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# **UTILITY BILLING SEMINAR**

**June 13, 2018**

**8:30 AM to 4:00 PM**

## **REGIONAL SITES**

**Algonquin Village Hall**

**Aurora City Hall**

**Chatham Village Hall**

**Elmhurst City Hall**

**Hoffman Estates Village Hall**

**Moline Water Treatment Plant**

**Park Ridge City Hall**

**Round Lake Beach Cultural & Civic Center**

**Woodridge Village Hall**

**Elizabeth Titus Memorial Library - Sullivan**

***IGFOA Professional Education Committee presents the***  
**UTILITY BILLING SEMINAR**  
**JUNE 13, 2018**  
**8:30 AM – 4:00 PM**

**AGENDA**

- |                     |  |
|---------------------|--|
| 8:30 – 8:50 AM      | <b>Check-in and Networking</b>   |
| 8:50 – 9:00 AM      | <b>Welcome and Introductions</b>   |
| 9:00 – 10:00 AM     | <b>New Generation of Consumers</b><br>Explore how Millennials and Generation Z are impacting the customer service environment. Learn how customer service expectations differ from one generation to the next and how you can best respond.<br><br><i><b>Speaker: Dave Brady, Manager - Public Sector, Sebis Direct Inc.</b></i><br><br><b>Learning Objectives:</b> <i>Participants completing this session will be able to:</i> <ul style="list-style-type: none"><li>• Obtain an understanding of the cultural differences between various age groups such as Millennials and Generation Z.</li><li>• Understand how various age groups are impacting customer service requirements.</li><li>• Build communication techniques and tools to respond effectively.</li></ul>  |
| 10:00 – 10:15 AM    | <b>Break</b>   |
| 10:15 AM – 12:00 PM | <b>Customer Service in Action</b><br>Learn how to build customer satisfaction by improving communication skills, decision making, complaint resolution skills and organization.<br><br><i><b>Speaker: Kelly Saunders, Chief Financial Officer, North Park Public Water District</b></i><br><br><b>Learning Objectives:</b> <i>Participants completing this session will be able to:</i> <ul style="list-style-type: none"><li>• Learn fundamental skills of customer service.</li><li>• Acquire effective strategies for dealing with difficult customers.</li><li>• Be better prepared to advise your customers.</li><li>• Build customer satisfaction by improving communication skills and decision making.</li><li>• Be better prepared to resolve customer complaints.</li></ul>  |
| 12:00 – 1:00 PM     | <b>Networking Lunch</b>  |
| 1:00 – 2:15 PM      | <b>The Future of Payment Collections</b><br>The utility billing payment industry is rapidly changing as new payment options enter the market and others increase in popularity. Explore the payment environment and options that exist today and what the environment could look like in a few years.<br><br><i><b>Speaker: Mark Petrovich, Senior Project Manager, Automated Merchants Systems Inc</b></i><br><br><b>Learning Objectives:</b> <i>Participants completing this session will be able to:</i> <ul style="list-style-type: none"><li>• Gain an understanding how the payment environment is rapidly changing.</li><li>• Discover what payment options exist to meet customer's changing preferences.</li><li>• Identify pros and cons of various payment service offerings.</li><li>• Be better prepared to collect payments from your customers.</li></ul> |

***IGFOA reserves the right to modify the agenda, sessions, and speakers***

2:15 – 2:30 PM

**Break**

2:30 – 4:00 PM

**Legal Aspects of Utility Billing**

An attorney well versed in Utility Billing legal issues will address common questions and concerns including, bankruptcy/foreclosure, liens, shut-offs, collections, payment plans, service/fee adjustments and notices. If you and your community have legal questions, this is an excellent opportunity to have them answered.

***Speaker: Patricia Cross, Assistant Corporation Counsel, Village of Hoffman Estates***

**Learning Objectives:** *Participants completing this session will be able to:*

- Learn about the legal issues encountered during the utility billing process, including but not limited to bankruptcy/foreclosure, liens, shut-offs, collections, payment plans, service/fee adjustments and notices.
- Ways to improve your policies and procedures as well as ordinances pertaining to utility billing and collection.
- Legal opportunities that exist to aid in collection.
- Limitations or barriers to shut off water service.
- Legal pitfalls to avoid.

4:00 PM

**Closing Remarks**

***Many thanks to Allen Altic, Assistant Finance Director, Village of Bloomingdale from the IGFOA Professional Education Committee for planning and coordinating the 2018 Utility Billing Seminar!***



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# New Generations of Customers

What do the kids these days want?



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## The Information Landscape

Then	Now
Ink on paper	Bits and bytes
Expensive (relatively)	Low cost or free
Consumption	Creation
Experts only	Participatory
Scarcity	Abundance
Ownership	Sharing
Slow to change	Real time shifts
Static	Interactive
Limited reach	Exponential reach (Twitter)
Isolated	Hyper-connected (and isolated)



# The times they are a changin'

Robert Zimmerman 1964

Moore's Law still applies



## What's a Generation anyway?

A generation is defined as a cohort of people born within a similar span of time, normally less than 15 years who share comparable age and life stage. They are shaped by a particular span of time including events, trends, and developments.

## Baby Boom Generation- 1946 to 1964

- Huge population increase that followed WWII.
- Moved to the suburbs and lived the American Dream.  
Grew up in time of prosperity, a car in every garage and a chicken in every pot.
- The Consumer generation that fueled worldwide economic growth.
- Had the means to reject institutions and protest the Vietnam war.
- Fought for environmental protections and equal rights.

## Generation X - 1965 - 1980

- Highest educated generation
- Latchkey and daycare kids
- Entrepreneurial, artistic
- Technology savvy, social media
- Aspirational
- Generous

## Millennials / Generation Y - 1980 - 1994

- Technology and Internet
- Music, celebrity culture
- Multitaskers
- Socially concious
- First and second wave of internet companies
- Digital natives

## iGen / Generation Z 1995-2012

- More virtual socialization
- Read less, watch more
- High tech and healthcare
- Right college education, STEM
- Skills based economy
- Sharing economy takes off
- There's an app for that
- More connection and more isolation

## So what for public utilities?

- Some will never write a check
- Will prefer new ways to pay
- Do not know how to address a letter
- Have been focused on book smarts
- Will be your best or worst customers
- Have had no 'life' course
- Prefer video to reading

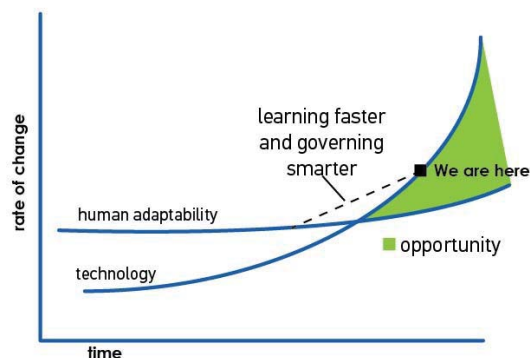
## Tools for the Younger Generations

- Ease of use.
- Mobile, text, electronic payments.
- Pay with Bitcoin, other new currencies.
- Automate everything.
- Want customer service but do not want to talk to anyone.
- Will require monitoring.

## Future tools

- Artificial intelligence.
- Virtual Reality.
- Robots.
- Internet of things shifts.
- Analytics.
- What else can you deliver?

## Technology is going faster, individuals will not catch up.



- Moore's Law
- iPhone
- Twitter
- Facebook
- IBM Watson
- Googles Android/Youtube
- Astro Teller's Graph

## **The more things change, the more they stay the same.**

- Water utilities are a monopoly
- Customers will still purchase water.
- The newer generations will adopt tools you provide.
- Municipal customer service tools will get better and more cost effective.

## **The Smart Phone is making us dumber.**

- Proximity.
- Arms race for attention.
- Mobile devices will be the center of most peoples lives.
- Work to be mindful and impose common sense rules in your organization.

## Action items, prepare for changes

- Seek out new tools, they will be cheaper
- Survey customers about their wants
- Improve your electronic services
- Change will come more rapidly
- Many jobs will disappear

## Resources for more information

Jean Twenge, PhD Millennials and iGen  
The Baby Boom Generation  
Gen X  
Xennial  
Millennium - Gen Y  
Gen Z  
US Census Bureau  
Pew Research

## In Conclusion

**Don't worry, be happy!**

**Bobby McFarrin**



## Contact

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# Customer Service

Kelly Saunders



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- What is it?
- Why do we do it?
- How do we do it?
- How can we do it better?

# Key Skills

- 1. Patience
- 2. Attentiveness (listening)
- 3. Clear Communication
- 4. Knowledge of the product
- 5. Ability to use positive language
- 6. Efficiency
- 7. Persuasion
- 8. Empathy
- 9. Willingness to learn

# Key skills

- Poor customer service in any one of these areas can create a poor relationship. With customer service in a government setting, these relationship may precede your interaction with the customer.

## Key Skills

- What are some bad customer service experiences you have had?
- Has your attitude towards the organization changed since? Why or why not?

## Customer Service Vs. Customer Care

- **Customer Service** – giving assistance to customer on and troubleshooting any issues.
- **Customer Experience** – How well customers are taken care of while they interact with the “brand”

# Attentiveness/Listening

- They key to any effective relationship is listening

**“The most basic and powerful way to connect to another person is to listen. Just listen. Perhaps the most important thing we ever give each other is our attention” – Rachel Naomi Remen**

EMPATHETIC

“And how does that make you feel?”

ATTENTIVE

“I know exactly how you feel”

SELECTIVE

The “but I’m sure I heard you say....”

PRETENDING

Looking attentive, but not actually listening. Utilizing body language, but not actually understanding.

IGNORING

Not giving your full attention

From Stephen Covey’s “The 7 Habits of Highly Effective People”

## EMPATHETIC LISTENING

### MIMIC

Repeat what the other person said.

### REPHRASE

Rephrase their comments to show that you understand

### REFLECT

Put their feelings into words

### REPHRASE & REFLECT

Combine steps 2 & 3

From Stephen Covey's "The 7 Habits of Highly Effective People"

***“The idea is to really listen to what the other side is saying and feed it back to them. It’s kind of a discovery process for both sides. First of all, you’re trying to discover what’s important to them, and secondly, you’re trying to help them hear what they’re saying to find out if what they are saying makes sense to them.” – Chris Voss***

- Studies have shown that immediately after listening to a **10** minute oral presentation, the average listener has heard, understood, and retained about **50%** of what was said. Within **48 hours**, or two days, that drops off another **50%** to a final level of remembering **25%!**
  
- **That's 1/4 of what we hear!**

## So, how do we change that?

1. Be Responsive
2. Focus
3. Listen without the intent to respond
  - ☐ Listen with the intention of learning
  - ☐ Ask occasional questions
4. Keep an open mind
5. Respond appropriately

# Communication on all fronts

Face-to-face	Phone	Writing	Email	Social Media
What	What	What	What	What
How	How	How	How	How
Presentation				

## In-Person Customer Service

- Allan Pease, author of *The Definitive Book of Body Language*, found that the verbal component of a face-to-face conversation is less than 35% and that over 65% of communication is done nonverbally.

# Customer Service on the Phone

- Stand-up
- Close your eyes
- Smile
- Use their name

# Customer Service on the Phone

- Sit up on the edge of your seat
- Pull your shoulders back
- Take a deep breath
- Smile



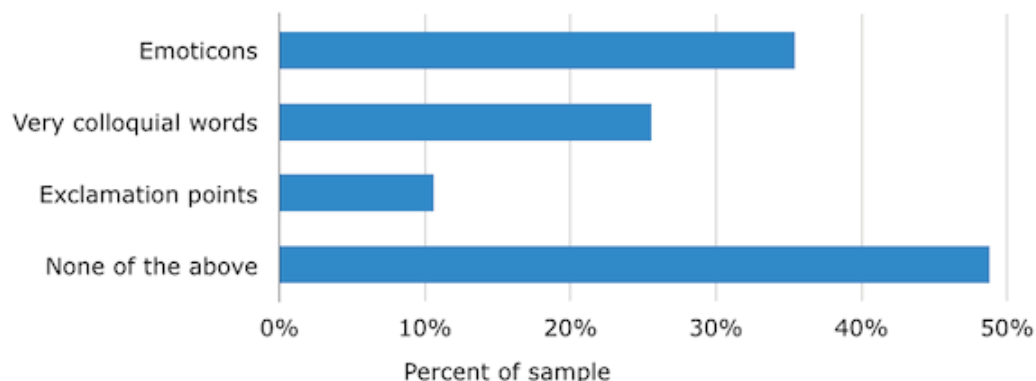
# Customer Service in Writing

- Finding a happy medium – casual vs. too casual

According to a study, **65% of customers prefer a casual tone** to a formal one. This held true over a wide range of ages.

# Customer Service in Writing

Elements Customers Find Too Casual for Support Emails

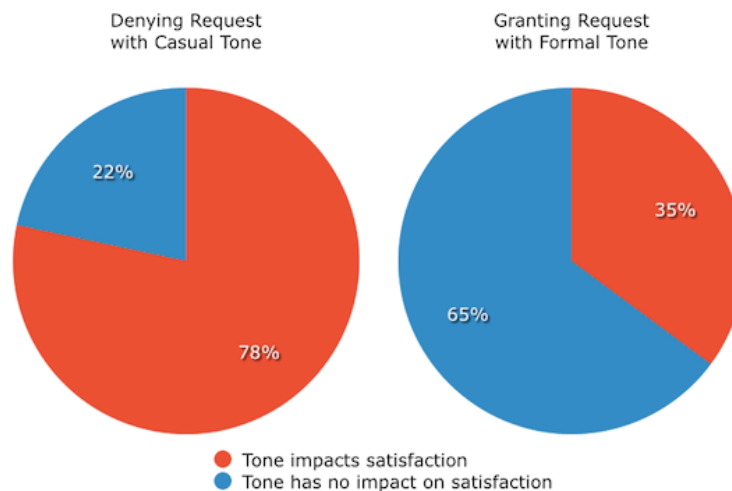


# Customer Service in Writing

- Tone – casual and light conversation isn't appropriate for all situations

**“Always strive to understand your customers’ likely emotional state. Adapt your word choice and tone accordingly. For instance, be especially judicious about using an informal tone in potentially sensitive situations, such as denying a refund.”**

**Impact of Support Agent's Tone on Customer Satisfaction**



**TWO OF THE MOST POWERFUL AND  
EFFECTIVE OF ALL HUMAN FEARS  
ARE THE FEAR OF FAILURE AND THE  
FEAR OF SUCCESS.**

How many f's are in the sentence?

## Difficult Customers

### ■ Types of difficult customers

- ☐ Angry
- ☐ Impatient
- ☐ Intimidating
- ☐ Talkative
- ☐ Demanding
- ☐ Indecisive

# Difficult Customers

- Get control of yourself
- Listen and let the customer vent
- Show the customer you care
- Don't blame the customer or the company
- Try to solve the problem, or find someone who can
- Don't make promises you can't keep

# Difficult Customers

- Difficult or not, all customers should be treated the same

# Difficult Customers

- What are your “buttons”
  - ☐ Are there any interactions where you regretted your response after?
    - Look for patterns
  - ☐ Talk to co-workers, friends and family

# Dealing with Vulgarity

- Angry people often use vulgar words
- A policy regarding vulgar language is necessary
  - ☐ Employees should be aware of what their options are when someone begins using vulgar language

# 7 Tips for Dealing with Customers

1. Customers sometimes get upset and emotional. Expect it.
2. Don't take customers emotions personally.
3. Allow the customer to express all thoughts and feelings. (Listen!)
4. Identify the problem.
5. Try to resolve the problem as quickly as possible.
6. Don't tolerate abuse or threats.
7. Follow up on customer satisfaction and thank the customer for calling.

## In-Person Customer Service

- People form opinions and make judgements about us in the first **SEVEN** seconds they see us.

People will personally repeat a negative  
story

**9 to 11 times,**

but they will repeat a positive story only

**3 times.**



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# The Future of Payment Collections



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Presented by:



Mark Petrovich  
Senior Project Manager

**AUTOMATED MERCHANT SYSTEMS**  
INCORPORATED

Experts in Electronic Payments  
[www.automatedmerchant.com](http://www.automatedmerchant.com)



# Today's Agenda

- About AMS
- Processing Trends Today
- Payment Optimization
- Security in the Payments Space
- What the Future May Hold



## About AMS

- Payments industry leader since 1991 guiding our clients through the payments landscape including the implementation of Europay, MasterCard and Visa (EMV)/chip cards
- For 17 years we have specialized in providing integrated payment processing services for all payment card types to city and county governments including credit/debit cards and eCheck processing
- Full suite of solutions which includes Merchant Services, ACH/eCheck processing, EBPP and Hosted Interactive Voice Response (IVR)
- End-to-end payment processing – from set up to customer care
- Serving 480 merchants nationwide and over 25 agencies throughout Illinois!

# Today's Environment

- EMV still far from universal, particularly in the small and medium-sized business (SMB) market
- Businesses not aware that EMV is now easier to implement than it was three years ago
- Motivation - Infrastructure cost decrease and some customers are starting to shy away from businesses that don't offer the EMV protections
- Lower chargeback potential in government

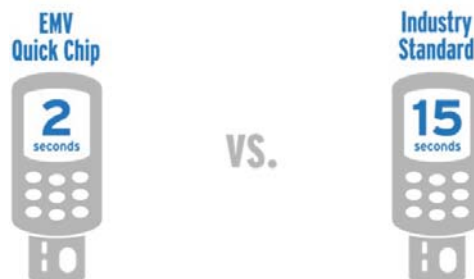


<https://www.youtube.com/watch?v=GWkfLUYVLJo&feature=youtu.be>

# Are We Done Yet? Quick Chip

- EMV standard was focused entirely on security as opposed to needs of consumers and businesses
- Introduced by Visa initially, all card brands on board
- Software update to terminal or POS

## Chip Card Transaction Times



# TLS 1.2 Are You Ready?



- Security protocol that allows computers to communicate over the internet securely
- June 30, 2018 – Any site accepting payment cards must migrate per PCI DSS
- Deadline for disabling SSL/early TLS and implementing a more secure encryption protocol – TLS 1.1 or higher (TLS v1.2 is strongly encouraged)
- Ensure that platforms and connections are compatible with TLS 1.2 (*i.e. browsers, eCommerce solutions, web servers*)

# Emergence of Funding Models

- Funding types – convenience/service fees and merchant funding
- Increase in government agencies employing fee models
- Flexibility across different merchant accounts
- What are the differences?

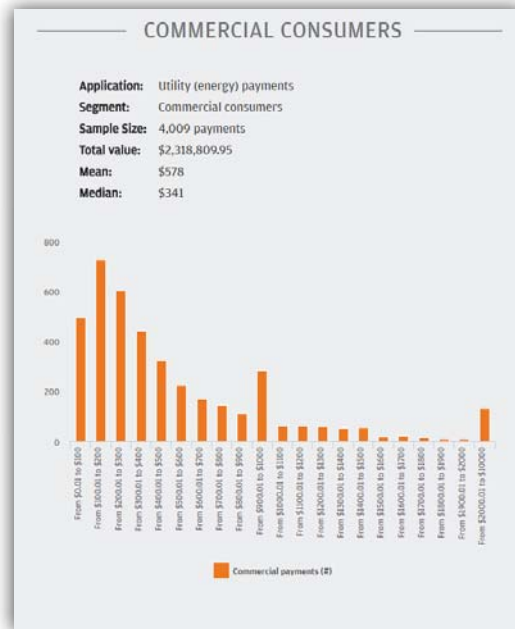
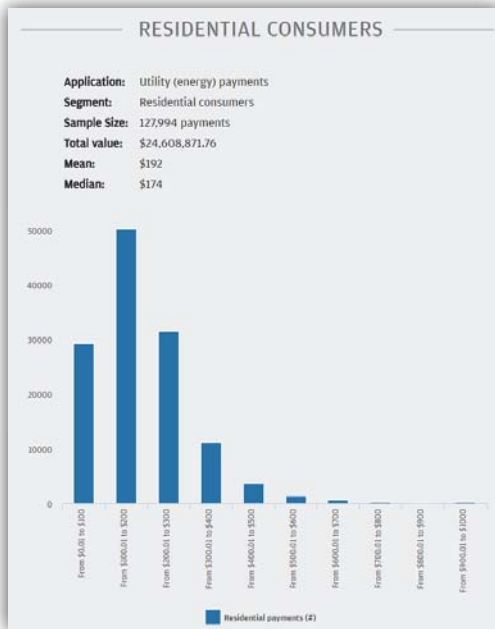


# Key Fee Considerations

- Consider the direct recipients of those that receive benefits from your services
- Know the card brand rules in advance as well as governing laws/statutes
- Calculate the full cost of providing a service in order to provide a basis for setting the charge or fee
- Disclosure!



# Know Your Demographic



Source: Examples contributed by Jeremy Appel, J.P. Morgan Product

# Payment Optimization

- Take advantage of special discount programs from the card associations designed for Government Utilities, Education and more
- Proper merchant account registration and setup (MCC codes)
- Avoiding transaction downgrades - *transaction receives a sub-optimal interchange rate due to:*
  - Settlement window exceeded
  - Address Verification Service (AVS) not used
  - Software configured incorrectly
  - Supplemental data needed for commercial cards



# Unified Payments

- Adoption of EBPP for existing ERP systems
- Government agencies looking for a hosted, integrated solution to provide a better customer experience while streamlining reconciliation for all payments
- Billing and payment is the most frequent consumer touch point
- Mastercard Advisors Survey says 40% of consumers surveyed are not completely satisfied with their payments experience
- At times there can be 20 different ways a consumer can pay by web, in-person, mail, banking etc. causing aggregation challenges

## 3 WAYS

### TO REDUCE FRICTION IN THE PAYMENTS PROCESS





# Public Sector Drives Adoption

- **Cost Reduction & Efficiency** - \*Eighty-eight percent of organizations point to efficiency gains as a primary driver for converting to electronic payments
- **Convenience Is King** - Allowing constituents to make payments easily via their preferred channel (e.g., web, mobile, kiosk, phone or point of sale), and method (e.g., credit card, debit card or ACH) and language
- **Lost Payments** – Reduction of forgotten or late payments through additional capabilities like *electronic bill notification, stored payment accounts, online bill history and recurring auto-payments*

Source: 2017 Payments Fraud and Control Survey from the Association for Financial Professionals (AFP)

# The Millennial Effect

More likely to utilize digital tools for personal banking



First generation to grow up with the internet and mobile devices

Millennials	GenXers	Boomers	
67%	55%	33%	Used a bank's mobile app
78%	75%	67%	Used a bank's website or online portal
26%	19%	8%	Used a mobile app to transfer money
21%	12%	5%	Used a mobile app to pay friends or family

# Mobile Payment Trends

- According to Business Insider Intelligence could net over \$500 billion in payments by 2020, a roughly 80% compound annual growth rate
- Mobile bill payment has become a preferred method of banking for many Americans. By 2016, 47% of Americans reported using their mobile phones for payment processing
- The Internet of Things (IoT) has opened up another entirely new avenue for mobile payments. While many IoT devices are in-home appliances such as “smart” refrigerators or thermostats, some are specifically optimized for mobile payments
- Responsive design payment pages

# Sign Here..

“The signature has really outrun its useful life,”

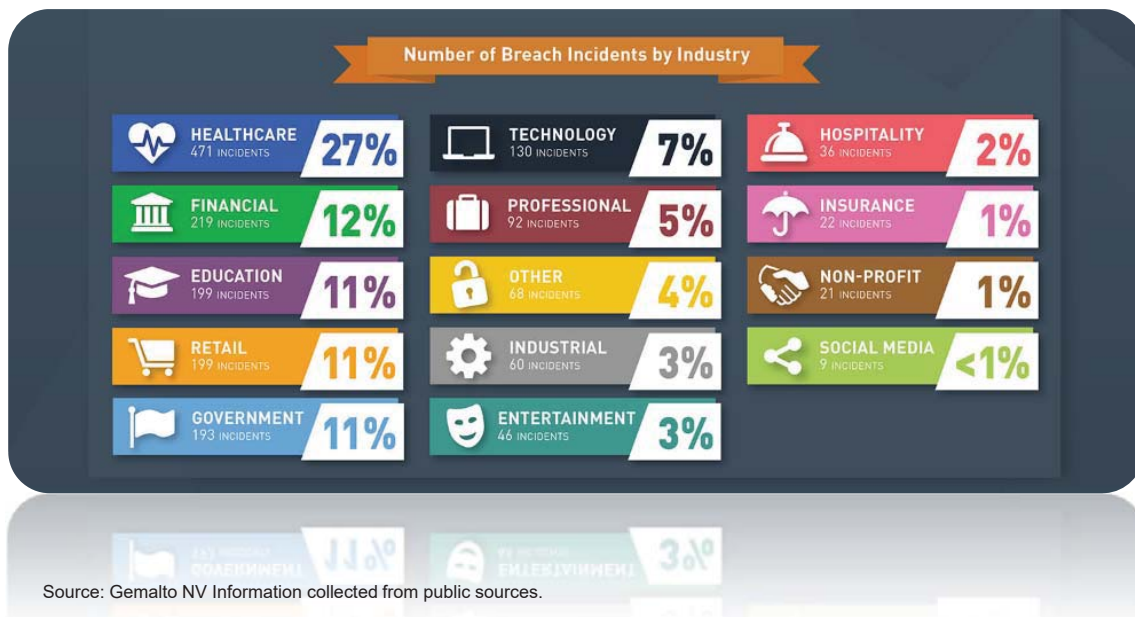
- Linda Kirkpatrick, Mastercard’s head of business development in the United States.

- Card brands began inching toward getting rid of signatures years ago. Most stopped requiring signatures on transactions below a certain threshold, typically \$25 or \$50, as far back as 2010
- The card brands announced beginning April 2018 signatures would no longer be required but there’s a caveat...
- The move is voluntary. In some cases, retailers, hoteliers, and other organizations might still require a signature with a purchase





# Data Security Challenges



## After the Compromise

After hackers find a way to install malware on point-of-sale devices or utilize a variety of attacks online this is once common scenario that occurs.

- Authorization shopping – using a brute force attack on a payment form
- The aim of a brute force attack is to gain authorizations for payment cards by repeatedly entering card numbers through a merchant account in rapid succession using automated tools
- Submit thousands of attempts in a matter of seconds (or less). One scenario featured 80,000 + authorization attempts on a merchant account

# EMV, Encrypt, Then Tokenize

When considering a payment solution, consider a wholistic approach to customer data security

- While EMV primarily focuses on card fraud at the consumer level or in the consumer-merchant exchange, the dual technology solution of encryption + tokenization taken together solves other data security issues
- Encryption is the process of using algorithmic schemes to transform plain text information (i.e., the PAN) into a non-readable form called ciphertext. A key (or algorithm) is required to decrypt (or unencrypt) the information and return it to its original plain text format
- Tokenization, returns a “token” to the merchant in lieu of the live card number in the authorization response. Tokenization replaces sensitive data with surrogate values that remove the risk but preserves value to your agency

	TOKENIZATION	ENCRYPTION
HOW IT WORKS	Replaces sensitive data with a randomly generated code, also known as a token	Disguises sensitive data by turning it into unreadable code using an encryption algorithm and key
WHAT KIND OF DATA DOES IT SUPPORT?	Structured data, such as payment card or social security numbers	Structured data, such as payment card numbers, and unstructured data, such as entire files and emails
USE CASES	<ul style="list-style-type: none"> <li>• card-on-file payments</li> <li>• recurring payments</li> <li>• e-commerce transactions</li> <li>• storing customer data across multiple locations</li> </ul>	<ul style="list-style-type: none"> <li>• in-person transactions</li> <li>• payments over the phone</li> </ul>
SECURITY STRENGTH	<b>HIGH</b> - Sensitive data never leaves the organization	<b>HIGH</b> - Sensitive data leaves the organization in encrypted form. PCI-validated point-to-point encryption (P2PE) goes through a strict vetting process by the PCI Security Standards Council.
PCI IMPLICATIONS	<ul style="list-style-type: none"> <li>• Eliminates PCI PA DSS scope for software vendors</li> <li>• Reduces PCI scope for businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminates PCI PA DSS scope for software vendors</li> <li>• PCI-validated solutions reduce PCI SAQ scope for businesses</li> </ul>

Source: Clearent™ (May 2018)

# What the Future May Hold

- How consumers pay today and how they will want to pay tomorrow
- P2P and Banking's Next Act in Digital
  - People are turning back to who they trust and know
- AI - Will Alexa make my payment?
- Mobile's Self-Reinforcing Future
  - Development of the API & App economy



Source: U.S. Consumer Payment Study (2017)

# Generation Z-Friendly

- Accenture predicts that, by 2020, Gen Z will make up over 40 percent of United States customers
- Payment and banking industries may begin to shift in a way that's friendlier to the younger generation
- Main demands of user experience, making UX design extremely valuable for businesses competing for the attention of this new generation

Source: Entrepreneur (2018, March 8)



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## **LEGAL ASPECTS OF UTILITY BILLING AND COLLECTION**

**Patricia Cross**

Village of Hoffman Estates, Assistant Corporation Counsel



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### **Overview of Legal Issues**

- The Basics
- Municipal ordinances – utility services
- Shut-off procedures
- Due Process requirements before shut-off
- Collecting past due utility charges
- A consolidated utility service bill
- Bankruptcy
- Liens and civil actions
- Adjustments and payment plans

## Preliminary Questions

- What is your goal?
- What are the categories of past due debts owed to your municipality that you are trying to collect?
- What is the age on those past due debts?
- What is the scope of your municipality's legal authority to collect debts past due and owing?
- What tools are available to your municipality to assist you in collecting debts past due and owing?
- Legal considerations in the collection process.

## Goals

- Simple, efficient and effective collection processes.
- Steady revenue stream going forward of current monies and past due debts.
- Achieve prompt (and regular) collection of monies due.
- Implement appropriate remedies for late payment and non-payment.
- Over time, regularly take steps to insure legally enforceable procedures are in place, modifying or adapting your practices to changes in your goals and the law.

## The Basics

- Illinois municipalities and their powers are creatures of the State Constitution, Article VII, Sec. 6, and 65 ILCS 5/11-117-1, *et seq.*
- Illinois municipalities operating in their governmental capacities, exercise their police powers to ensure the public's health, safety and welfare.
- Illinois municipalities also operate in a proprietary capacity such as providing and billing for water and sewer utility services, and for garbage collection. *Rockford Savings Loan Association v. Rockford*, 352 Ill. 348 (1933).
- Such charges or rates are liens upon the real estate whenever the charges become delinquent, so long as (1) a delinquency notice is sent to the person who is delinquent, and (2) a notice that the unpaid charges may create a lien on the real estate is also sent. 65 ILCS 5/11-139-8.

## The Basics (continued)

- There is an enforceable contract between the municipal utility services provider and its customer: a municipality provides the utility services to the customer, and the customer is required to pay.
- No written contract between the municipality and the customer is required in order to compel payment.
- The terms of service, including payment due date, collection of past due monies, and termination of services should be set forth in each municipality's utility ordinances.
- Where a property is not owner-occupied, look to local ordinances to determine if both owner and user may be jointly and severally liable to the municipality for payment of the utility charges. For example, see Hoffman Estates Municipal Code Sec. 12-1-2.



## The Basics (continued)

- Some courts have held that the statute of limitations period for a municipality to bring an action in court to compel payment for the utility services provided, is five (5) years. 735 ILCS 5/13-205 (2010).
- However, for purposes of collecting utility charges that were unbilled or underbilled, at least one Illinois appellate court has held that a municipal provider of utility services (in this case, water) is not a “Public Utility” under Illinois law (220 ILCS 5/3-105(b)(1)) and thus the ICC’s two year collection look-back limitations period (Reg. 280.100) does not apply. Inland Real Estate Corp. v. Palatine, 146 Ill. App. 3d 92, 100 (1<sup>st</sup> App. 1986).

## The Basics (continued)

- Be aware: when a municipality is given notice that a petition in bankruptcy has been filed in the federal bankruptcy court system by the debtor owing for utility services that have already been provided (“pre-petition debt”), **any civil collection action or process must be immediately discontinued** and the claim moved into the bankruptcy court for handling: “The Automatic Bankruptcy Stay”.
- However, the bankruptcy process allows for establishing “adequate assurance” for the municipality that going forward the post-petition utility billings (incurred after the filing date) will be paid. Where it is a commercial debtor, a motion may be filed by a commercial debtor’s counsel, and the order entered by the court will identify the person to whom the post-petition utility bills



# The Basics (continued)

should be directed for payment. If the debtor is an individual, a municipality may also ask the court for “adequate assurance” of payment, or contact can be made directly with the debtor’s counsel or the trustee in bankruptcy for that purpose.

- Under Section 366 of the Bankruptcy Code, a utility may not alter, refuse or discontinue service to a debtor solely on the basis of the filing of its bankruptcy petition.

## Municipal ordinances – utility services

- Define key terms:
  - ☐ Who is the provider of the utility services?
  - ☐ Who is responsible for payment? Does your ordinance provide that the owner and the user are jointly and severally liable for payment of the water and sewer services, and for refuse collection fees?
  - ☐ What utility services are included? Water and sewer, garbage, storm water utility fees, alarm monitoring fees, other?
- Set service conditions and payment requirements.
- Classify accounts (ie., “residential” or “institutional/government” or “commercial”) and establish rates.

## Municipal ordinances – utility services

- Establish billing practices: Who gets the bill?
  - If property is non-owner occupied and tenant's name is on the bill, if that tenant moves leaving a balance due you may look to the property owner for payment if the municipality's ordinance provides for joint and several liability.
  - Contrast to an occupying owner moving and leaving a balance due (as may be the case in a foreclosure, for example), you would need to collect at the time that owner (or bank) attempts to purchase a transfer stamp from your municipality, if applicable.
  - Otherwise, a subsequent owner is not responsible for the utility charges incurred by the prior owner.

## Municipal ordinances – debt collection

- What remedies are available to your municipality for late payment or no payment at all?
  - Late fees
  - Service charges (interest)
  - Collection actions, including Illinois' Debt Recovery Program or through third party collection agency
  - Suspend or terminate water and sewer services
  - Added costs to turn service off, and to restore
  - Legal actions (civil suits, ordinance violation citations, liens)
  - License revocation hearings
  - Reports to credit agencies

## Municipal ordinances – debt collection

### □ Principal collection statutes –

- Telephone Consumer Protection Act
- Fair Credit Reporting Act
- FDCPA – Federal Debt Collection Practices Act
- Illinois Collection Agency Act
- **Remember: a municipality seeking itself to collect unpaid billings or fines is not a “debt collector” for purposes of the Fair Debt Collection Practices Act because the “principal purpose of [the municipality’s] business is not the collection of debts.” The Peoples Gas Light and Coke Company, 2016 WL 5720406 (9/28/2016).**
- **A third party collection agency with which your municipality has a written agreement may be used, but typically that collection agency will charge the municipality for its agreed upon collection costs. To avoid those collection costs reducing the amount of utility charges you are owed, consider instead including those costs by ordinance as an additional expense to the debtor. For example:**

## Municipal ordinances – debt collection

**“All costs incurred by the municipality for the collection of any fines, charges, penalties, sanctions or payments transferred to any collection agency shall be assessed against the responsible person as an additional fine, charge, penalty, sanction or payment, subject to any statutory limits.”**

## Shut-off procedures

- Provide written Notice to the water billing account user and property owner that services may be shut-off for non-payment by a date certain.
- Provide notice of procedures available to the water billing account user and property owner to dispute the delinquency of the charge or to challenge the disconnection of service. *Memphis Gas, Light & Water Division v. Craft*, 436 U.S. 1 (1978).

## Shut-off procedures (continued)

- Where another person is jointly and severally liable for the payment (for example, an owner, if the property is tenant-occupied), written notice of the shut-off should also be sent to that property owner.
- **Be aware:** where the failure to pay is on the part of the owner to whom the bill was directed, the courts will not permit the tenant's water to be turned off for non-payment. *Sterling v. Village of Maywood*, 579 F.2d 1350 (7<sup>th</sup> Cir. 1978) (tenant's complaint stated a cause of action in alleging that village violated her constitutional rights in refusing to reinstate water service where landlord to whom account was directed refused to pay bill). And more recently, see *Sterling v. City of Syracuse*, 887 F.3d 553, 53 (2d Cir. 2018) (shut-off violated both Equal Protection and Due Process clauses of the Constitution).

## Shut-off procedures (continued)

- Where authorized by city ordinance, the utility debt may be certified and recorded as a lien against the property with the county Recorder of Deeds or registrar, with notice to the property owner who is jointly and several liable.
- A civil suit may be filed in the county Circuit Court where the property is located against the property owner or user to recover the monies owed to the municipality.
- Alternatively, a local ordinance violation citation may be issued, and a fine may be imposed by the municipality's administrative adjudication hearing officer. Administrative adjudication hearing fines may range from \$10/day to \$750/day. Upon a finding of liability for the past due charges, the administrative decision may be recorded against the property.

## Due Process required before shut-off

- *Memphis Light, Gas & Water Division v. Craft*, 436 U.S. 1 (1978) (due process required that municipal utility provide its customers with some administrative procedure to entertain customer complaints prior to water shut-off to guard against erroneous or arbitrary withholding of essential services; final notice contained in municipal utility's bills, stating that payment was overdue and that service would be discontinued if payment was not made by certain date, was not enough).
- *Wayt v. Crothersville*, 866 F. Supp. 2d 1008 (S.D. Ind. 2012) (only mailing delinquency card stating that water would be terminated violated due process).

## Due Process required before shut-off (continued)

- Naperville, IL (home rule) Code of Ordinances Sec. 8-3-1, *et seq.*, including Notice of Termination (Sec. 8-3-1-1), Informal Resolution (Sec. 8-3-1-2) and Informal Hearing (Sec. 8-3-1-3).
- Barrington, IL (non-home rule) Code Sec. 9-9-9, 10:

You have the right to request an administrative hearing concerning your utility account with the Village. Requests for a hearing must be received no later than 5 days prior to the date on which a service will be disconnected. At the hearing, the utility customer or property owner may present evidence to dispute the delinquency of the charge or challenge the disconnection of service. (Terms and Conditions of Use for the Village of Barrington Utility System)

## Due Process required before shut-off (continued)

- Mount Prospect, IL Village Code Sec. 9.412-B (Notice is given of intent to shut-off and reason for shut-off, and advising of the right to request and have a hearing with Village Manager or Finance Director. If the shut-off is confirmed, a red tag is then posted on the property warning of the impending shut-off.)

## Collecting past due utility charges

- Apply late fees/penalties provided by ordinance (range from 5% to 10%).
- Disconnect or suspend water services.
- Apply charges for shutting off water services and for turning back on (range from \$15 to turn off/on to \$300 to reinstate service (Maywood, IL)).
- Record and/or foreclose statutory liens against the property for failure to pay for water services, or bring a civil suit against the property owner to recover delinquent charges.
- Prosecute owner or user through municipality's Administrative Adjudication process, with fines up to \$750/each day of violation.
- Establish a repayment plan for the past due charges.

## Collecting past due utility charges (continued)

Look to related ordinances for further legal remedies:

- Palatine, IL Code of Ordinances: Village Manager may deny Village services to any person who fails to pay any debt due to the Village when due, including issuing permits and licenses, providing utility services, conducting inspections, doing plan review, and consideration of petitions for zoning relief. Ord. 0-68-10, Sec. 2, 6/21/2010.
- Hoffman Estates, IL Code Sec. 8-2-1-D, 8-13-2-G: issuing and renewing business and residential rental licenses requires that any monies owed to the Village be paid in full; also subject to license revocation if amounts past due (including water and garbage). In addition, the Village's "building official may refuse to issue a building permit if there is an outstanding sum of money due the Village from the property owner." Code Sec. 11-1-2.114.5.



## Collecting past due utility charges (continued)

- Hoffman Estates, IL Transfer Tax Stamps, Code Sec. 13-5-4-B:  
“The Department of Finance may refuse to issue tax stamps, although payment of the taxes is offered, if there is an outstanding sum of money due the Village from the property or property owners or there is a failure to have had a final read of the water meter or failure to make final payment on any water bill pursuant to Section 12-4 of the Hoffman Estates Municipal Code.”
- *Note: Cocanig v. City of Chicago*, 173 Ill. 2d 482 (1961) (current owners of home were not responsible for water charges incurred by prior owner while he was in possession).

## A consolidated utility services bill

- Municipalities by ordinance may terminate water services where that bill remains unpaid for a specified period of time.
- By creating a “consolidated bill” that also includes all other municipal utility services provided to that property, such as garbage collection, and storm water, flood plain and alarm monitoring fees, a municipality may write its ordinance to prioritize allocation of an underpayment.
- For example, such an ordinance may state that payment of the consolidated refuse, water and sewer bill shall be applied first toward the payment of the refuse bill, second to the sewer bill, and the balance to the water bill.
- A resulting shortfall in the water account would enable the municipality to suspend water services, resulting in on-and-off fees as well, would likely cause all past due amounts to be paid.



## A consolidated utility services bill (cont'd)

- *Spofforth v. City of Athens*, 1992 WL 50009 (Ct. App. Ohio) (municipal police power over sanitation and public health was sufficient to support termination of water services for underpayment, where unified utility bill resulting in shortfall to water account included garbage collection, citing *Memphis Light, Gas & Water Division v. Craft*, 436 U.S. 1 (1978)).
- *Perez v. City of San Bruno*, 616 P.2d 1287 (Cal. 1980) (city, which billed for water, sewer and garbage on a single unified statement, could constitutionally shut off water services where customer failed to make complete payment by refusing to pay for garbage collection component).

## A consolidated utility services bill (cont'd)

- **Palatine, IL Code of Ordinances**
- Sec. 8-1. Collection charges. The refuse collection charge shall be included in the village's billing to the eligible residence for water and sewer service and shall be subject to the collection and penalty provisions provided for water and sewer charges. All monies received by the village in payment of the consolidated refuse, water and sewer bill shall be applied first toward the payment of the refuse bill, second to the sewer bill, and the balance to the water bill.

## A consolidated utility services bill (continued)

- Village of Hoffman Estates Municipal Code Sec. 12-4-5:

[W]here refuse collection and sewer and water service is provided, the charges shall be rendered as a single "Water and Sewer Service Bill". Amounts due for refuse collection service shall be separately stated in the Water and Sewer Service for collection by the Village.

[A]ll monies received by the Village in payment of the consolidated refuse collection, sewer and water bill shall be applied first toward the payment of the refuse bill, second to the sewer bill and the balance to the water bill. Any delinquent amount shall be paid within forty (40) days of such statement or the residence will be subject to disconnection of water pursuant to [Section 12-4-6](#) of this Code.

## Limitation on collecting: Bankruptcy

- Bankruptcy

- ☐ Once a bankruptcy petition is filed in the U.S. Bankruptcy court system, the United States Code by statute automatic prohibits efforts to collect for past due utility services or, in the absence of adequate assurances, to collect for current services until the petition is dismissed or the debtor is discharged, and services may not be suspended or shut-off.

- ☐ Bankruptcy filings are public records, maintained on an electronic records management system called "PACER". By having your law department or outside counsel register for a PACER account, you will be able to monitor electronically the progress of cases, and file your municipality's claims where applicable. The charge to view or to print documents is \$.10/page, up to 30 pages, and the billing occurs quarterly.  
<https://www.pacer.gov/>

## Limitation on collecting: bankruptcy (cont'd)

### □ Types of bankruptcy petitions filed:

- Chapter 7 – Typically by an individual, or by husband and wife, and seeking the complete discharge of (and release from being required to pay for) consumer debt. Because municipal citations resulting in fines are not dischargeable, upon the bankruptcy court's final order dismissing or discharging the requested debt, a municipality may then contact the debtor for purposes of collecting those fines.
- Chapter 11 – A business entity's reorganization of its assets and debts. For example, Claire's Boutiques, Inc. in Hoffman Estates and internationally, recently filed its Ch. 11 petition in the U.S. Bankruptcy Court in the District of Delaware (its state of Organization).
- Chapter 13 – Again, often used by individuals but unlike a Ch. 7, a Ch. 13 is used to create a court-administered payment plan where certain of its creditors will be repaid a portion of the debts owed. The court will provide notice to all creditors identified by the debtor, and will set dates by which a claim by the municipality must be filed. If no claim is filed, you may have waived your right to recover the pre-petition debt.

## Limitation on collecting: bankruptcy (cont'd)

- If the personal bankruptcy petition is filed under Chapter 7 of the Bankruptcy Code, the individual debtor is seeking to have his pre-petition debts discharged (the "fresh start"). Upon that filing, the court clerk's office next sends out notice of the filing to all creditors identified to the court by the debtor. If the court determines that in fact the person has no assets, and the debtor meets deadlines for providing the court with required documentation and attends the Creditors' meeting, his listed debts will be ordered discharged. At that point, collection of post-petition debt can proceed. (See sample post-discharge collection letter). **However, Ch. 7 does not apply to pre-petition municipal fines (tickets), and you may resume contact with the debtor to recover those monies owed to the municipality as well.**

## Limitation on collecting: bankruptcy (cont'd)

- If the Ch. 7 debtor fails to meet those deadlines for providing documentation or fails to attend the Creditors' Meeting, there will be no discharge of his debts. Instead, the court's appointed trustee in bankruptcy will ask the court to dismiss the case, and your collection efforts again may resume.

**Caution: you may find at a later date that the debtor again files a bankruptcy petition and again avails himself of the automatic Stay, albeit temporarily.**

- If the petition is instead filed under Chapter 13 of the Bankruptcy Code, the debtor, whether commercial or individual, is looking to set up a "payment plan", a mechanism through the court for the repayment of a percentage of his total debts. In order for your municipality to file a claim, when you receive notice of the petition you must pay attention to the

## Limitation on collecting: bankruptcy (cont'd)

"Government Filing Date" and submit your supporting documentation electronically by that deadline. Be aware that often the pre-petition debt that gets repaid will go to secured creditors while the municipality is an unsecured creditor. However, you may be able to advance the utility billings to a position above the secured creditors by following the process set up by Sec. 366(b) which applies to "administrative expenses."

## Limitation on collecting: bankruptcy (cont'd)

- Note: Where a commercial tenant, like Sports Authority, files for bankruptcy protection, if your municipal ordinance makes the property owner jointly and severally liable for payment of utility services, you may immediately proceed with collection of both past due and current charges from the property owner.
- Continued contact with a debtor or like collection efforts may be found by the court to be intentional violations of the Stay and result in sanctions (including fines) being imposed.
- For this reason, **once the municipality gets notice of the filing of the bankruptcy petition, all further communications with the debtor should go through the debtor's counsel.**

## Limitation on collecting: bankruptcy (cont'd)

- Collection efforts directed solely to currently accruing obligations (“post-petition debt”) may continue apart from the bankruptcy proceeding. Water shutoff during this period is discouraged but not prohibited so long as the non-payment giving rise to the shutoff is attributable only to non-payment of post-petition charges.
- However, the bankruptcy process allows for establishing “adequate assurance” for the municipality that going forward the post-petition utility billings (incurred after the filing date) will be paid. Where it is a commercial debtor, a motion is regularly filed by a commercial debtor's counselor the trustee, and the order entered by the court will identify the person to whom the post-petition utility bills should be directed for payment. If the debtor is

## Limitation on collecting: bankruptcy (cont'd)

an individual, a municipality may also ask the court for “adequate assurance” of payment, or contact can be made directly with the debtor’s counsel or the trustee in bankruptcy for that purpose.

- Best practice requires that when a bankruptcy petition is first received, that should be routed to a single department (usually Legal) for handling through dismissal or discharge.

## Liens and civil actions – alternative remedies

- Whenever a municipality’s charges for water and sewer services provided to a customer become delinquent, by state law and local ordinance these charges become a lien upon the property. 65 ILCS 5/11-139-8. This lien, however, only becomes effective upon the municipality’s “perfecting the lien” by following exactly the steps contained in the statute’s or the ordinance’s language: sending to the owner of record (1) a copy of each delinquency notice sent to the person who is delinquent, and (2) a notice that the unpaid charges or rates may create a lien on the real estate under Section 139-8. This notice must contain the property’s legal description, the amount due, and the date that amount became delinquent, and then it must be filed in the office of the county’s recorder or registrar of deeds.



## Liens and civil actions (continued)

For enforcement, see *Village of Lake in the Hills v. Niklaus*, 2014 IL App (2d) 130654 (Village filed petitions to enforce administrative adjudication orders in circuit court were appropriate).

## Liens and civil actions (continued)

- By state law, a municipality has the power to sue the occupant or the user of the water and sewer services on that property (not the owner) in court in a civil action seeking a *personal* judgment to recover the monies owed, plus a reasonable attorney's fee to bring that case. If that case is successful, then by operation of law any lien against the land that may have been perfected against the real estate no longer has any force or effect. 65 ILCS 5/11-139.8.
- Both liens and civil actions have associated out-of-pocket costs for such as the preparation and recording of the lien and the costs to foreclose on the lien, or filing fees in the case of a civil action and attorneys' fees. In addition, where the payment for services is delinquent over an extended period of time, a municipality may be faced with filing multiple liens or civil suits, and additional costs.

## Liens and civil actions (continued)

- Finally, suits to foreclose on liens and obtain civil judgments take time to move (often slowly) through the court system.
- *Note: Cocanig v. City of Chicago*, 173 Ill. 2d 482 (1961) (current owners of home were not responsible for water charges incurred by prior owner while he was in possession).
- *Note: Village of Sauget v. Cohn*, 241 Ill. App. 3d 640 (5<sup>th</sup> 1983) (statute which permits suit against “user” does not make owner of property personally liable for delinquent fees).

## Adjustments or payment plans

- Certain municipalities may make allowances for readings from equipment (meters) later determined to be inaccurate or where an increase in consumption was caused by a leak as a result of a defective meter or corresponding equipment. Schaumburg, IL Code of Ordinances, Sec. 51-117 Ord. 07-035, passed 2-27-2007; Mount Prospect, IL Village Code Sec. 9-411.
- Other municipalities may make available a “credit extension” or payment plan for a limited period of time to assist its customer claiming financial difficulties in updating the account to a current status. Naperville, IL Code of Ordinances Sec. 8-3-1-4 (Ord. 96-191, 11-5-1996) Schaumburg, IL Code of Ordinances Sec. 51-117(F)(3); Elgin, IL City Code Sec. 14.04.360.C; Maywood, IL Code of Ordinances Sec. 51.03(C).



**SAMPLE**  
**RECORDING OF JUDGMENT**  
Findings, Decisions and Order  
Administrative Adjudication Hearing on  
Property Violations

# NOT AN OFFICIAL DOCUMENT

Prepared by and  
Return Document To:

Markoff Law LLC  
29 N. Wacker Dr.  
Suite #550  
Chicago, IL 60606  
312-698-7300



Doc#: 1620344003 Fee: \$46.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 07/21/2016 09:56 AM Pg: 1 of 5

## JUDGMENT

BOX 95

CERTIFIED COPY

DAH CASE #: 15DS34312L, 15DS34333L, 16DS36139L  
PLAINTIFF: CITY OF CHICAGO  
DEFENDANT: LAKEVIEW LOAN SERVICING, LLC C/O DAVID LINA, M & T BANK  
LAST KNOWN ADDRESS: LAKEVIEW LOAN SERVICING, LLC C/O DAVID LINA, M & T BANK  
1100 WEHRLE DR  
WILLIAMSVILLE, NY 14221  
AMOUNT: \$3,020.00  
EXECUTION DATE: FEBRUARY 4, 2016

MULTIPLE PROPERTIES

266856 CCCJ / MND



*[Handwritten signature]*

# NOT AN OFFICIAL DOCUMENT

PIN #:  
32-08-340-008-0000

PROPERTY:  
175 THELMA LANE, CHICAGO HEIGHTS, IL 60411

**LEGAL DESCRIPTION:**

LOT 297 IN OLYMPIA TERRACE UNIT NO. 6, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 35 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #:  
20-30-216-039-0000

PROPERTY:  
7336 WINCHESTER AVE, CHICAGO, IL 60636

**LEGAL DESCRIPTION:**

LOT 15 IN BLOCK 6 IN B.F. JACOB'S SUBDIVISION OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

266856 COCJ / MND



\* 0 2 6 6 5 6 C C C J 1 - \*



DOAH - Order

**NOT AN OFFICIAL DOCUMENT** (1/00)

**IN THE CITY OF CHICAGO, ILLINOIS  
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

<b>CITY OF CHICAGO</b> , a Municipal Corporation, Petitioner,	)	Address of Violation:
v.	)	715 N Avers Avenue
	)	
Lakeview Loan Servicing, LLC C/O David Lina, M & T Bank	)	Docket #: 15DS34312L
1100 WEHRLE DR	)	
WILLIAMSVILLE, NY 14221	)	Issuing City
Respondent.	)	Department: Streets and Sanitation

**FINDINGS, DECISIONS & ORDER**

This matter coming for Hearing, notice given and the Administrative Body advised in the premises, having considered the motions, evidence and arguments presented, IT IS ORDERED: As to the count(s), this tribunal finds by a preponderance of the evidence and rules as follows:

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	134312L	1	7-28-120(a) Uncut weeds.	\$1,200.00
		2	10-32-050 Care of parkway.	\$500.00

**Sanction(s):**

Admin Costs: \$40.00

**JUDGMENT TOTAL: \$1,740.00**

Balance Due: \$1,740.00

Respondent is ordered to come into immediate compliance with any/all outstanding Code violations.

You have 21 days from the above mailing date to file a motion to set-aside (void) this default order for good cause with the Dept. of Administrative Hearings (400 W. Superior). You may have more than 21 days if you can show you were not properly served with the violation notice. Your right to appeal this order to the Circuit Court of Cook County (Daley Center 6th Fl.) may be prohibited by the Court if you fail to first file a motion to set-aside with the Dept. of Administrative Hearings.

ENTERED: \_\_\_\_\_

*Davis*

Administrative Law Judge

48

ALO#

Feb 4, 2016

Date

This Order may be appealed to the Circuit Court of Cook Co. (Daley Center 6th Fl.) within 35 days by filing a civil law suit and by paying the appropriate State mandated filing fees.

Pursuant to Municipal Code Chapter 1-19, the city's collection costs and attorney's fees shall be added to the balance due if the debt is not paid prior to being referred for collection.

I hereby certify the foregoing to be a true and correct copy of an Order entered by an Administrative Law Judge of the Chicago Department of Administrative Hearings.

*Jane Page* 7/18/16

Authorized clerk Date

Please initial here on original signature to be accepted as an Certified Copy

Date Printed: Jul 15, 2016 1:58 pm

15DS34312L

Page 1 of 1



DOAH - Order

**NOT AN OFFICIAL DOCUMENT** (1/00)

**IN THE CITY OF CHICAGO, ILLINOIS  
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

<b>CITY OF CHICAGO</b> , a Municipal Corporation, Petitioner, v. Lakeview Loan Servicing, Llc C/O C/O David Ertel 4425 PONCE DE LEON BLVD 5TH FL CORAL GABLES, FL 33146 and Lakeview Loan Servicing, Llc C/O C/O Illinois Corporation Service C 801 ADLAI STEVENSON DRIVE SPRINGFIELD, IL 62703	Address of Violation: 4250 W Van Buren Street  Docket #: 15DS34333L  Issuing City Department: Streets and Sanitation
--	--

, Respondents.

**FINDINGS, DECISIONS & ORDER**

This matter coming for Hearing, notice given and the Administrative Body advised in the premises, having considered the motions, evidence and arguments presented, **IT IS ORDERED:** As to the count(s), this tribunal finds by a preponderance of the evidence and rules as follows:

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	134333L	1	7-28-710 Dumping or accumulation of garbage or trash - potential rat harborage.	\$600.00

**Sanction(s):**

Admin Costs: \$40.00

**JUDGMENT TOTAL: \$640.00**

Balance Due: \$640.00

Respondent is ordered to come into immediate compliance with any/all outstanding Code violations.

You have 21 days from the above mailing date to file a motion to set-aside (void) this default order for good cause with the Dept. of Administrative Hearings (400 W. Superior). You may have more than 21 days if you can show you were not properly served with the violation notice. Your right to appeal this order to the Circuit Court of Cook County (Daley Center 6th FL) may be prohibited by the Court if you fail to first file a motion to set-aside with the Dept. of Administrative Hearings.

ENTERED:

Administrative Law Judge

48

ALO#

Feb 4, 2016

Date

This Order may be appealed to the Circuit Court of Cook Co. (Daley Center 6th FL) within 35 days by filing a civil law suit and by paying the appropriate State mandated filing fees.

Pursuant to Municipal Code Chapter 1-19, the city's collection costs and attorney's fees shall be added to the balance due if the debt is not paid prior to being referred for collection.

Date Printed: Jul 15, 2016 1:57 pm

I hereby certify the foregoing to be a true and correct copy  
of an Order entered by an Administrative Law Judge of  
the Chicago Department of Administrative Hearings.

7/18/16

15DS34333L

Page 1 of 1



DOAH - Order

**NOT AN OFFICIAL DOCUMENT** (1/00)

**IN THE CITY OF CHICAGO, ILLINOIS  
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

CITY OF CHICAGO, a Municipal Corporation, Petitioner,	)	Address of Violation:
v.	)	715 N Avers Avenue
	)	
Lakeview Loan Servicing, Llc C/O Illinois Corporation Service	)	Docket #: 16DS36139L
C	)	
801 ADEAI STEVENSON DRIVE	)	Issuing City
SPRINGFIELD, IL 62703	)	Department: Streets and Sanitation
	)	
, Respondent.		

**FINDINGS, DECISIONS & ORDER**

This matter coming for Hearing, notice given and the Administrative Body advised in the premises, having considered the motions, evidence and arguments presented, IT IS ORDERED: As to the count(s), this tribunal finds by a preponderance of the evidence and rules as follows:

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	136139L	1	7-28-720 Accumulation of materials or junk - potential rat harborage.	\$600.00

**Sanction(s):**

Admin Costs: \$40.00

**JUDGMENT TOTAL: \$640.00**

Balance Due: \$640.00

Respondent is ordered to come into immediate compliance with any/all outstanding Code violations.

You have 21 days from the above mailing date to file a motion to set-aside (void) this default order for good cause with the Dept. of Administrative Hearings (400 W. Superior). You may have more than 21 days if you can show you were not properly served with the violation notice. Your right to appeal this order to the Circuit Court of Cook County (Daley Center 6th Fl.) may be prohibited by the Court if you fail to first file a motion to set-aside with the Dept. of Administrative Hearings.

ENTERED:

Administrative Law Judge

62

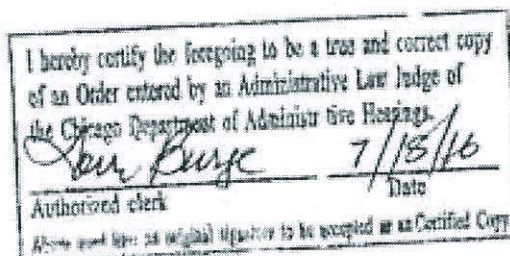
ALO#

Feb 16, 2016

Date

This Order may be appealed to the Circuit Court of Cook Co. (Daley Center 6th Fl.) within 35 days by filing a civil law suit and by paying the appropriate State mandated filing fees.

Pursuant to Municipal Code Chapter 1-19, the city's collection costs and attorney's fees shall be added to the balance due if the debt is not paid prior to being referred for collection.



Date Printed: Jul 15, 2016 1:57 pm

16DS36139L

Page 1 of 1

**SAMPLE**

**Bankruptcy Filings**

**Chapter 7**

**Chapter 13**

**Post-dismissal/Discharge Contacts**



**UNITED STATES BANKRUPTCY COURT**  
Northern District of Illinois

**Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 5/18/15.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors — Do not file this notice in connection with any proof of claim you submit to the court.  
See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Case Number  
Office Code: 1

Social Security / Individual Taxpayer ID / Employer Tax ID / Other  
nos:  
xxx-xx-

Attorney for Debtor(s) (name and address):

Bankruptcy Trustee (name and address):  
Richard M. Fogel  
Shaw Fishman Glantz & Towbin LLC  
321 N Clark Street  
Suite 800  
Chicago, IL 60654  
Telephone number: 312-276-1334

**Meeting of Creditors:**

Date: **June 16, 2015**

Time: **01:30 PM**

Location: **219 South Dearborn, Office of the U.S. Trustee, 8th Floor, Room 800, Chicago, IL 60604**

**All debtors are required to attend and bring a picture ID and proof of their Social Security Number to the 341 meeting.**

**Presumption of Abuse under 11 U.S.C. § 707(b)**

*See "Presumption of Abuse" on reverse side.*

**Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.**

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 8/17/15**

**Deadline to Object to Exemptions:**

Thirty (30) days after the *conclusion* of the meeting of creditors.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Address of the Bankruptcy Clerk's Office:**

Eastern Division  
219 S Dearborn  
7th Floor  
Chicago, IL 60604  
Telephone number: 1-866-222-8029

**For the Court:**

Clerk of the Bankruptcy Court:  
Jeffrey P. Allsteadt

Hours Open: Monday – Friday 8:30 AM – 4:30 PM

Date: May 19, 2015



**EXPLANATIONS****B9A (Official Form 9A) (12/12)**

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <b><i>Do not include this notice with any filing you make with the court.</i></b>
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint — or a motion if you assert the discharge should be denied under § 727(a)(8) or (a)(9) — in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
— Refer to Other Side for Important Deadlines and Notices —	



**Information to identify the case:**

Debtor 1	_____	Social Security number or ITIN	xxx-xx-1761
	First Name Middle Name Last Name	EIN	__-_____-
Debtor 2 (Spouse, if filing)	_____	Social Security number or ITIN	_____
	First Name Middle Name Last Name	EIN	__-_____-
United States Bankruptcy Court Northern District of Illinois		Date case filed for chapter	13 1/12/17
Case number:	1 }		

**Official Form 309I**

**Notice of Chapter 13 Bankruptcy Case**

12/15

For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered.

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	_____	_____
2. All other names used in the last 8 years	_____	_____
3. Address	_____	_____
4. Debtor's attorney Name and address	Jason A. Kara Geraci Law L.L.C. 55 E Monroe St. Suite #3400 Chicago, IL 60603	Contact phone 312.332.1800 Email: <a href="mailto:ndil@geracilaw.com">ndil@geracilaw.com</a>
5. Bankruptcy trustee Name and address	Glenn B Stearns 801 Warrenville Road Suite 650 Lisle, IL 60532	Contact phone 630-981-3888
6. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	Eastern Division 219 S Dearborn 7th Floor Chicago, IL 60604	Hours open: 8:30 a.m. until 4:30 p.m. except Saturdays, Sundays and legal holidays. Contact phone 1-866-222-8029 Date: 1/13/17

For more information, see page 2



Debtor

Case number

<b>7. Meeting of creditors</b> Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	<b>February 15, 2017 at 10:30 AM</b>  The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.  <b>Debtors must bring a picture ID and proof of their Social Security Number.</b>	<b>Location:</b> <b>801 Warrenville Rd, Ste 655, Lisle, IL 60532-3614</b>
<b>8. Deadlines</b> The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	<b>Deadline to file a complaint to challenge dischargeability of certain debts:</b>  <b>You must file:</b> <ul style="list-style-type: none"><li>a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f) or</li><li>a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).</li></ul> <b>Deadline for all creditors to file a proof of claim (except governmental units):</b> <b>Deadline for governmental units to file a proof of claim:</b>	<b>Filing deadline: 4/17/17</b>  <b>Filing deadline: 5/16/17</b> <b>Filing deadline: 7/11/17</b>
	<b>Deadlines for filing proof of claim:</b> A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.	
	<b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	<b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
<b>9. Filing of plan</b>	The debtor has filed a plan. The plan or a summary of the plan is enclosed. The hearing on confirmation will be held on: <b>3/24/17 at 10:00 AM, Location: 100 S 3rd Street, Courtroom 240, Geneva, IL 60134</b>  <b>The Disclosure of Compensation has been filed and the debtor's attorney is requesting fees of \$ 4000.00</b> If there are no objections, the Court may confirm the plan and allow fees requested by debtor's counsel to be paid through the plan.	
<b>10. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>11. Filing a chapter 13 bankruptcy case</b>	Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline.	
<b>13. Discharge of debts</b>	Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 8.	

Fill in this information to identify your case:

United States Bankruptcy Court for the :

NORTHERN District of ILLINOIS  
(State)

Case Number (if known): \_\_\_\_\_ Chapter you are filing under:

- ☐ Chapter 7  
☐ Chapter 11  
☐ Chapter 12  
☒ Chapter 13

☐ Check if this is an amended filing

## Official Form 101

### Voluntary Petition for Individuals Filing for Bankruptcy

12/15

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together-called a *joint case*-and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, "Do you own a car," the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

#### Part 1: Identify Yourself

##### About Debtor 1:

##### About Debtor 2 (Spouse Only in a Joint Case):

#### 1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

[REDACTED]  
First name  
[REDACTED]  
Middle name  
[REDACTED]  
Last name  
\_\_\_\_\_  
Suffix (Sr., Jr., II, III)

\_\_\_\_\_  
First name  
\_\_\_\_\_  
Middle name  
\_\_\_\_\_  
Last name  
\_\_\_\_\_  
Suffix (Sr., Jr., II, III)

#### 2. All other names you have used in the last 8 years

Include your married or maiden names.

\_\_\_\_\_  
First name  
\_\_\_\_\_  
Middle name  
\_\_\_\_\_  
Last name  
  
\_\_\_\_\_  
First name  
\_\_\_\_\_  
Middle name  
\_\_\_\_\_  
Last name

\_\_\_\_\_  
First name  
\_\_\_\_\_  
Middle name  
\_\_\_\_\_  
Last name  
  
\_\_\_\_\_  
First name  
\_\_\_\_\_  
Middle name  
\_\_\_\_\_  
Last name

#### 3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number

XXX - XX - [REDACTED]  
OR  
9XX - XX - \_\_\_\_\_

XXX - XX - \_\_\_\_\_  
OR  
9XX - XX - \_\_\_\_\_



Fill in this information to identify your case:

Debtor 1 [REDACTED] [REDACTED] [REDACTED]  
First Name Middle Name Last Name

Debtor 2 [REDACTED] [REDACTED] [REDACTED]  
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the : NORTHERN District of ILLINOIS  
(State)

Case Number \_\_\_\_\_  
(If known)

☐ Check if this is an amended filing

## Official Form 106E/F

### Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Property* (Official Form 106A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G). Do not include any creditors with partially secured claims that are listed in *Schedule D: Creditors Who Have Claims Secured by Property*. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. On the top of any additional pages, write your name and case number (if known).

#### Part 1: List All of Your PRIORITY Unsecured Claims

1. Do any creditors have priority unsecured claims against you?

- ☒ No. Go to Part 2.  
☐ Yes.

2. List all of your priority unsecured claims. If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If you have more than two priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. (For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

Total claim	Priority amount	Nonpriority amount
-------------	-----------------	--------------------

#### Part 2: List All of Your NONPRIORITY Unsecured Claims

3. Do any creditors have nonpriority unsecured claims against you?

- ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.  
☒ Yes.

4. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim. If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2.

Total claim  
\$ 1,000.00

4.1

Creditor's Name [REDACTED]  
Number Street

Last 4 digits of account number \_\_\_\_\_

When was the debt incurred? \_\_\_\_\_

City State Zip Code [REDACTED]

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent  
☐ Unliquidated  
☐ Disputed

Who owes the debt? Check one.

- ☐ Debtor 1 only  
☐ Debtor 2 only  
☐ Debtor 1 and Debtor 2 only  
☐ At least one of the debtors and another  
☐ Check if this claim relates to a community debt

Type of NONPRIORITY unsecured claim:

- ☐ Student loans  
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims  
☐ Debts to pension or profit-sharing plans, and other similar debts

Is the claim subject to offset?

- ☒ No  
☐ Yes

☒ Other. Specify [REDACTED]

Debtor 1 Crystal Denise Garner Case Number (if known)                     

First Name Middle Name Last Name

**Part 2: Your NONPRIORITY Unsecured Claims - Continuation Page**

After listing any entries on this page, number them beginning with 4.4, followed by 4.5, and so forth.

Total Claim

4.38	<p><u>                    </u></p> <p>Creditor's Name <u>                    </u></p> <p>Number <u>                    </u> Street <u>                    </u></p> <p>City <u>                    </u> State <u>                    </u> Zip Code <u>                    </u></p> <p>Who owes the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim relates to a community debt</p> <p>Is the claim subject to offset?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	<p>Last 4 digits of account number <u>                    </u></p> <p>When was the debt incurred? <u>                    </u></p> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Type of NONPRIORITY unsecured claim:</p> <p><input type="checkbox"/> Student loans</p> <p><input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims</p> <p><input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts</p> <p><input checked="" type="checkbox"/> Other. Specify <u>                    </u></p>	<p>\$ 695.00</p>
4.39	<p><u>Village of Hoffman Estates</u></p> <p>Creditor's Name <u>                    </u></p> <p><u>1900 Hassell Road</u></p> <p>Number <u>                    </u> Street <u>                    </u></p> <p><u>Hoffman Estates</u> <u>IL</u> <u>60169</u></p> <p>City <u>                    </u> State <u>                    </u> Zip Code <u>                    </u></p> <p>Who owes the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim relates to a community debt</p> <p>Is the claim subject to offset?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	<p>Last 4 digits of account number <u>                    </u></p> <p>When was the debt incurred? <u>                    </u></p> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Type of NONPRIORITY unsecured claim:</p> <p><input type="checkbox"/> Student loans</p> <p><input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims</p> <p><input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts</p> <p><input checked="" type="checkbox"/> Other. Specify <u>Fines</u></p>	<p>\$ 250.00</p>
4.40	<p><u>                    </u></p> <p>Creditor's Name <u>                    </u></p> <p><u>                    </u></p> <p>Number <u>                    </u> Street <u>                    </u></p> <p><u>Lombard</u> <u>IL</u> <u>60148</u></p> <p>City <u>                    </u> State <u>                    </u> Zip Code <u>                    </u></p> <p>Who owes the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim relates to a community debt</p> <p>Is the claim subject to offset?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	<p>Last 4 digits of account number <u>                    </u></p> <p>When was the debt incurred? <u>                    </u></p> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Type of NONPRIORITY unsecured claim:</p> <p><input type="checkbox"/> Student loans</p> <p><input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims</p> <p><input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts</p> <p><input checked="" type="checkbox"/> Other. Specify <u>                    </u></p>	<p>\$ 509.00</p>



**Fill in this information to identify the case:**

Debtor 1	
Debtor 2	
(Spouse, if filing)	
United States Bankruptcy Court	Northern District of Illinois
Case number: 1	

FILED

U.S. Bankruptcy Court  
Northern District of Illinois  
1/30/2017

Jeffrey P. Allsteadt, Clerk

**Official Form 410**  
**Proof of Claim**

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

<b>1. Who is the current creditor?</b>	Village of Hoffman Estates	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom?	
<b>3. Where should notices and payments to the creditor be sent?</b>  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
	Village of Hoffman Estates	
	Name	Name
	Bankruptcy Department 1900 Hassell Road Hoffman Estates, IL 60169	
	Contact phone 847-843-	Contact phone
	Contact email rachel.musiala@hoffmanestates.org	Contact email
Uniform claim identifier for electronic payments in chapter 13 (if you use one):		
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known)	
	Filed on MM/DD/YYYY	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing?	

Official Form 410

Proof of Claim

page 1

<b>6. Do you have any number you use to identify the debtor?</b>	<div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____</div><div>_____</div></div>
<b>7. How much is the claim?</b>	<div style="display: flex; justify-content: space-between;"><div><div style="display: flex; align-items: center;"><span style="margin-right: 5px;">\$</span><div style="border-bottom: 1px solid black; width: 100px; text-align: center;">250.00</div></div></div><div style="width: 60%;"><b>Does this amount include interest or other charges?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A). _____</div></div>
<b>8. What is the basis of the claim?</b>	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.</p> <p style="text-align: center;">Code Citation #0001024</p> <p style="text-align: center;">_____</p>
<b>9. Is all or part of the claim secured?</b>	<div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. <b>Nature of property:</b> <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</div><div>_____</div></div> <p style="margin-top: 10px;"><b>Basis for perfection:</b> _____</p> <p>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</p> <div style="display: flex; justify-content: space-between;"><div><b>Value of property:</b></div><div style="text-align: right;">\$ _____</div></div> <div style="display: flex; justify-content: space-between;"><div><b>Amount of the claim that is secured:</b></div><div style="text-align: right;">\$ _____</div></div> <div style="display: flex; justify-content: space-between;"><div><b>Amount of the claim that is unsecured:</b></div><div style="text-align: right;">\$ _____</div></div> <div style="text-align: right; margin-top: -20px;">(The sum of the secured and unsecured amounts should match the amount in line 7.)</div> <div style="margin-top: 20px;"><b>Amount necessary to cure any default as of the date of the petition:</b> \$ _____</div> <div style="margin-top: 10px;"><b>Annual Interest Rate</b> (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div>
<b>10. Is this claim based on a lease?</b>	<div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</div><div>_____</div></div>
<b>11. Is this claim subject to a right of setoff?</b>	<div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</div><div>_____</div></div>



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Check all that apply:	Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
	<input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
	<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
	<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
	<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies	\$ _____
* Amounts are subject to adjustment on 4/1/19 and every 3 years after that for cases begun on or after the date of adjustment.		

### Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- ☒ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 1/30/2017  
MM / DD / YYYY

/s/ /Rachel Musiala/

Signature

Print the name of the person who is completing and signing this claim:

Name /Rachel Musiala/

Title Director of Finance

Company Village of Hoffman Estates

Address 1900 Hassell Rd.

City State ZIP Code Hoffman Estates, IL 60169

Contact phone 847-843- Email rachel.musiala@hoffmanestates.org

CITATIONS V8.4  
DATE: 01/25/2017  
TIME: 16:01:53

VILLAGE OF HOFFMAN ESTATES  
CITATION HISTORY REPORT

PAGE NUMBER: 1  
MODULE : report17

SELECTION CRITERIA: SELECT cctoffense.\*, cctviolator.\*, cctregistration.\*, cpbentcity\_demo.\* FROM cctoffense, cctviolato  
ACCT VIOLATOR/  
VIOLATOR NUMBER CODE LICENSE /REGISTRATION

VIOLATOR NUMBER CODE	F/C/B CR	ONE	AGENCY CITATION #	TRANS DATE	TRANS DESC	FROM	AMOUNT	OPERATOR
	F/C/B		0001024	09/18/2009	BILLD TCKED F/C/B		250.00	wenderss
	F/C/B		09-1924	01/25/2010	ADJST CF		250.00	batesj
	F/C/B		102172	09/08/2009	BILLD TCKED F/C/B		500.00	mykielc
	F/C/B			09/17/2009	PAYMT PAYMT		500.00	hellisaf
	F/C/B			01/29/2009	BILLD TCKED F/C/B		50.00	hellisaf
	F/C/B			02/17/2009	PAYMT PAYMT		50.00	hellisaf

\$250

In Re: [REDACTED]

BK No.: [REDACTED]

Chapter: 13

Honorable Janet S. Baer

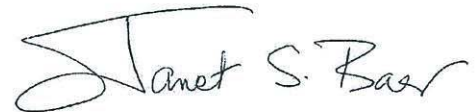
Debtor(s)

### Order Confirming Plan

The plan under Chapter 13 of the Bankruptcy code, filed as docket No. 19, having been found by the Court to comply with the provisions of the 11 U.S.C. section 1325, THE PLAN IS HEREBY CONFIRMED.

All property of the estate, as specified by the 11 U.S.C. section 541 and 1306, will continue to be property of the estate following confirmation, unless (1) the plan provides for surrender of the property, or (2) the property is sold pursuant to the plan or court order.

Enter:



Honorable Janet S. Baer

United States Bankruptcy Judge

Dated: March 24, 2017

In Re:  

BK No.:  

Chapter: 13

Honorable Carol Doyle

Debtor(s)

**ORDER DISMISSING CASE FOR UNREASONABLE DELAY**

Having heard the facts presented, it appearing to the court that the Debtor(s) failure to appear or to produce requested information or documents is unreasonable and prejudicial to creditors.

IT IS THEREFORE ORDERED that this case is dismissed for unreasonable delay pursuant to 11 U.S.C. § 1307 (c) (1).

Enter:



Honorable Carol A. Doyle

United States Bankruptcy Judge

Dated: August 19, 2014

Prepared by:



Name  
Address  
City, ST ZIPCODE

SAMPLE

Re: Case No.  
Dismissal Date (or Discharge)  
Violation No.  
Total amount Due:

Dear [Debtor]:

The Village of Hoffman Estates has received notice from the United States District Court for the Northern District of Illinois – Bankruptcy Division that your Chapter 7 Petition has been dismissed [discharged], effective [Date].

As you are aware, however, the ticket(s) for which judgments were issued against you and fines imposed on behalf of the Village of Hoffman Estates are exceptions from discharge in a Chapter 7 bankruptcy proceeding pursuant to 11 U.S.C. 523(a)(7), as a “fine, penalty, or forfeiture payable to or for the benefit of a governmental unit . . . .” Accordingly, the total amount due is \$\_\_\_\_\_ and payment must be made to the Village of Hoffman Estates within the next thirty (30) days. Payment options include:

- You may pay in person at the Village Hall located at 1900 Hassell Road, Hoffman Estates, IL 60169. Hours of Operation are Monday-Friday, 8:30 AM-5:00 PM, and on Saturday from 9:00 AM to 12:00 PM.
- Mail your check or money order (payable to the Village of Hoffman Estates – Finance Department). **DO NOT MAIL CASH.** Be sure to put the Notice # on the face of your payment.
- You may contact the Village to make a payment by phone during its hours of operation listed above, by calling 847/843-4805.
- The fastest and easiest way to pay your Notice of Violation directly to the Village is to pay online at <http://hoffmanestates.org/government/online-payments>.

You may request a copy of the ticket(s) by calling [need to insert Kasia and her title] at [phone number].

VTY,

Cc:

Name  
Address  
City, ST ZIPCODE

SAMPLE

Re: Case No.  
Dismissal Date (or Discharge)  
Violation No.  
Total Amount Due:

Dear [Debtor]:

The Village of Hoffman Estates has received notice from the United States District Court for the Northern District of Illinois – Bankruptcy Division that your Chapter 13 Petition has been dismissed, effective [Date].

Accordingly, the total amount due for [the unpaid tickets, water or refuse utility bill/other] is \$\_\_\_\_\_ and payment must be made to the Village of Hoffman Estates within the next thirty (30) days. Payment options include:

- You may pay in person at the Village Hall located at 1900 Hassell Road, Hoffman Estates, IL 60169. Hours of Operation are Monday-Friday, 8:30 AM-5:00 PM, and on Saturday from 9:00 AM to 12:00 PM.
- Mail your check or money order (payable to the Village of Hoffman Estates – Finance Department). **DO NOT MAIL CASH.** Be sure to put the Notice # on the face of your payment.
- You may contact the Village to make a payment by phone during its hours of operation listed above, by calling 847/843-4805.
- The fastest and easiest way to pay your Notice of Violation directly to the Village is to pay online at <http://hoffmanestates.org/government/online-payments>.

You may request a copy of the [ticket(s), water or reuse utility bill/other debt due the Village] by calling [need to insert Kasia and her title] at [phone number].

VTY,

Cc:

## IGFOA Utility Billing Seminar Speaker Information

**Dave Brady**, Director – Public Sector, Sebis Direct, has worked with municipal clients for fourteen years providing secure document services and electronic bill presentment and payment. Dave leads the municipal practice at Sebis Direct. His company Datum Direct was acquired by Sebis Direct in 2010 to work with the public sector. Dave well versed in the merging of paper and electronic document processes. Electronic Bill Presentment and Payments has surpassed paper billing and that trend is accelerating. As the customer base shifts to internet natives (people born after 1990) the world of document delivery will continue to shift dramatically. He is a member of AIIM (Association of Imaging and Information Management), the international authority on Enterprise Content Management. ECM is the use of tools and technologies to capture, manage, store, preserve, and deliver content and documents related to organizational processes. He is certified in ECM as an Enterprise Content Practitioner and Specialist. He is also certified as an Enterprise 2.0 Practitioner, the social tools used to manage content (AIIM.org).

**Patricia Cross** was appointed Assistant Corporation Counsel for the Village of Hoffman Estates in August 2011 and her focus has included the collection of past due monies owed to the Village. Together with the Village's Director of Finance Rachel Musiala to enroll the Village in the Comptroller's Debt Recovery Program and to amend and to draft new local ordinances to enhance collection efforts, including those relating to business license renewals, timely utility payments and ambulance fees. Prior to coming to the Village of Hoffman Estates Patti was in private practice in the Chicago area specializing in tort, insurance coverage and commercial litigation, including trial work. Patti earned her Bachelor of Arts degree from the College of William and Mary in Virginia, and her Juris Doctor from Syracuse University College of Law. She is admitted to practice in the State of Illinois, in the United States District Court for the Northern District of Illinois, and before the United States Supreme Court.

**Mark Petrovich** has served Automated Merchant Systems, Inc. for the past 9 years in a capacity of Senior Project Manager, as well as a creative force in marketing and media. Mark is responsible for all print and web-based advertising collateral and communications, PCI compliance, product training and payment gateways. Prior to AMS, Mark worked in the software industry for 10 years with a focus in Windows network administration and security tools and with Lockheed Martin in their performance management division located in Orlando, FL. Mark holds a B.S. Degree in Business Administration from the University of Central Florida.

**Kelly Saunders** is currently the Chief Financial Officer for North Park Public Water District. During her career, she has held positions of increasing responsibility in customer service and finance. Prior to her current role, she worked for the City of Rockford as the Sr. Capital Improvement Program Analyst and as a Financial Analyst for the water department, she also spent several years auditing municipalities, school districts, and non-profit organizations. In her current role, Kelly oversees the customer service, billing, accounting, budgeting, and administrative duties of the water utility. Kelly graduated with a Bachelor's degree in Accounting from the University of Wisconsin-Whitewater in 2011. She is currently working on her Master of Public Administration as well as a Class C Water Operator License.

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