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p.U.C Central Records

RECEIVED

2015 AUG 10 PM 2:06

PUBLID UTILITY COMMISSION FILING OLERK I filed two complaints about the allocation of water bills from first \$55. With these fluctuations I have filed another complaint. Reviewing wanted proven. Even after being told he was in violation with the billing water bills the cost has went up every month ranging from \$20 to over how much is supposed to be paid, so they too are not complying with he continued to do so for two months after and then sold the property. the request and P.U.C rules. I need the documents to prove that they billings, but we still pay Remington apartments. As you will see in my the letters I'm providing this new company will not provide proof of requested documents to the investigator, Mr. Dawson, to verify if he continued to ignore Mr. Dawson's request for information. The new was charging more than he should. These were my allegations that I violation on several codes of water allocation and did not send the Residents were unaware of this until after it was already sold. He company now has a contractor company named Hocut for water owner Bill Meyers, complaint # CP2015060778. He was found in are violating Texas laws. MARILYN BONIABY- 979-201-6248

CUSTOMER ACCOUNT # 12799655

SERVICE PROVIDER- HOCUT/ FOR REMINGTON APTS.

BILLING AND SERVIC E ADDRESS- 1010 MAGNOLIA ST. (979-233-4000)

NEW OWNERS- IBM CO.

**PREVIOUS OWNER- BEN MEYER** 

**RESILIENT ASSESTS LLC.** 

29123 TIVOLI WAY

FAIR OAKS RANCH TEXAS, 78015

### Statement of Relief

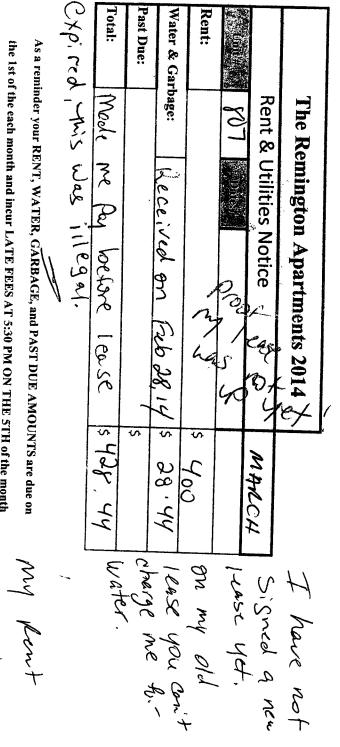
- Need all information from IBM/Remington, Ben Meyers Resilient Assets LLC to comply with P.U.C request for information to determine if a profit was made from residents illegally.
- 2. If found guilty I request money be returned to all residents and punished by Texas laws.
- 3. Cease over charging and use a fair method for payments. It's not right we are paying extra money for the amount of people living in each unit. I also have the memo stating this provided by the apartment manager.
- 4. Cease charging water until it can be done correctly and efficiently.

PRESORTED FIRST-CLASS MA U.S POSTAGE PAID MESQUITE, TEXA PERMIT NO BILL ISSUED BY. HOCUTT, INC. Date Printed:07/08/1 To receive your bill by email visit www.hocutt.com PLEASE MAKE REWITTANCE TO: REMINGTON APARTMENTS 1010 Magnolia St Apt 807 Freeport, TX 77541-5515 ակկկեսփկեսի իսիորիդեկեսենինուն FREEPORT, TX 77541 Acct Num: 12799655 A Apt 807 1010 MAGNOLIA ST. Due Date: 07/22/15 Total Due: \$44.86 Marylin Boniaby 972-233-4000 \$16.03 \$6.08 \$6.74 \$16.01 End Date: 06/05/15 End Date: 06/05/15 Total Due: \$44.86 RETAIN THIS PORTION FOR YOUR RECORDS THIS STATEMENT IS NOT FROM LOCAL UTILITY WIR PROVIDER CITY OF FREEPORT CARS PROVIDER CENTERPOINT ENERGY 0.010036 10.016970 10.008890 Apt Ratio: 1.6% Gas Beg Date: 05/05/15 Wtr Beg Date: 05/05/15 Due Date: 07/22/15 Gas SQFT Charge: Water Apt Ratio: Sewer Apt Ratio: SQ FT: 672 **Frash Fee:** Apt 807 4 Original bill 44.86 Manager changed it to 4.86 After I filed Complaint With P. U.C. 2nd Complaint

124

Bills in Violation Rent: **Fotal:** Past Due: Water & Garbage: your lease agreement. A \$50 LATE FEE WILL BE ADDED on the 6th, plus \$10 a day after As a reminder your RENT, WATER, GARBAGE, and PAST DUE AMOUNTS are due on the 1st of each month and incur LATE FEES AT 5:30 PM ON THE 5TH of the month as per PLease text apt.# along with problem to (979)201-1625 until balance is paid in full. All late fees WILL BE ENFORCED. Please contact the Property Manager if you have any questions. NO PARTIAL PAYMENTS WILL BE **Rent & Utilities Notice** The Remington Apartments 2014 Las **ACCEPTED WITHOUT PAYING 85% OF YOUR RENT FIRST! NEW MAINTENANCE AFTER HOURS:** TEXT ONLY PLEASE!!!!!!! 12/27/2014 (lec'd Ş Ś Ś 5445 January S 71.5E 20.14 15 Teped to my door

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the 1st of the each month and incur LATE FEES AT 5:30 PM ON THE 5TH of the month as per your lease agreement. A \$ 50 LATE FEE WILL BE ADDED on the 6th, plus \$10 a day after until balance is paid in full. All late fees WILL BE ENFORCED. Please contact the Property Manager if you have any questions. . NO PARTIAL PAYMENTS WILL BE ACCEPTED AS OF FEB 1, 2014

Rent: Water & Garbage: **Total:** Past Due: **Rent & Utilities Notice** S **The Remington Apartments 2014** 4/27/2014 Ś Ś 3 Received on my door April 30, 2014 Ś MAY 28h <183.73 27.17 44,92 1 proof

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day after until balance is paid in full. All late fees WILL BE ENFORCED. Please contact Case H for the Property Manager if you have any questions. . NO PARTIAL PAYMENTS WILL BE 12912309 for 12909 and 12909 for 12as per your lease agreement. A \$ 50 LATE FEE WILL BE ADDED on the 6th, plus \$10 a the 1st of the each month and incur LATE FEES AT 5:30 PM ON THE STH of the month As a reminder your RENT, WATER, GARBAGE, and PAST DUE AMOUNTS are due on ,

maria

612, 25-15-1-5P-5-1-32

	The Remington Apartments 2014	ts 2014	
	Rent & Utilities Notice		JUNE
Unit #	807 Date	5/29/2014	
Rent:			s .482
Water & Garbage:	bage:		
Past Due:			1 20
Total:			1 5 L 2 L 2 L 2
			00,00

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As a reminder your RENT, WATER, GARBAGE, and PAST DUE AMOUNTS are due on the 1st of the each month and incur LATE FEES AT 5:30 PM ON THE 5TH of the month as per your lease agreement. A \$ 50 LATE FEE WILL BE ADDED on the 6th, plus \$10 a day after until balance is paid in full. All late fees WILL BE ENFORCED. Please contact the Property Manager if you have any questions. NO PARTIAL PAYMENTS WILL BE ACCEPTED WITHOUT SPEAKING TO MANAGER FIRST AS OF FEB 1, 2014

The Remington Apartments 2014	14	
Rent & Utilities Notice		JULY
6/28	6/28/2014	
Rent:	10	\$ 482
Water & Garbage:	s	5 77.6.7
Past Due:	s	9 
Total:	\$	5 5 17 3V

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### PLEASE NOTE TOWING WILL BEGIN ON 7-1-14 FOR ACCEPTED WITHOUT SPEAKING TO MANAGER FIRST AS OF FEB 1, 2014 **BACKWARDS PARKING AND NO PERMITS**

per your lease agreement. A \$50 LATE FEE WILL BE ADDED on the 6th, plus \$10 a day the 1st of each month and incur LATE FEES AT 5:30 PM ON THE STH of the month as As a reminder your RENT, WATER, GARBAGE, and PAST DUE AMOUNTS are due on after until balance is paid in full. All late fees WILL BE ENFORCED. Please contact the Property Manager if you have any questions. NO PARTIAL PAYMENTS WILL BE

The Remington Apartments 2014	
Rent & Utilities Notice	AUGUST
Unit # 807 Date 7/28/2014	
Rent:	
	C 2 L 2
Water & Garbage:	\$ 7 5 05
Past Due:	s 0 ° 0 ° S
Total.	
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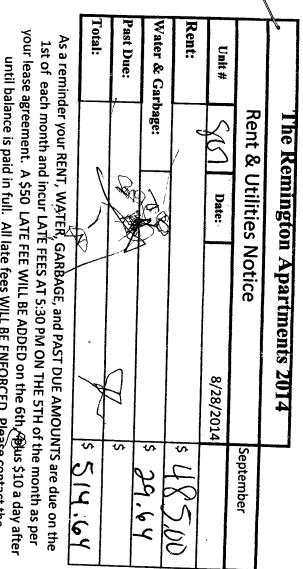
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## PLease text apt.# along with problem to (979)201-1625 TEXT ONLY PLEASE!!!!!!

\* . . . \* \*

# **NEW MAINTENANCE AFTER HOURS:**

ACCEPTED WITHOUT PAYING 85% OF YOUR RENT FIRST!



## PLease text apt.# along with problem to (979)201-1625 TEXT ONLY PLEASE!!!!!!

## **NEW MAINTENANCE AFTER HOURS:**

Property Manager if you have any questions. NO PARTIAL PAYMENTS WILL BE until balance is paid in full. All late fees WILL BE ENFORCED. Please contact the ACCEPTED WITHOUT PAYING 85% OF YOUR RENT FIRST!

	The Kemington Apartments 2015	
	Rent & Utilities Notice	March
	50 / 2/27/2015	
Kent:		3485
Water & Garbage:		5 3/0.08
Past Due:		5
Total:		sto or
As a reminder	As a reminder vour RENT and DACT DUE AMOUNTS	121.00

AT 5:30 PM ON THE 5TH of the month as per your lease agreement. A \$50 LATE FEE WILL BE ADDED on the 6th, plus \$10 a day after until balance is paid in full. WATER, GARBAGE, AND GAS bill is due by the RENT, and PAST DUE AMOUNTS are due on the 1st of each month and incur LATE FEES

16th of ever month! Copy of water bill is in office if you need to go over it with me. Please contact the

Property Manager if you have any questions. NO PARTIAL PAYMENTS WILL BE ACCEPTED WITHOUT PAYING 85% OF YOUR RENT FIRST!

REMEMBER DO NOT PARK BACK END FIRST, HEAD IN ONLY!

PLease text apt.# along with problem to (979)201-1625 TEXT ONLY PLEASE!! Porch Lights must be on at night!

**MAINTENANCE AFTER HOURS:** 

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SQ FT: 672 Apt Rat	io: 1.6%	
Gas Beg Date: 03/05/15		04/04/15
Gas SQFT Charge:	0.007645	\$5.14
Wtr Beg Date: 03/05/15	End Date,	
	10.369080	\$16.59
	10.361000	\$16.58
Trash Fee:		\$6.08

PLEASE MAKE REMITTANCE TO: REMINGTON APARTMENTS 1010 MAGNOLIA ST. FREEPORT, TX 77541 972-233-4000

Acct Num: 12799655 A Apt 807

Due Date: 05/11/15 Total Due: \$44.39 PRESOR FIRST-CLAS U S POST PAID MESQUITE, PERMIT 1 297

ii.

BILL ISSU BY: HOCUTT, I Date Printed:04/2

To receive your bill by email visit www.hocutt.com

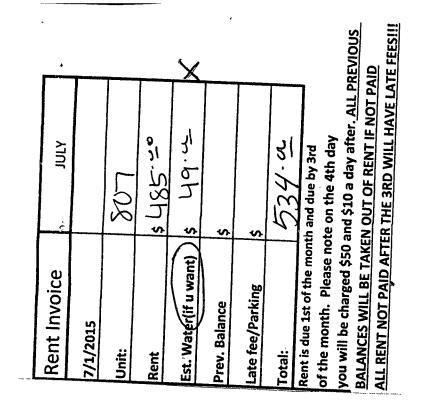
Due Date: 05/11/15

Apt 807 Total Due: \$44.39

RETAIN THIS PORTION FOR YOUR RECORDS , THIS STATEMENT IS NOT FROM LOCAL UTILITY "WTR PROVIDER CITY OF FREEPORT GAS PROVIDER CENTERPOINT ENERGY Marylin Boniaby 1010 Magnolia St Apt 807 Freeport, TX 77541-5515

+ Ax- 1-512-936-7003

### միկմերիիրու Ամսիբիլինիիիիններութիկներ



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**'Donna L. Nelson** Chairman

Kenneth W. Anderson, Jr. Commissioner

**Brandy Marty Marquez** Commissioner

Brian H. Lloyd **Executive Director** 

### **Public Utility Commission of Texas**

1/8/2015

Ms Marilyn Boniaby 1010 Magnolia Apt 807 Freeport TX 77541

1st Complaint against Ban Meyer Resilient Assets, LLC RE: Complaint # CP2014120513

Dear Ms Boniaby:

The Customer Protection Division (CPD) has received your complaint filed against Remington Apartments (Remington). In your complaint you expressed concern regarding the allocation of water service. You indicated charges for water service is no in line with Remington's allocation method or the amount of charges assessed to Remington by the City of Freeport.

With the information provided, CPD has contacted Remington with a request to research your complaint and file their response to your concerns. Today, CPD has reviewed the company's response and determined the following.

Remington's records indicate water and sewer service for the apartment complex are allocated based on premise occupancy. Under this method, Remington is responsible common area usage which is calculated as 10% of each invoice. The remaining 90% is divided amount is amount premise occupants, using a ratio formula.

To further address your concerns, Remington has provided copies of their invoices for water utilities received from the City of Freeport. Details of the recent invoices are provided below and indicate an increase in the cost of service. Remington also advised copies of invoices are available at their office.

▶ 07/15/2014: 5:	Amount due: \$5985.39
> 08/14/2014: 59	Amount due: \$6352.69
> 09/16/2014: 59	Amount due: \$6352.69
▶ 10/14/2014: 57	 Amount due: \$6137.09
> 11/14/2014: 58	 Amount due: \$9262.25

CPD has completed our investigation regarding the invoicing of your account. We have determined Remington has calculated water utilities based on allocated usage in accordance with Substantive Rule §24.124 Charges and Calculations (e) (2) (A) (ii). Under this method Remington deducts usage for common area and divides the remaining usage based on the ratio formula detailed below.

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**Rick Perry** Governor

Marilyn Boniaby Thursday, January 08, 2015 Page 2

### §24.124. Charges and Calculations.

(e) Calculations for allocated utility service.

(2) To calculate a tenant's bill:

(A) for an apartment house, the owner shall multiply the amount established in paragraph (1) of this subsection by:

(i) the number of occupants in the tenant's dwelling unit divided by the total number of occupants in all dwelling units at the beginning of the month for which bills are being rendered; or

(ii) the number of occupants in the tenant's dwelling unit using a ratio occupancy formula divided by the total number of occupants in all dwelling units at the beginning of the retail public utility's billing period using the same ratio occupancy formula to determine the total. The ratio occupancy formula will reflect what the owner believes more accurately represents the water use in units that are occupied by multiple tenants. The ratio occupancy formula that is used must assign a fractional portion per tenant of no less than that on the following scale:

350. units

(I) dwelling unit with one occupant = 1;

(II) dwelling unit with two occupants = 1.6;

(III) dwelling unit with three occupants = 2.2; or

(IV) dwelling unit with more than three occupants = 2.2 + 0.4 per each additional occupant over three;

CPD has also reviewed the Rent & Utilities Notice provided with your complaint. We have determined Remington failed to invoice service in accordance with Substantive Rule §24.125 Billing (c). Though the Substantive Rules authorizes Remington to issue a multi-item bill, Remington is required to list submetered or allocated water services separately. The invoice includes water and garbage as a single charge.

CPD has also determined Remington failed to provide sufficient bill information, as required by Substantive Rule 24.125 Billing (f) (1-8). The Substantive Rule has been provided below, for your review.

### §24.125. Billing.

(f) Information on bill. The bill must clearly state that the utility service is submetered or allocated, as applicable, and must include all of the following:

(1) total amount due for submetered or allocated water;

(2) total amount due for submetered or allocated wastewater;

(3) total amount due for dwelling unit base charge(s) or customer service charge(s) or both, if applicable;

(4) total amount due for water or wastewater usage, if applicable;

(5) the name of the retail public utility and a statement that the bill is not from the retail public utility;

(6) name and address of the tenant to whom the bill is applicable;

(7) name of the firm rendering the bill and the name or title, address, and telephone number of the firm or person to be contacted in case of a billing dispute; and

(8) name, address, and telephone number of the party to whom payment is to be made.

Marilyn Boniaby Thursday, January 08, 2015 Page 3

CPD has also determined Remington failed to establish a payment due date in accordance with Substantive Rule §24.125 Billing (h). The Substantive Rule states a payment due date shall be no less than 16 days after the day it is mailed or hand delivery. In the event the due date falls on a federal holiday or weekend, the due date shall be the following work day.

By copy of this letter, CPD has requested Remington make the required changes to bill in accordance with the relevant Substantive Rules.

Based on our investigation, CPD has determined that the actions of Remington are not consistent with Substantive Rule 24.125 Billing (c), (f) (1-2 & 4-8), and (h). Therefore, this file may be considered for further review.

Thank you for the opportunity to address your concerns. If we can assist you with future utility concerns, please contact us toll free through our Customer Assistance Call Center at 1-888-782-8477.

Sincerely,

Customer Protection Division Public Utility Commission of Texas

cc: Remington

517 7	SMAN UONBIIIIIAN בווז		0 r/
1010 Magnolia St, F	1010 Magnolia St, Freeport, TX 77541, 979-233-4000 July 1, 2015	(PG. 1)	
Please Note: If you see red boxes on the ground with #'s that means no parking in that spot please, you will be towed! If you have reserved parking please make sure you let me know so I may mark that spot! BE	We did include an estimated amount for your July water bill so it would be easy if you wanted to pay all at once with rent. It is estimated so when you receive your bill you may have a credit or a small balance. Also if you have a balance it will be taken out of your rent as it comes in and will be charged late fee if it is still owed. Late fees start on July 4th 2015 after 9aml Please pay rent by the 3rd no exceptions!!	unt for your July water bill so pay all at once with rent. It our bill you may have a credit ave a balance it will be taken d will be charged late fee if it i July 4th 2015 after 9aml1 3rd no exceptions11	Please read and note where I put the X'S
PARKING SPOTSI Partice must be cleared from contex	<u>Family Portraits</u> \$40 a packet. 2-\$x10's	Unreported Work Orders	
tires, tools, old furniture, bar b q pits, ect. YOU MAY ONLY HAVE REG. PATIO FURNITURE AND PLANTSI IIIINO FOIL ON WINDOWSIIII IIIIBAR B QUE COOKING ONLY DOWN STAIRSIII NOT ON PATIOSIII YOU WILL BE FINED \$25 CASH IN THE OFFICE APPLIED TO YOUR LEDGERIII	4-547's 15 Wallets 59 Wallets Come in and take your family portraits and get them back in a week 1 We hope to see you there! July 17th-21st from 11am-5pm. Come in and RSAP your spot!	Please report all repairs needed so no further damage will occur. We have found several unreported repairs that were costly to our company! If you report them we will	The over has
Trash on patio\$25 fine and if proceeded it will be \$50. We try to keep things cleaned! Cigarette buds need to be picked up around your unit if you smoke! Thank you!!!!	OVER OCCUPANCYYOU WILL BE CHARGED \$100 PER EXTRA INDIVIDUAL NOT ON YOUR LEASE. WE HAVE EVERYONE LISTED ON YOUR LEASE WHO RESIDES IN YOUR UNIT. PLEASE COME BY AND SPEAK WITH MS. KIRSTY ABOUT YOU UNIT AND IT OCCUPANTS.		OCCUPANCY been going on Sense water was bein Allocated, now they

Donna L. Nelson Chairman

Kenneth W. Anderson, Jr. Commissioner

Brandy Marty Marquez Commissioner

Brian H. Lloyd Executive Director HI CALLER S

Greg Abbott Governor

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### **Public Utility Commission of Texas**

2/10/2015

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Ms Marilyn Boniaby 1010 Magnolia Apt 807 Freeport TX 77541

RE: Complaint # CP2014120513

Dear Ms Boniaby:

It is unfortunate that the Customer Protection Division has been unable to resolve your complaint to your satisfaction through our informal complaint process. However, you have the option to file a formal complaint through the Public Utility Commission.

An informational brochure explaining the formal complaint process is enclosed. You may also access this brochure at *http://www.puc.texas.gov/consumer/complaint/complaintb.pdf*.

We appreciate the opportunity to assist you. If you have any questions or concerns, please feel free to call toll-free at 1-888-782-8477.

Sincerely,

Customer Protection Division Public Utility Commission of Texas

cc: Remington Apt House

enclosure

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An Equal Opportunity Employer

1701 N. Congress Avenue PO Box 13326 Austin, TX 78711 512/936-7000 Fax: 512/936-7003 web site: www.puc.state.tx.us

**Dənna L. Nelson** Chairman

> Kenneth W. Anderson, Jr. Commissioner

Brandy Marty Marquez Commissioner

Brian H. Lloyd Executive Director

### **Public Utility Commission of Texas**

7/23/2015

Ms Marilyn Boniaby 1010 Magnolia Street Apt 807 Freeport TX 77541

RE: Complaint #CP2015060778

Dear Ms Boniaby:

The Customer Protection Division (CPD) has received your complaint filed against Remington Apartments (Remington). In your complaint you expressed concern regarding the allocation of water service. You are disputing the accuracy of the monthly invoice.

With the information provided, on 06/25/2015 CPD contacted Remington with a request to research your complaint and file their response to your concerns. CPD requested Remington provide their response by 07/16/2015. As of 07/23/2015, Remington had failed to provide their response.

CPD has completed our investigation regarding the allocation of water service. Due to Remington's failure to provide their response, CPD is unable to determine their actions were in accordance with Substantive Rule §24.124 Charges and Calculations (e), regarding the calculation of allocated invoices.

At this time CPD is unable to further address your concerns. We have enclosed information regarding the formal complaint process.

Based on our investigation, CPD has determined that the actions of Remington are not consistent with Substantive Rule §24.124 Charges and Calculations (e). Therefore, this file may be considered for further review.

against new owners TBM CO. An Equal Opportunity Employer

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1701 N. Congress Avenue PO Box 13326 Austin, TX 78711 512/936-7000 Fax: 512/936-7003 web site: www.puc.state.tx.us



 Marilyn Boniaby Thursday, July 23, 2015 Page 2

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Thank you for the opportunity to address your concerns. If we can assist you with future utility concerns, please contact us toll free through our Customer Assistance Call Center at 1-888-782-8477.

Sincerely,

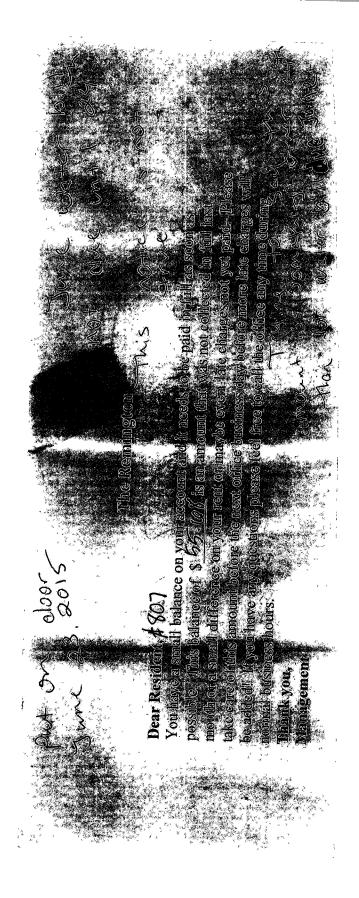
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**Customer Protection Division** 

Public Utility Commission of Texas

cc: Remington

enclosure



SQ FT: 672 Apt Ratio: 1.6% Gas Beg Date: 04/04/15 End Date: 05/05/15 Gas SQFT Charge: 0.013554 \$9.11 Wtr Beg Date: 04/04/15 End Date: 05/05/15 Water Apt Ratio: 12.657810 \$20.25 Sewer Apt Ratio: 12.649740 \$20.24 Trash Fee: \$6.08

PLEASE MAKE REMITTANCE TO: REMINGTON APARTMENTS

1010 MAGNOLIA ST. FREEPORT, TX 77541 972-233-4000

Acct Num: 12799655 A Apt 807

Due\_Date: 06/24/15 Total Due: \$55.68 PRESORTED FIRST-CLASS MAIL U S POSTAGE PAID MESQUITE, TEXAS PERMIT NO 297

BILL ISSUED BY: HOCUTT, INC. Date Printed:06/11/15

To receive your bill by email visit www.hocutt.com

### Due Date: 06/24/15 Apt 807 Total Due: \$55.68

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RETAIN THIS PORTION FOR YOUR RECORDS THIS STATEMENT IS NOT FROM LOCAL UTILITY WTR PROVIDER CITY OF FREEPORT GAS PROVIDER CENTERPOINT ENERGY

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Marylin Boniaby 1010 Magnolia St Apt 807 Freeport, TX 77541-5515

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STORE YOUR DUPLICATE CHECKS IN YOUR CHECK BOX. For added security, your name and account number do not appear on this copy Apur diablars and sul 100-# SUT (Mauillyn Blmichy) ¥ Þ, T S (3 ) FORWARD TAX-DEDUCTIBLE ITEM BALÂNCE BALÂNCE DEPOSIT OTHER DRWARD NOT NEGOTIABLE 1247

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paid , Water bill

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Plasidents did not get a bill to April 2018

\$102/22/4

You will now be receiving your water bill in the mail from Hocutt; it is a contracted company hired by The Remington. You will still need to pay your water bill at the office. If you have any questions please call or come by the office.

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Management Thank You,

URGENTINOTICE did not state what This will is for. July 16 2013 July 16 2013 2014 Remington Apadmants 1010 Magnolia St Freeport Tx 7754 79-233-4000 NAME UNIT DATE Sonicia. 707 All YOUR RENT OWED . .... WATER OWED LATE CHARGE OTAL ( DURGENTINOTIGERAAYIMIMIEDNATIET

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