

MEMORANDUM

TO: DCLTA Members

FROM: David H. Cox (President of the DCLTA)

DATE: October 28, 2004

RE: Meeting on October 26, 2004 with WASA Representatives

On Tuesday, October 26, 2004, Ricardo A. Lasso, Keith Jones, Rick Eisen and I met with four (4) representatives of WASA at the WASA offices at 810 First Street, N.E., Suite 1100, Washington, D.C. Those representatives were Rosie Taylor, Eva Liggins, Edith Lanum, and Lei Marshall.

The WASA Task Force had requested such a meeting for several months to discuss a host of issues of considerable interest to the DCLTA.

The following items were discussed:

1. Faxed requests to WASA. The WASA Task Force ("we") noted that it was getting more and more difficult to get faxes through to the WASA officials and that the delay in receiving a response was posing significant problems.

WASA responded in a number of ways. First, WASA confirmed that there are at least two (2) fax numbers that can be used: (202) 354-3711 and (202) 354-3681. Second, WASA will explore the possibility of dedicating additional fax lines to title companies.

Third, the WASA representatives strongly suggested that DCLTA members limit the fax requests to ordering final bills for accounts. In a situation where DCLTA members need to know within a short period of time (1-3 days) the details of any existing account, it is far better to call WASA to get that information. WASA representatives suggested that DCLTA members use the following telephone number to obtain live assistance when obtaining current or delinquent billing information: (202) 354-3600.

Fourth, WASA would like faxes sent on the letterhead of the DCLTA members; that will make responding a lot easier. We have attached a suggested form of fax request for your consideration.

2. Settlement Cancellations. WASA officials asked DCLTA members to promptly advise WASA if an anticipated settlement does not close and the member no longer needs or wants a "final bill". WASA officials requested that DCLTA members fax a notice indicating in all capital letters that a prior request for a final bill has been CANCELLED.
3. Water Liens. WASA officials confirmed that they are now fairly efficient at recording water liens for any account that is more than 60 days past due. Liens are currently being recorded with the ROD twice a week. We noted that there is a significant delay in recorded instruments showing up on the ROD website. In response, WASA officials said that if we asked the WASA staff person if there have been any liens filed or any liens attempted to be filed, the WASA staff person should have that information on his/her computer; this is especially important since these liens may not yet have shown up on the ROD website.

If a lien or account was previously sold to Breen and Breen has, in turn, sold that lien or account to Strategic, we will need to get that information directly from Strategic. The WASA staff person, however, should be able to tell from the screen whether such a prior lien sale or transfer has occurred and will tell you **if asked**.

4. Lot and Square. We asked WASA when it might be able to migrate data into a lot and square configuration as opposed to using street address. It did not sound like WASA would be moving to such a system any time soon. WASA confirmed that it keeps its records by "service address" or "premises", so there is a danger that there may be one or more accounts open for any particular property. WASA officials confirmed that **if asked**, WASA will let you know if there are more than one account associated with any particular address. In fairness, WASA may not know whether a specific property may or may not be known by any other address. Consequently, WASA officials suggested that we ask our customers/clients if the property involved is known by any other address. If so, we should then ask for the WASA billing information for that additional address.
5. Possible Use of E-mail for Requests. WASA officials agreed to develop a customer e-mail box dedicated solely for title companies to make requests

for account information as well as the generation of final bills. We will follow-up with WASA in the next weeks and months on this possibility.

6. Good Faith Estimates. WASA officials confirmed that they are **not** providing "good faith estimates" as to final bills. Instead, it is up to the title companies to obtain current information by telephone from WASA staff and to extrapolate from that data to determine the amount that should be escrowed to adequately protect the purchaser (and other interested parties).
7. Opening New Accounts. In a move that should benefit our clients/customers, WASA will no longer open new accounts unless all delinquent accounts (not the final bill and not the current bill) are paid in full. At the moment, this system may be as close as we can get to the model in other jurisdictions that all outstanding bills must be paid prior to being able to record a transfer of real property. We strongly encouraged WASA to strictly enforce this policy because it will force sellers to address the issue of delinquent accounts prior to, but no later than, closing. We may wish to notify our customers/clients that it will not be possible to open a new account post-closing unless all delinquent accounts claimed by WASA have been paid in full.
8. Quarterly Meetings. The WASA officials and we agreed that regularly scheduled meetings would be beneficial for all concerned. We agreed to meet quarterly.