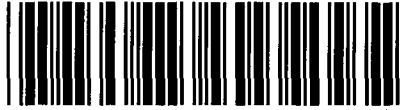


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DOCKET NO. 45032

COMPLAINT OF MARILYN
BONIABY AGAINST THE
REMINGTON APARTMENTS

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§

PUBLIC UTILITY COMMISSION
OF TEXAS

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COMMISSION STAFF'S STATUS REPORT

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Status Report. 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. STATUS REPORT

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 has been in contact with Resilient and has been told this week that allocation records from its time of ownership related to Complainants' tenancy will be filed shortly, covering the entire year of 2014 and the beginning of 2015. Staff is in discussions with both Complainant and IMFI to confirm the date that Complainant left the apartment complex and

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).

ensure that the allocation records for all months of Complainant's tenancy during 2014 and 2015 are filed in this docket.

At this time, Staff does not recommend referral to the Commission's Oversight and Enforcement Division.

III. CONCLUSION

Staff respectfully recommends that a deadline for an additional status report or recommendation be filed in two weeks, on or before May 25, 2017.

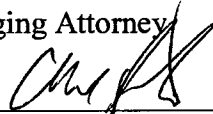
Dated: May 11, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

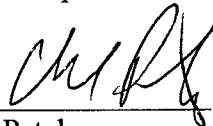
Karen S. Hubbard
Managing Attorney



Alexander Petak
State Bar No. 24088216
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7377
(512) 936-7268 (facsimile)
Alexander.Petak@puc.texas.gov

**DOCKET NO. 45032
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 11, 2017 in accordance with 16 TAC § 22.74.



Alexander Petak