

California Drought: Landlords pass along water bills to coax apartment dwellers to conserve

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Samantha Brown, carrying her son 8-month-old Mateo, walks around the Mountain View Apartments in Concord, Calif., on Tuesday, May 27, 2015. (Dan Honda/Bay Area News Group)

CONCORD -- For years, renters at the boxy apartment complex on Monument Boulevard were like many tenants across California: They never paid a water bill.

But as California's devastating drought enters its fourth summer and water rates and penalties are surging, landlords are increasingly passing along those costs -- on top of the monthly rent.

It isn't just the additional cost that's irking renters -- it's the growing suspicion among neighbors suddenly stuck splitting one big water bill. A vast majority of California's apartment complexes have one master water meter, not individual ones for each unit. So there's no way to measure who's conserving and who is letting the tap run wild.

"I'm not going to pay for other people to do their laundry and take hourlong showers," said Samantha Brown, who recently moved out of the Concord apartment complex into a single-family home. "It's not fair."

Tensions over water are mounting among tenants of multifamily dwellings in a state where more than 40 percent of the population live in apartment buildings -- nearly 16 million people. A social experiment on water conservation is playing out on a grand scale, from studio apartments to penthouses, from duplexes to high rises.

The new reality for apartment dwellers is the latest installment in this newspaper's ongoing series "A State of Drought."

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"When tenants are paying for a water bill, they conserve. When they're not, they go crazy," said Doug Smith, president of Fuller Enterprises, who started charging his renters for water last year at the Mountain View apartments in Concord, one of 22 apartment buildings he owns throughout the Bay Area.

Already, he says he has seen a 12 percent reduction in water use since he started billing his renters a year ago. On average, he says, his tenants' water bills are running about \$23 a month.

"Before, when tenants weren't paying and the toilet was running and the shower was dripping, we'd say, 'Why didn't you tell us?' " he said. "Now, we get calls all the time. It encourages them to conserve."

But others say it's not that simple in the world of multifamily living, where relying on your neighbor is often harder than it sounds. Will tenants conserve if the family down the hall does not? Will landlords install low-flow toilets and fix leaky faucets if they no longer pay the water bill?

"It creates a situation where no one is doing the right thing around conserving water," said Leah Simon-Weisberg, legal director of the San Francisco-based tenants' rights group Tenants Together.

Water hardware photographed at the Mountain View Apartments in Concord, Calif., on Tuesday, May 27, 2015. (Dan Honda/Bay Area News Group)

That's not what you want to hear in the midst of California's worst drought in history, with Gov. Jerry Brown imposing severe water restrictions and big fines for abusers.

While much drought conservation attention has been focused on California farmers and homeowners with big yards, who use far more water than apartment dwellers, water usage among the state's millions of apartment dwellers still equals about 15 times what the city of San Francisco uses each year.

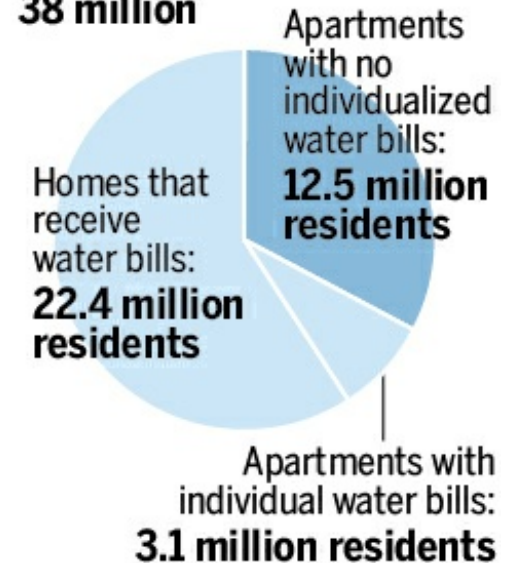
About 80 percent of apartment dwellers don't have their own water meters to gauge their personal water use. So, for more than 12 million renters, there is no correlation between the amount of water they use and the cost, according to a legislative analysis of a new bill to correct that in the future.

For more than a decade, state lawmakers have grappled with the issue and are now considering legislation that would require "submeters" installed in each apartment unit for all new construction. But even if SB 7 authored by

Renters' water use

Almost one-third of California's 38 million residents live in rental units that do not have individual water meters and therefore have no way to measure how much water they are using.

California's population:
38 million



Source: Senate Bill 7

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State Sen. Lois Wolk passes, it would only affect those complexes built after 2018.

So what happens now?

"This summer, you'll see more and more landlords, if they don't already and can't install submeters, they'll probably ask tenants to pay (some share of) the water bill," said Debra Carlton, the California Apartment Association's senior vice president for public affairs, who has lobbied on behalf of 50,000 apartment building owners. "It's not the best way to do it, but in some cases, it's the only way."

Landlords of rent-controlled apartments and Section 8 low-income housing are generally prohibited from billing tenants for water. And San Jose Water Co., which has announced strict water use limits on homeowners, has given its customers living in apartment complexes a pass, asserting that most are already fairly efficient with water use because they tend to have less landscaping than single-family homes.

Built in the 1960s, the Mountain View apartments in Concord look like so many others spread across California: more than 160 units, two-stories with long balconies, three small swimming pools and a few grassy areas.

Smith, who owns the complex, says he is doing his part to achieve state and local water conservation goals. He is cutting back landscape watering on his 22 properties to two days a week, as many local jurisdictions require, he said, and is replacing grass with synthetic lawns at some complexes.

His Fremont property has submeters, he said. But in Concord, he says he's trying to be as fair as possible without them, picking up 20 percent of the total bill to pay for the common grassy and pool areas, and dividing the rest depending on the size of the apartments and number of occupants.

But if renters don't do their part to conserve, everyone in the complex will have to pay even more.

"They need to work together," he said. "If we're going to be penalized, they're going to be penalized."

Easy for him to say. One renter at the Concord complex who didn't want to be identified tried to band together with her neighbors to protest the water bills, but it fizzled when they feared they had little power or recourse.

William Scott, 25, who lives in the Concord complex, isn't protesting. But he says splitting the water bill with neighbors isn't the best solution.

"It's a little frustrating. You can't control it," he said. "Who are you going to complain to? All you can do is try to save enough money to buy a house."

While Smith is paying to water the common areas at the Concord apartments, he's not required to by state law. That means some landlords could pass on the entire water bill to tenants -- and if they want a lush lawn to attract new renters, drought be damned.

Last summer in Santa Cruz, which imposed some of the strictest water rules in the region, an apartment complex admitted it was overwatering its landscaping and was fined for exceeding its water allocation. While the owners denied they passed along the penalties to the tenants, the renters there contended that was the only explanation for the spike in their water bills.

Those in the apartment industry say that over time, when old apartment buildings are knocked down and new ones are built with submeters, tensions between landlords and tenants and among neighbors will surely diminish.

"I can understand where residents are coming from, that they're getting a much worse deal now" by having to pay separate water bills, said Michael Foote of NWP Services, which provides utility billing and energy management services to apartment complexes across the country. "But partially, the deal they were getting was contributing to the problem."

Requiring tenants to share the water bill is "leveling the playing field so everyone has skin in the game to conserve," he said. "Changing people's behavior is difficult. But one of the best ways to do it is through their wallets. That's where people pay attention."

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