**EXHIBIT A - OCTOBER 15 NOTICE TO OWNER AND OCCUPANT**

* Sent to Owner and Occupant/Responsible Tenant
* Sent by Either Utility or Municipal Treasurer
* Sent on October 15

**SAMPLE NOTICE**

***To Owner and/or Occupant***

**NOTICE OF PAST DUE AMOUNT AND INTENT TO TRANSFER TO THE TAX ROLL**

This is to notify you that payment for utility service provided to [Address] in the amount of $\_\_\_\_\_\_\_\_, plus penalties of \_\_\_\_\_\_\_, is past due.

If payment in the amount of $\_\_\_\_\_\_\_\_\_\_ is not received by the Utility by November 1, an additional penalty of 10% of the past due amount will be added to the amount owed.

If full payment is not received by November 15, the past due amounts plus penalties will be levied as a tax against the property at \_\_\_\_\_\_\_\_\_\_\_\_. This action will be taken in accordance with Wis. Stat. § 66.0809(3). There is no exception from the tax levy for rental property although additional provisions may apply to certain rental properties as described below.

***To Residential Tenant Responsible for Utility Bill***

**NOTICE OF LIEN ON TENANT’S PERSONAL ASSETS**

If the property provided with utility service is residential rental property, and the Utility has been properly notified that a tenant is responsible for the payment of utility charges at the rental dwelling unit, Wisconsin law grants the Utility a lien upon the responsible tenant’s personal assets in the amount of the past due amount plus penalties. The lien is effective as of the date of this notice.

If you, as the tenant responsible for the past due utility charges, pay the full amount plus penalties owed to the Utility by November 15, this lien is automatically extinguished. If you fail to pay the full amount owed to the Utility by November 15, the Utility may file notice of the lien with the \_\_\_\_ County Clerk of Court. Filing a notice of lien would result in the lien appearing under your name in the Wisconsin Consolidated Court Automation Program (CCAP). The Utility may thereafter take action to enforce the lien against your personal assets.

If the property owner pays the past due utility charges, Wisconsin law requires the Utility to transfer its lien on your personal assets to the property owner. The property owner may then file notice of the lien with the \_\_\_\_ County Clerk of Court, and notice of the lien would appear under your name in the Wisconsin Consolidated Court Automation Program (CCAP). The property owner may thereafter take action to enforce the lien against your personal assets.

The lien granted and this notice is provided in accordance with Wis. Stat. § 66.0809(3m)(a) and (b).

**QUESTIONS**

If you have any questions about this notice, or believe you have received it in error, please contact the Utility.

**EXHIBIT B - CERTIFICATION TO MUNICIPAL CLERK ON NOVEMBER 16**

* Provided to Municipal Clerk
* Sent by Either Municipal Treasurer or Utility

**CERTIFICATION OF UTILITY ARREARAGES**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_, certify that notice of arrears was given pursuant to Wis. Stat. § 66.0809(3)(a) to the owners or occupants of the below listed lots or parcels of real estate that have been provided with utility service, and that arrears in the amounts listed below on each lot or parcel remain unpaid as of the date of this Certification.

Chart/Spreadsheet with the following information:

* Lot or Parcel Receiving Service
* Legal Description of Lot or Parcel Receiving Service
* Amount of arrears and penalty

**EXHIBIT C - LIST TO CLERK OF COURTS**

List filed prior to December 17

List filed by Utility or Municipality

List filed with the Clerk of Courts

**CERTIFICATION OF UTILITY LIEN PURSUANT TO WIS. STAT. § 66.0809(3m)(c))**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_, certify that:

* Based upon information provided to the Utility, the property listed below is residential rental property;
* Based upon information provided to the Utility, the individual listed below is a tenant at the residential rental property and is responsible for the payment of utility charges at the identified rental dwelling unit;
* Utility charges, plus penalties, for the rental dwelling unit remain unpaid as of November 15, \_\_\_, in the amount listed below;
* The Utility has a lien against the personal assets of the tenant responsible for the unpaid utility charges pursuant to Wis. Stat. § 66.0809(3m)(a);
* The Utility has provided the tenants listed below notice of the Utility’s lien on the tenant’s personal assets pursuant to Wis. Stat. § 66.0809(3m)(b).

Chart/Spreadsheet with the following information:

* Rental dwelling unit receiving service
* Responsible tenant’s name
* Amount of arrears and penalty

**EXHIBIT D - RECEIPT FOR PAYMENT OF PAST DUE UTILITY CHARGES COVERED BY OCTOBER 15 NOTICE**

(For Residential Rental Property Only**)**

Property Service Address:

*(Identify Specific Rental Dwelling Unit)*

Amount of Past Due Utility Charges and Penalties:

Name of Tenant Responsible for Utility Charges:

*(Applicable only if Utility rules for identifying responsible tenant have been met)*

Date of Full Payment:

Payment Received From (check applicable status):

Property Owner \_\_\_\_\_\_ Property Owner’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tenant Responsible for Utility Charges \_\_\_\_\_\_

**EXTINGUISHMENT OF LIEN** (if payment received from tenant)

If this receipt indicates that full payment has been received from the tenant responsible for utility charges at the rental dwelling unit, the Utility’s lien on the tenant’s personal assets which arose under Wis. Stat. § 66.0809(3m)(a) is extinguished.

**TRANSFER OF UTILITY LIEN ON TENANT’S PERSONAL PROPERTY TO PROPERTY OWNER**

(if payment received from property owner)

Based upon information provided to the Utility, the above identified property is residential rental property and the above-named tenant is responsible for the payment of utility charges at the identified dwelling unit. In accordance with Wis. Stat. § 66.0809(3m)(a), as of October 15, \_\_\_\_, the Utility has a lien upon the responsible tenant’s personal assets in the amount of the past due utility charges plus penalties. The Utility notified the above-named tenant of the Utility’s lien in accordance with Wis. Stat. § 66.0809(3m)(b). Under Wisconsin law, the Utility is to transfer its lien on the tenant’s personal assets to the owner of the rental property if the property owner pays the past due utility charges in full. Wis. Stat. § 66.0809(3m)(d).

If this receipt indicates that full payment of past due utility charges plus penalties has been received from the property owner, the Utility hereby assigns and transfers its lien on the above-named tenant’s personal assets, and all rights and interests related to that lien, to the above-named property owner. The above-named property owner may take action to enforce the lien against the above-named tenant’s personal assets provided notice of the lien is first filed with the \_\_\_\_\_\_\_\_ County clerk of courts. Notice of the lien must be filed with the clerk of court by April 15, \_\_\_. The clerk of courts is to file notice of the lien in the judgment and lien docket. The property owner is obligated to file a satisfaction of lien within 7 days after the tenant satisfies the lien.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_