

514– Debt Collection

1.0 PURPOSE (POLICY STATEMENT)

To establish a policy for handling the collection of debt owed to the District. For unpaid debts a billing shall be sent thirty days after the initial billing and a third notification be sent in another thirty days. In compliance with RCW 19.16.500, the third notification shall state that the debt may be assigned to the collection agency if it is not paid. In the event it is determined that the charge cannot be collected through the above billing procedures, the Board of Commissioners shall either refer the charge to a commercial collection agency or, if appropriate, to write the charge off as an uncollectible debt.

2.0 POLICY

From RCW 19.16.500:

(1)(a) Agencies, departments, taxing districts, political subdivisions of the state, counties, and cities may retain, by written contract, collection agencies licensed under this chapter for the purpose of collecting public debts owed by any person, including any restitution that is being collected on behalf of a crime victim.

(b) Any governmental entity as described in (a) of this subsection using a collection agency may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred or to be incurred. The amount to be paid for collection services shall be left to the agreement of the governmental entity and its collection agency or agencies, but a contingent fee of up to fifty percent of the first one hundred thousand dollars of the unpaid debt per account and up to thirty-five percent of the unpaid debt over one hundred thousand dollars per account is reasonable, and a minimum fee of the full amount of the debt up to one hundred dollars per account is reasonable. Any fee agreement entered into by a governmental entity is presumptively reasonable.

(2) No debt may be assigned to a collection agency unless (a) there has been an attempt to advise the debtor (i) of the existence of the debt and (ii) that the debt may be assigned to a collection agency for collection if the debt is not paid, and (b) at least thirty days have elapsed from the time notice was attempted.

(3) Collection agencies assigned debts under this section shall have only those remedies and powers which would be available to them as assignees of private creditors.

(4) For purposes of this section, the term debt shall include fines and other debts, including the fee allowed under subsection (1)(b) of this section.

3.0 DEFINITIONS

3.1 Collection Agency: Debt collection is the process of pursuing payments of debts owed by individuals or businesses. An organization that specializes in debt collection is known as a collection agency or debt collector.

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4.0 PROCEDURES

4.1 DEBT COLLECTION PROCESS:

- a. The District General Manager or assigned staff will notify the patron or staff member of the debt.
- b. An agreement will be arranged among the District and the patron or staff member.
- c. If the patron or staff member fails to enter into an agreement or honor the agreement, a letter will be mailed. This letter will be mailed by certified mail, and a copy of the receipt will be kept on file in the district files.
- d. The patron will be given 30-days from receipt of the certified mail is received.
- e. If no response is given within the 30-days, or if the certified mail is not accepted after two attempts, the debt will be turned over to a collection agency.

4.2 APPEAL PROCESS:

- a. If a patron or staff member wishes to appeal their debt, they can write a letter to the Board of Commissioners at the address below.
Des Moines Pool Metropolitan Park District
Attention: Board of Commissioners
Re: Appeal of Debt
22722 19th Avenue South
Des Moines, WA 91898
- b. The appeal will be presented at the next regularly scheduled board meeting, as long as it is received one full week before the meeting.

4.3 QUESTIONS:

- a. Any questions should be referred to the District General Manager at (206) 429-3852 or info@mtrainierpool.com.

4.4 Confidential to the extent permitted by law.