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DOCKET NO. 45032

RECEIVED

COMPLAINT OF MARILYN
BONIABY AGAINST THE
REMINGTON APARTMENTS

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PUBLIC UTILITY COMMISSION

OF TEXAS

2015 DEC -4 PM 1:09

PUBLIC UTILITY COMMISSION
FILING CLERK

**ORDER NO. 5
REQUIRING PROVISION OF RECORDS
AND SETTING DEADLINE FOR COMPLAINANT RESPONSE**

On December 2, 2015, Public Utility Commission of Texas (Commission) Staff responded to Order No. 4, requiring a response to the information filed by Marilyn Boniaby (Complainant) on November 10, 2015.

Commission Staff stated that Complainant clarified the sole purpose of her complaint was to receive the water allocation records from the previous and current owner of the Remington Apartments during the time of her occupancy, consistent with Texas Water Code § 13.5031(5) and 16 Tex. Admin. Code § 24.122(e). Commission Staff recommended, because Complainant has been unable to obtain the allocation records during the time of her tenancy and now lives elsewhere, the current owners of the Remington Apartments, IMFI Remington Apartments, LLC (IMFI), should be ordered to provide the allocation records for the current year and previous calendar year for the months in which she was a tenant. Provision should be done by either making them available for inspection at the on-site manager's office, by mailing them to Complainant, or by filing them in this proceeding. Finally, if some of the records are still in the possession of the previous owner, Resilient Assets, LLC (Resilient), Commission Staff recommends that Resilient be ordered to provide those records to IMFI.

Consistent with Commission Staff's recommendation, on or before **December 21, 2015**, IMFI shall provide, to Complainant, the allocation records for the current year and previous calendar year for the months in which she was a tenant, either by making them available for inspection at the on-site manager's office, by mailing them to Complainant, or by filing them in this proceeding. In addition, Resilient shall provide any records still in its possession to IMFI by **December 16, 2015**.

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Complainant shall have until **January 20, 2016**, to review the preceding records and provide the Commission a response whether her dispute has been resolved regarding this proceeding.

SIGNED AT AUSTIN, TEXAS the 4th day of December 2015.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in cursive script, reading "Susan E. Goodson", written over a horizontal line.

**SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE**