

Fact Sheet

An Act Authorizing Water Sub-Metering in Residential Tenancies (House 5001)

January 2005

- An Act Authorizing Water Sub-Metering in Residential Tenancies (House 5001) was signed into law by Governor Romney on December 16, 2004.
- The law goes into effect on March 16, 2005.
- The law allows landlords to install sub-meters for residential tenants and to bill tenants for water and sewer use.
- Tenants can only be metered and charged for water and sewer use in apartments being occupied for the first time or where previous tenants have vacated the apartment.
- Tenants in public housing developments may not be charged for water and sewer use.
- Sub-meters can only be installed by licensed plumbers.
- Sub-meters can only be used in apartments that have had low flow toilets, showerheads and faucets installed and certified by the landlord to the local Health Department or Plumbing Inspector.
- Landlords are responsible for having plumbers install and maintain meters and for reading meters and billing tenants.
- The landlord will remain the customer of record of the water supplier and will be responsible for payment of water and sewer bills as is currently the case.
- The public water supplier shall retain all rights to take action against a landlord for failure to pay water and sewer bills in a timely manner. These rights may include property liens and termination of water service.
- The master water meter for any building remains under the jurisdiction of the water supplier and shall not be tampered with by any landlord or tenant.
- The master water meter readings shall be used for purposes of billing by the public water supplier.
- Landlords retain the right to challenge the accuracy of the master water meter in accordance with state law.
- Tenants will have the right to challenge the accuracy of sub-meters used to measure water use in their apartments.