

Control Number: 45032



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COMPLAINT OF MARILYN
BONIABY AGAINST THE
REMINGTON APARTMENTS

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PUBLIC UTILITY COMMISSION

OF TEXAS

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COMMISSION STAFF'S COMMENTS

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files these Comments. In Support thereof, Staff would show the following:

I. BACKGROUND

On August 10, 2015, Marilyn Boniaby (Complainant) filed a formal complaint against the Remington Apartments regarding the failure to make water utility allocation records available for inspection consistent with Tex. Water Code § 13.5031(5) (TWC) and 16 Tex. Admin. Code § 24.122(e) (TAC) and related charges.¹ IMFI Remington Apartments, LLC (IMFI) filed a letter with the Commission on September 28, 2015, explaining that it was the current owner of the Remington Apartments but that the complaint was based on the actions of the previous owner, Resilient Assets, LLC (Resilient).

II. COMMENTS

Order No. 5 required the provision of allocation records for the current year and previous calendar year for the months in which Complainant was a tenant on or before December 21, 2015. To date, only the allocation records for the month of April, 2015 have been submitted.² Complainant has noted that she has not received any other records from either IMFI or Resilient.³ Staff recommends that IMFI and Resilient provide the allocation records as ordered in Order No. 5 by August 15, 2016. If IMFI and Resilient continue to fail to produce the allocation records, Staff will recommend referral to Oversight and Enforcement.

¹ *Complaint of Marylin Boniaby Against The Remington Apartments*, Docket No. 45032, Complaint of Marylin Boniaby at 3 (August 10, 2015).

² Confidential – Letter and Utility Reports (Dec. 2, 2015).

III. CONCLUSION

Staff respectfully recommends that an order be issued consistent with this recommendation.

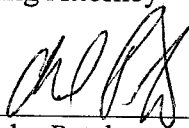
Dated: July 19, 2016

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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DOCKET NO. 45032

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 19, 2016 in accordance with 16 TAC § 22.74.



Alexander Petak

³ Confidential – Letter and Copy of Bill (Feb. 2, 2016).