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Chad R Swahn Against Shady Oaks  
Water Supply Co  
SOAH Docket - 473-20-3820 WS  
POC Docket - 50367



District Testimony of Chad R Swahn, July 10, 2020

1. Q: Please state your name and mailing address.  
A: Chad R Swahn, mailing address Post Office Box 251, Floresville, TX 78114.
2. Q: What is property address?  
A: The address of my property is 327 Hickory Hill Dr., La Vernia, TX 78121.
3. Q: What date did you buy the property?  
A: I purchased the property on July 27, 2018.
4. Q: Who did you buy the property from?  
A: I bought the property from Thomas Richard Weldon.
5. Q: Why did you wait to turn on the water service?  
A: I was working out of town. I was afraid to have the water turned on in case of a water break while I was not at home.
6. Q: What date did you contact Sandra Strozer to receive the application for water service at 327 Hickory Hill La Vernia?  
A: I contacted Sandra Strozer in April 2019 and received an application from Hickory Hill Water Supply Co DBA Shady Oaks Water Supply Co. I sent in the application and made a deposit of \$135.00 on April 25, 2019.
7. Q: Why did you turn on the water?  
A: I let a homeless single mother, Megan Leslie, move into the home on my property.
8. Q: Did you have any type of relationship with Megan Leslie?  
A: No. I had no legal relationship with Megan Leslie, nor did she have any authority to act on my behalf at any time under any circumstances, including contacting Shady Oaks Water Supply Co for any services.
9. Q: When did the billing problem start?  
A: The billing problem started from the initial bill dated June 2019 and in the amount of \$304.37.  
Here is the timeline:  
Property purchased: July 27, 2018  
Application for service with deposit: April 25, 2019  
First bill received: June 2019 (\$304.37)  
First bill included water usage charges from July 27, 2018 before services were requested, as well as a minimum water charge, interest, and late fees dating from the property purchase date.  
Additionally, according to statement received from Shady Oaks Water Co, from July 27, 2018 through April 25, 2019, water utilization was unchanged during that period.
10. Q: Did you contact Shady Oaks Water Supply Co / Sandra Strozer about the water bill?  
A: Yes, I called Shady Oaks Water Supply Co and sent a letter through the postal service. I was charged from when I bought the property not when I applied for the water.
11. Q: Did you try to work out the problem?  
A: Yes. I called Shady Oaks Water Supply Co. and explained that I should not be responsible for the water usage before my application was submitted.
12. Q: Did Sandra Strozer try to work with you?  
A: No. I left numerous messages that were never returned and sent letters that were never answered.
13. Q: Did you pay your water bill?  
A: I paid the portion of the water bill relating to my water usage including tax only. I did not pay the portion of the bill dating prior to my application for service.
14. Q: Did you receive a water bill every month?  
A: We did not receive a water bill every month and was advised by the water company that I was responsible for receiving the bills they sent.

15. Q: Did you have trouble receiving any other bills or mail in general?  
A: No, I receive mail at a post office box and have had no problems receiving any other bills or mail.
16. Q: When was your water cut off?  
A: My water was cut off during the second week of September 2019.
17. Q: Did you get any notices from the water company stating that they were going to turn off the water service to your property?  
A: No, we have only periodically received bills. We did not receive any notices through the mail, email, or phone call stating our water would be disconnected.
18. Q: Did you file a formal complaint against Shady Oaks Water Supply Co?  
A: Yes, on September 18, 2019 I filed a complaint with the Public Utility Commission of Texas.
19. Q: What was the outcome?  
A: On October 3, 2019 the Public Utility Commission found I was not responsible for the water charges before my application was submitted and Shady Oaks Water Supply Co should remove all charges, late fees, and interest.
20. Q: Did you call the water company or send a copy of this information to the water company?  
A: Yes, I sent a copy of the letter I received from the Public Utility Commission through certified mail. I was told I still owed the bill and that it was now ~\$800.
21. Q: What action did Shady Oaks Water Supply Co. take after the Public Utility Commission's ruling?  
A: The Shady Oaks Water Supply Co ignored the ruling and continues to charge fees, minimums, and interest.
22. Q: What did you do next?  
A: I talked to the Public Utility Commission and filed a lawsuit against Shady Oaks Water Supply Co.
23. Q: Did you ask to go to mediation before taking this last step?  
A: Yes, Shady Oaks Water Supply Co would not agree to mediation.
24. Q: Are you aware of what the water bill is currently and what the charges are for?  
A: No, I have not received a bill since April 1, 2020. On that bill the charges were over \$1,000.00 and I have had my water shut off by Shady Oaks since September 2019.
25. Q: What is your statement of relief?  
A: I would like all water charges, late fees, and interest charges dated before April 25, 2019 removed from my bill. I would also ask that all charges since Sept. 2019 when the water was shut off be removed. I havenot had any water for over a year. I would only like to pay for the water usage incurred April 2019 to September 2019. Additionally, I respectfully ask the court to waive court costs for me and/or ask the Shady Oaks Water Supply Co be held responsible for those fees.
26. Q: How has not having water affected you?  
A: Without water service I was not able to move onto my property. Because I had been without water service since Sept. 2019 and the water company was unwilling to work with me, I was afraid I'd be living in my home for months without water and didn't want to have to haul in water to live, just like Megan Leslie and her child had to do while she was temporarily staying on my property.
27. Q: Do you feel that Shady Oaks Water Supply Company tried to resolve the problem?  
A: No, the water company personnel would not return many of my phone calls and because they have no physical office I could go to, I was unable to talk to anyone in person. If on the rare occasion that I was able to reach someone, they were very unprofessional and unwilling to correct the bill in any way.
28. Q: Do you think you have proven your case?  
A: Yes. I have shown I was charged for water and services I did not use.

The meter reading didn't change before my application for water service was turned in, yet late fees, interest and minimum fees were added each month from when I bought the property instead of when I started using water. Even after paying for the water I used, the bill showed added interest for the eight months I did not use any water (or even established service). Though I was paying for water I used, according to Shady Oaks Water Supply Company's meter readings, my water was still turned off. I am still currently being charged a monthly minimum fee for water even though the water has been shut off and I now have a water bill that is over \$1,000.

I have not had any water available on my property for over a year, and I can't live on my property without water service. Shady Oaks has been very unprofessional to work with and unwilling to listen to my claims. This has been such a frustrating experience. I just want to be treated fairly and pay for the water I've used.

29. Q: What water company did you apply with?

A: The application was from Hickory Hill Water Supply Company DBA Shady Oaks Water Supply Company.