

ARTICLE 15. LANDLORD DISTRIBUTING WATER OR SEWAGE DISPOSAL SERVICE

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Rule 1. Definitions

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170 IAC 15-1-0.5 Scope

Authority: [IC 8-1-1-3](#)
Affected: [IC 8-1-2-1](#); [IC 8-1-2-1.2](#)

Sec. 0.5. (a) A landlord and an association may only sub-bill water or sewage disposal service under this article.

(b) Under [IC 8-1-2-1.2\(k\)](#), a landlord or an association that sub-bills is not a public utility if the landlord or association complies with:

- (1) [IC 8-1-2-1.2\(k\)\(1\)](#); or
 - (2) [IC 8-1-2-1.2\(k\)\(2\)](#), [IC 8-1-2-1.2\(l\)](#), and [IC 8-1-2-1.2\(m\)](#).
- (c) This article does not apply to the following:

- (1) A landlord or an association that distributes water or sewage disposal service using a flat fee qualifying under [IC 8-1-2-1.2\(k\)\(1\)](#).

- (2) A landlord that bills a tenant for water or sewage disposal service if:

(A) the tenant resides in a building with only one (1) dwelling unit; and

(B) the dwelling unit is metered by the water or sewer utility.

(Indiana Utility Regulatory Commission; 170 IAC 15-1-0.5; filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#))

170 IAC 15-1-1 Applicability

Authority: [IC 8-1-1-3](#)
Affected: [IC 8-1-2-1.2](#)

Sec. 1. The definitions in this rule apply throughout this article. (Indiana Utility Regulatory Commission; 170 IAC 15-1-1; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#))

170 IAC 15-1-1.5 "Association" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 1.5. "Association" has the meaning as set forth in [IC 8-1-2-1.2\(a\)](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-1.5; filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-1.6 "Co-owner" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#); [IC 32-25-2-11](#)

Sec. 1.6. "Co-owner" has the meaning as set forth in [IC 32-25-2-11](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-1.6; filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-2 "Dwelling unit" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 2. "Dwelling unit" has the meaning as set forth in [IC 8-1-2-1.2\(f\)](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-2; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-3 "Initial set-up fee" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 3. "Initial set-up fee" means the fee:

- (1) a landlord charges a tenant; or
- (2) an association charges a:
 - (A) member; or
 - (B) co-owner;

to establish a new account for a dwelling unit, not to exceed the landlord's or association's actual administrative cost. (*Indiana Utility Regulatory Commission; 170 IAC 15-1-3; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-4 "Insufficient funds fee" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 4. (a) "Insufficient funds fee" means the fee:

- (1) a landlord charges a tenant; or
- (2) an association charges a member or co-owner;

to process insufficient funds of a payment.

(b) An insufficient funds fee shall not exceed the actual fee assessed to a landlord or an association by a financial institution resulting from insufficient funds of an instrument received from a:

- (1) tenant;
- (2) member; or
- (3) co-owner;

in payment of charges for water or sewage disposal service. (*Indiana Utility Regulatory Commission; 170 IAC 15-1-4; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-5 "Landlord" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 5. "Landlord" has the meaning as set forth in [IC 8-1-2-1.2\(h\)](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-5; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-6 "Landlord's usage" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 6. "Landlord's usage" means water and sewage disposal service consumed or utilized by the landlord for:

- (1) personal use;
- (2) business use; or
- (3) usage in common areas, including, but not limited to:
 - (A) a club house;
 - (B) a laundry facility;
 - (C) a bath house;
 - (D) a community restroom;
 - (E) a swimming pool;
 - (F) a hot tub;
 - (G) an irrigation sprinkler system;
 - (H) a fire protection sprinkler system;
 - (I) grounds keeping;
 - (J) flushing the mains; or
 - (K) any other common purpose.

The term also includes water lost to water leaks in common areas.

(*Indiana Utility Regulatory Commission; 170 IAC 15-1-6; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-7 "Master meter" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 7. "Master meter" means the use of a meter device to measure, for billing purposes, the amount of water consumed by:

- (1) a landlord that distributes the water to tenants; or
- (2) an association that distributes the water to:
 - (A) members; or
 - (B) co-owners.

(*Indiana Utility Regulatory Commission; 170 IAC 15-1-7; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-7.1 "Member" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 7.1. "Member" has the meaning as set forth in [IC 8-1-2-1.2\(i\)](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-7.1; filed Apr 9, 2024, 10:12 a.m.: 20240508-IR-170230776FRA*)

170 IAC 15-1-8 "Sub-bill" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 8. "Sub-bill" means:

(1) a landlord's request for payment from a tenant; or

(2) an association's request for payment from a member or co-owner;

for the distribution of water or sewage disposal service under [IC 8-1-2-1.2\(k\)\(2\)](#), which service is provided to the landlord or association by a water or sewer utility. The term does not include instances in which a landlord or an association distributes water or sewage disposal service under [IC 8-1-2-1.2\(k\)\(1\)](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-8; filed Mar 31, 2010, 3:18 p.m.: 20100428-IR-170090790FRA; readopted filed Jul 12, 2016, 10:01 a.m.: 20160810-IR-170160168RFA; readopted filed Jul 12, 2022, 12:18 p.m.: 20220810-IR-170220116RFA; filed Apr 9, 2024, 10:12 a.m.: 20240508-IR-170230776FRA*)

170 IAC 15-1-9 "Sub-meter" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 9. "Sub-meter" refers to the use of a meter device to measure the amount of water consumed within an individual dwelling unit for the purpose of sub-billing. The term also refers to the meter used to measure the amount of water provided to individual dwelling units. (*Indiana Utility Regulatory Commission; 170 IAC 15-1-9; filed Mar 31, 2010, 3:18 p.m.: 20100428-IR-170090790FRA; readopted filed Jul 12, 2016, 10:01 a.m.: 20160810-IR-170160168RFA; readopted filed Jul 12, 2022, 12:18 p.m.: 20220810-IR-170220116RFA; filed Apr 9, 2024, 10:12 a.m.: 20240508-IR-170230776FRA*)

170 IAC 15-1-10 "Tenant" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 10. "Tenant" means a person who rents or leases a dwelling unit from a landlord. (*Indiana Utility Regulatory Commission; 170 IAC 15-1-10; filed Mar 31, 2010, 3:18 p.m.: 20100428-IR-170090790FRA; readopted filed Jul 12, 2016, 10:01 a.m.: 20160810-IR-170160168RFA; readopted filed Jul 12, 2022, 12:18 p.m.: 20220810-IR-170220116RFA; filed Apr 9, 2024, 10:12 a.m.: 20240508-IR-170230776FRA*)

170 IAC 15-1-11 "Total net charge" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 11. For water or sewage disposal service, "total net charge" means the charge a water or sewer utility imposes on a landlord or an association for water or sewage disposal service for a given billing period inclusive of applicable taxes but exclusive of late fees and other incidental or extraordinary fees and charges. (*Indiana Utility Regulatory Commission; 170 IAC 15-1-11; filed Mar 31, 2010, 3:18 p.m.: 20100428-IR-170090790FRA; readopted filed Jul 12, 2016, 10:01 a.m.: 20160810-IR-170160168RFA; readopted filed Jul 12, 2022, 12:18 p.m.: 20220810-IR-170220116RFA; filed Apr 9, 2024, 10:12 a.m.: 20240508-IR-170230776FRA*)

170 IAC 15-1-12 "Total net charge for water service" defined (*Repealed*)

Sec. 12. (*Repealed by Indiana Utility Regulatory Commission; filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-1-13 "Water or sewer utility" defined

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 13. "Water or sewer utility" has the meaning as set forth in [IC 8-1-2-1.2\(j\)](#). (*Indiana Utility Regulatory Commission; 170 IAC 15-1-13; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

Rule 2. Sub-Billing

[170 IAC 15-2-0.5](#)

[170 IAC 15-2-1](#)

[170 IAC 15-2-2](#)

[170 IAC 15-2-3](#)

[170 IAC 15-2-4](#)

[170 IAC 15-2-5](#)

Requirements of a sub-bill

Availability of records

Charges for water or sewage service usage

Information contained in sub-bills

Unpaid sub-bills

Adjustment of bills

170 IAC 15-2-0.5 Requirements of a sub-bill

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 0.5. (a) A landlord or an association that sub-bills shall meet the following requirements:

(1) Sub-bill tenants, members, or co-owners with a consistent frequency unless exigent circumstances warrant a temporary modification to the frequency.

(2) Include on sub-bills the information required in section 3 of this rule.

(3) Timely remit payment to the water or sewer utility for the total net charges that are sub-billed.

(4) Provide a period of at least seventeen (17) days from the date the landlord or association sends a sub-bill for the tenant, member, or co-owner to remit payment before initiating a collection action for sub-billing charges.

(b) Sub-bills may charge for only the following maximum allowable amounts:

(1) Water or sewage service usage charges calculated under section 2 of this rule.

(2) The optional fees and costs permitted by [IC 8-1-2-1.2\(l\)\(4\)](#).

(*Indiana Utility Regulatory Commission; 170 IAC 15-2-0.5; filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-2-1 Availability of records

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 1. (a) A landlord or an association that sub-bills shall:

(1) retain all bills received from the utility and all sub-bills from the landlord to tenants, or the association to members or co-owners, for a period of not less than two (2) years;

(2) make all bills and sub-bills available for inspection by any tenant, member, or co-owner, or person who was a tenant, member, or co-owner, during the billing period and regular business hours;

(3) provide a copy of records under this section within three (3) business days of request by a tenant, member, or co-owner; and

(4) provide a copy of records under this section to the commission's consumer affairs division upon request.

(b) A landlord or an association may charge a tenant, member, or co-owner a nominal fee to recover the cost of copying

records. (*Indiana Utility Regulatory Commission; 170 IAC 15-2-1; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-2-2 Charges for water or sewage service usage

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 2. (a) A landlord or an association calculates the water and sewage service usage portion of a sub-bill using one (1) of the following methods:

(1) For water service, as follows:

(A) Optional usage calculation using sub-meter data as follows:

- (i) The landlord or association divides the total net charge for water service, plus applicable tax, by the total amount of water master metered to obtain an average cost per unit volume.
- (ii) The average water cost per unit volume is multiplied by the actual unit volume consumed by each dwelling unit as measured by a sub-meter.

(B) Optional usage calculation using other data as follows:

- (i) The landlord or association reasonably allocates to each tenant, member, or co-owner a portion of the total net charge for water service.
- (ii) For landlords sub-billing tenants, the landlord deducts the landlord's usage.
- (iii) Reasonable allocations may include a charge per dwelling unit, allocated pro-rata, based on:
 - (AA) square footage;
 - (BB) the type of dwelling unit;
 - (CC) the number of individuals residing in the dwelling unit; or
 - (DD) the estimated volume of water distributed to each dwelling unit.

(2) For sewage disposal service, as follows:

(A) The landlord or association charges a sewage disposal service rate that reasonably allocates to each tenant, member, or co-owner a portion of the total net charge for sewage disposal service.

(B) For landlords sub-billing tenants, the landlord deducts the landlord's usage.

(C) Reasonable allocations may be based on a charge per dwelling unit, allocated pro-rata, based on:

- (i) estimated sewer flow;
- (ii) square footage;
- (iii) the type of dwelling unit;
- (iv) the number of individuals residing in the dwelling unit; or
- (v) the estimated or actual volume of water distributed to each dwelling unit.

(b) A landlord or an association may calculate sub-bills using a method other than those specified in subsection (a) if the calculation:

(1) is fair and reasonable; and

(2) results in sub-bills per dwelling unit less than or equal to the amount sub-billed to each dwelling unit under subsection (a).

(c) In no event shall a landlord or an association issue sub-bills that total more for the usage portion of the water or sewage disposal service than the landlord or association paid for the same water or sewage disposal service.

(d) Nothing in this section may be construed to eliminate or diminish a contractual right a tenant, member, or co-owner has with respect to the provision of water or sewage disposal service. (*Indiana Utility Regulatory Commission; 170 IAC 15-2-2; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-2-3 Information contained in sub-bills

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 3.

(a) Sub-bills may contain other permissible charges on the same bill if the sub-billing information is separately itemized and visually distinct from unrelated charges.

(b) Sub-bills must show at least the following information:

- (1) The sub-billing date.
- (2) The sub-billing rate charged.
- (3) The previous balance, if any.
- (4) The amount of the sub-bill.
- (5) The amount of a tenant's, member's, or co-owner's usage, if applicable.
- (6) The amount of an initial setup fee, if due.
- (7) A reasonable administrative fee, if any, not to exceed the statutory limit in [IC 8-1-2-1.2\(1\)\(4\)\(B\)](#).
- (8) The amount of an insufficient funds fee, if due.
- (9) The date on which the sub-bill is due, with a statement that the sub-bill due date is independent from the due date of the lease payment or other charges.
- (10) If an estimated sub-bill, a clear and conspicuous coding or other indication identifying the sub-bill as an estimated sub-bill.
- (11) An explanation, which is readily understood, of all codes or symbols, or both, shown on the sub-bill.
- (12) The name and telephone number of a person for tenants, members, or co-owners to contact about sub-billing matters.
- (13) The beginning and end date of the period for which the sub-bill is rendered.
- (14) The name and address of the tenant, member, or co-owner being billed.
- (15) The address or other identifying information for the dwelling unit being billed.
- (16) The statement required by [IC 8-1-2-1.2\(m\)\(2\)\(C\)](#), including the following contact information for the commission:
 - (A) (800) 851-4268.
 - (B) www.in.gov/iurc.
- (17) For water sub-bills, the following additional information:
 - (A) If the dwelling unit's usage is sub-metered, the dates and meter readings of the dwelling unit's sub-meter at the beginning and end of the period for which the sub-bill is rendered.
 - (B) The name and telephone number of a person for tenants, members, or co-owners to contact about water service matters.

(Indiana Utility Regulatory Commission; 170 IAC 15-2-3; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#))

170 IAC 15-2-4 Unpaid sub-bills

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 4. A landlord and an association may collect unpaid sub-bills through the same method otherwise allowed under applicable law to collect unpaid rent or association dues or fees. *(Indiana Utility Regulatory Commission; 170 IAC 15-2-4; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#))*

170 IAC 15-2-5 Adjustment of bills

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 5. (a) A landlord or an association adjusts billing errors that are in a tenant's, member's, or co-owner's favor to the known date of error or for a period of one (1) year, whichever period is shorter. Adjustments are made within ninety (90) days of knowledge of the error, and use one (1) of the following methods:

- (1) Add the amount as a credit on the next sub-bill.
- (2) Refund the amount to the tenant, member, or co-owner.
- (3) Credit the amount to rental or association fees due.

(b) A landlord or an association may adjust billing errors that are in its favor back to the known date of error or for a period of one (1) year, whichever is shorter, by including the adjustment in its next sub-bill. (*Indiana Utility Regulatory Commission; 170 IAC 15-2-5; filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

Rule 3. Complaints

[170 IAC 15-3-1](#)

Filing a complaint

[170 IAC 15-3-2](#)

Information required to investigate a complaint

[170 IAC 15-3-3](#)

Action on complaint

170 IAC 15-3-1 Filing a complaint

Authority: [IC 8-1-1-3](#); [IC 8-1-2-34.5](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 1. (a) Regardless of whether a tenant, member, or co-owner is a customer as defined in 170 IAC 16-1-2(3), a tenant, member, or co-owner may file a complaint against a landlord or an association by following the commission's informal complaint procedures found in 170 IAC 16.

(b) For purposes of this article, when a complaint is made under 170 IAC 16, "utility", as defined in 170 IAC 16-1-2(4), refers to a landlord or an association. (*Indiana Utility Regulatory Commission; 170 IAC 15-3-1; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#)*)

170 IAC 15-3-2 Information required to investigate a complaint

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2-1.2](#)

Sec. 2. Upon the receipt of a complaint from a tenant, member, or co-owner under 170 IAC 16, and when the commission's consumer affairs division receives the complaint and provides it to the landlord or association, the landlord or association provides the complainant and the commission's consumer affairs division with sufficient information to investigate the complaint, including, but not limited to, the following:

- (1) For the dates in dispute, each sub-bill rendered to the tenant, member, or co-owner for water or sewage disposal service, including:
 - (A) a statement indicating the period for which each sub-bill was rendered;
 - (B) the name and address of the tenant, member, or co-owner billed; and
 - (C) the address or other identifying information for the dwelling unit billed.
- (2) For an estimated sub-bill, a clear and conspicuous coding or other indication identifying the sub-bill as an estimated sub-bill.
- (3) If a dwelling unit's water usage is not sub-metered, the following:
 - (A) A verified statement by the landlord or association that contains the amount due the utility by the landlord or association for all amounts consumed at the property for the dates in dispute.
 - (B) The dates and meter readings of the master meter at the beginning and end of the period for which each sub-bill in dispute was rendered.
 - (C) The actual or estimated amount that is attributed to the landlord's usage.
 - (D) An explanation of how the landlord or association calculated the sub-bill for water service.
- (4) If a dwelling unit's water usage is sub-metered, the dates and meter readings of the sub-meter at the beginning and end

of the period for which the sub-bill is rendered, including the amount of usage for the period.

(5) For sewage disposal service, the following:

(A) A verified statement by the landlord or association that contains the amount due the utility by the landlord or association for all amounts collected at the property for the dates in dispute.

(B) The beginning and end dates of the period for which each sub-bill in dispute was rendered.

(C) The actual or estimated amount that is attributed to landlord's usage.

(D) An explanation of how the landlord or association calculated the sub-bill for sewage disposal service.

(6) The sub-billing rate charged.

(7) The previous balance, if any.

(8) The amount of an initial setup fee charged.

(9) The amount of an administrative fee charged.

(10) The amount of an insufficient funds fee charged.

(11) The amount and description of any other fee charged.

(12) The date on which the sub-bill is due.

(Indiana Utility Regulatory Commission; 170 IAC 15-3-2; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#))

170 IAC 15-3-3 Action on complaint

Authority: [IC 8-1-1-3](#)

Affected: [IC 8-1-2](#)

Sec. 3. (a) If, after review, the commission's consumer affairs division determines that the landlord has failed to comply with the requirements of [IC 8-1-2-1.2](#) or this rule, the consumer affairs division and the commission may require one (1) or more of the following remedies:

(1) Require the landlord or association to adjust its sub-billing practices prospectively.

(2) Require the landlord or association to refund, as outlined in 170 IAC 15-2-5, payments that exceed the amount sub-billed if the sub-bills had complied with [IC 8-1-2-1.2](#) or this article.

(b) A landlord or an association is regulated as a public utility under [IC 8-1-2](#) if:

(1) the landlord or association has not provided the records and information necessary to determine compliance with this rule within fifteen (15) days of a request or a longer period agreed upon with the consumer affairs division; or

(2) the landlord or association has failed to comply with a previous determination by the consumer affairs division within ninety (90) days or a longer period agreed upon with the consumer affairs division.

(c) A public utility is required to file its rates and charges under [IC 8-1-2-38](#) and obtain commission approval of any changes to its rates and charges under [IC 8-1-2-44](#) or the rates and charges are considered unlawful under [IC 8-1-2-44](#) and cannot be assessed on the landlord's tenants or the association's members or co-owners. A landlord or an association may recommence sub-billing under this article if it corrects any deficiency under this subsection or receives a determination from the consumer affairs division permitting sub-billing under this article. *(Indiana Utility Regulatory Commission; 170 IAC 15-3-3; filed Mar 31, 2010, 3:18 p.m.: [20100428-IR-170090790FRA](#); readopted filed Jul 12, 2016, 10:01 a.m.: [20160810-IR-170160168RFA](#); readopted filed Jul 12, 2022, 12:18 p.m.: [20220810-IR-170220116RFA](#); filed Apr 9, 2024, 10:12 a.m.: [20240508-IR-170230776FRA](#))*

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