community Renewal Team (the CAA for MDC customers), I learned in late August 2022 that DSS at the time was proposing to amend the LIHWAP allocation plan approved by HHS as follows:

- (1) Allowing households to apply for LIHWAP benefits using the same schedule as the Connecticut Energy Assistance Program (CEAP) for FY 2023;
- (2) Adjusting LIHWAP Basic Benefit eligibility levels to match the CEAP Basic Benefit eligibility levels;
- (3) Allowing households that are not directly billed for water/wastewater services to apply for benefits; and
- (4) Adjusting the budget for funds remaining in the grant.

I was also informed at this time that DSS would be providing training to vendors in administering the program benefits.

## **Magnolia/Albany Ave. (Hartford) Stormwater/Wastewater Damage Issue**

During this quarter, the Consumer Advocate also continued to monitor the BPW's handling of the matter involving flooding and wastewater damage that occurred in 2021 at 677-681 Albany Avenue, 687 Albany Avenue, and 59 Magnolia Street in Hartford. Although the BPW heard evidence and deliberated about the matter at its May 16, 2022 and June 30, 2022 meetings, the Bureau did not appear to change its position from what it had determined at the outset; namely, that the water damage caused during these prolonged incidents was solely caused by stormwater and street flooding, not wastewater. After the June 30, 2022 meeting, MDC staff did provide the ICA and the affected customers with copies of some of the documents pertaining to the matter. I met with some of the affected customers and discussed these documents.

**District Board, Bureau, and Committee Meetings Attendance / Internal Audit Committee**

The Consumer Advocate continued to attend regular and special meetings held by the MDC’s District Board, Board of Finance, Bureau of Public Works, Water Bureau, and several MDC Committees. In this capacity, I continued to monitor MDC business and policymaking , with a particular focus on its planning for the 2023 budget. Additionally, I attended the Ethics Advisory Board’s meeting on September 14, 2022.

Once the District Board—at its August 1, 2022 meeting—passed the motion to refer the matter of the outstanding Sandler & Mara P.C. Legal Invoices to the Internal Audit Committee, I began to investigate this issue further. In this vein, I researched relevant Charter provisions and began to request more documents from the MDC pertaining to this topic. I also attended the Internal Audit Committee meetings that ensued. At the Committee’ September 6, 2022 meeting where it considered whether to hire an outside firm to conduct the investigation or to conduct it internally or in another fashion, I submitted public comment urging the Committee to engage an outside, independent firm to conduct the investigation. The Committee did elect to engage an independent firm to perform the investigation, and I commend it for doing so. I firmly believe that this was the right decision.

Respectfully submitted,



Joseph D. Szerejko  
Independent Consumer Advocate for the MDC