

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Category:	Water Distribution System	Policy # 2024-02
Title:	Reimbursement for Damages Caused by Murieta Village water main breaks	

PURPOSE

This policy statement is to define the process for review and approval of requests for reimbursement for damage caused by system or personal line break(s) associated with Ranch Murieta CSD- owned water infrastructure within the Murieta Village neighborhood and to authorize RMCS D to make repairs to such breaks when it is safe to do so.

BASIC POLICY AND GUIDELINES

The policy applies to, but is not limited to, property damage claims resulting from the following: Rancho Murieta CSD-owned water, and ancillary system asset break/leak within the Murieta Village portion of Community Services District service area. District responsibility begins after the meter (AM), and the property owner's responsibility is anything before the meter (BM). Each instance will be handled separately and on its own merits. An immediate and prompt investigation will be conducted to determine the facts of the claim. This policy does not cover alleged damages for personal injury.

To request reimbursement for damaged property or other loss related to a water main break, a claimant must complete a Claim form and file it with the CSD office. Once the claim is filed, CSD staff and/or agents will review and investigate the claim and determine compensation, if any. The investigation will include consideration of the following:

A. Whether the loss arose out of, or resulted from, any unforeseen, non-negligent actions or conditions of the CSD-owned water mainline by which it can be concluded that the homeowner/ tenant was an innocent party?

B. Whether the loss arose out of, or resulted from, any actions or conditions of the CSD-owned water mainline by which it can be concluded that the CSD was negligent and where the claimant was an innocent party?

C. Whether the loss arose out of, or resulted from, actions or conditions caused by an identifiable third party? For example, a contractor is performing work in an area damaged the mainline or property service line directly. In such case, the claim would be denied regardless of the damage locations, and the claimant would be encouraged to pursue their damages against the responsible third party, in this case the contractor.

D. Whether the loss arose out of, or resulted from, the actions of the claimant or the claimant's third-party contractor? If it is determined that the claimant caused or

contributed to the loss, the claim will be denied. The claimant would be advised of the CSD's intent to pursue any damages to CSD property resulting from the claimant's negligent acts. Claimants will be responsible for pursuing the third party, if applicable.

District staff as part of the investigation will determine if the repair may be safely conducted by district personnel or if the services of an outside contractor may be necessary.

Approval of Claims would be at the Board's approval and discretion.

Adopted by Rancho Murieta Community Services District's Board of Directors	10/16/2024
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