

**RESOLUTION OF THE
BOARD OF DIRECTORS
OF
WOODMOOR WATER & SANITATION DISTRICT NO. 1
ESTABLISHING POLICIES REGARDING LANDLORD REQUESTS FOR ACCOUNT
INFORMATION AND AMENDING THE 2006 WOODMOOR WATER AND
SANITATION DISTRICT RULES AND REGULATIONS TO CONFORM THEREWITH**

WHEREAS, Woodmoor Water and Sanitation District No. 1 (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado formed pursuant to Title 32 of the Colorado Revised Statutes; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the District has the power to adopt, amend and enforce rules and regulations for carrying out the business, objects and affairs of the District; and

WHEREAS, pursuant to Resolution 06-05, the District adopted the 2006 Rules and Regulations (“Regulations”), which govern its operations and set forth District requirements in furtherance of such operations; and

WHEREAS, pursuant to Section 8.2 of the Regulations, all fees tolls, rates and charges imposed by the Board of Directors (the “Board”) are the obligation of the property owner; and

WHEREAS, from time to time, property owner-landlords (“landlords”) whose former tenants have failed to pay the water and/or sewer bills associated with rental property contact the District staff seeking information about the unpaid accounts including how the past due amounts accrued, what penalties if any apply, when the tenant last paid, how much the tenant paid, and similar information; and

WHEREAS, it is reasonable and rational for the District to provide such information to a landlord because: The information sought relates to the property owned by the landlord; The landlord is liable for the amounts owed; failing to provide such information may limit a landlord’s ability to effectively operate his/her business; The information is not personal or private in nature as it relates to the former tenant; The former tenant is not prejudiced by providing the information to the landlord; and the information is factually correct; and


WHEREAS, in the absence of a definition in statute or any other applicable law, the Board finds that such information is not personal financial information within the meaning of Section 24-72-202(3)(a)(IX), C.R.S., and that it is in the best interest of the District to provide such information to landlords who seek it.

NOW, THEREFORE THE BOARD OF DIRECTORS OF THE DISTRICT RESOLVES AS FOLLOWS:

Section 1. Section 8.2 of the Regulations is hereby amended by adding a new subsection 8-2-1 to read as follows:

8-2-1 Account Information For the reasons set forth in Board Resolution 12-06, which are incorporated herein, the information about the water and/or sewer bills associated with rental property including how the past due amounts accrued, what penalties if any were applied/apply, when the tenant last paid, how much the tenant paid, and similar information is deemed available to the property owner-landlord and the District may provide such information to the property owner-landlord upon request. Nothing herein shall require the District to change its current practice regarding waivers where the District deems such waivers appropriate nor does anything herein authorize the District to provide to property owner-landlords personal financial information within the meaning of Section 24-72-202(3)(a)(IX), Colorado Revised Statutes, as the same may be amended from time to time.

DONE AND ADOPTED as of the 11th day of October, 2012, by the Board of Directors of Woodmoor Water and Sanitation District No. 1.



Barrie A. Town, President

ATTEST:


Beth E. Courrau, Secretary