Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

18 September 2007 [shall come into force from 27 September 2007];

9 December 2008 [shall come into force from 18 December 2008];

17 September 2013 [shall come into force from 25 September 2013];

2 December 2014 [shall come into force from 19 December 2014].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 999

Adopted Riga, 12 December 2006

**Procedures by which Tenants and Lessors of Residential Space Settle Accounts with Service Providers for Services that are Associated with the Use of a Residential Space**

*Issued in accordance with*

*Section 11.3, Paragraph three, Clauses 1 and 2 of*

*the Law On Residential Tenancy*

1. This Regulation prescribes the procedures by which:

1.1. a tenant of a residential space (hereinafter – tenant) shall independently settle accounts with a service provider for the services received that are associated with the use of a residential space (hereinafter – service);

1.2. a tenant reaches an agreement with a lessor and service provider regarding how a lessor shall receive payment from a tenant for services together with a rental payment and settle accounts with a service provider.

1.1 This Regulation shall be applied unless specified otherwise in a residential tenancy agreement.

*[17 September 2013]*

2. The procedures and terms for payment of services received shall be determined in the residential space lease agreement, taking into account the requirements of laws and regulations:

2.1. within a residential space lease agreement a lessor shall reach an agreement with a tenant for which services a tenant shall settle accounts independently and for which – with the mediation of the lessor, taking into account the terms determined;

2.2. in an agreement regarding the provision of a specific service the service provider shall reach an agreement with the service recipient regarding the procedures and terms for payment of services thereof.

3. If a tenant has reached an agreement in writing in a residential space lease agreement with a lessor regarding that the lessor shall receive payment from the tenant for services together with the rental payment and settle accounts with a service provider, the tenant shall be responsible for the payment of services according to the terms specified, but the lessor – for settling accounts with the service provider.

4. A tenant may reach an agreement with a lessor or service provider regarding advance payments, payment deferrals and payment conditions.

5. A tenant has the right to request information not more than once per month regarding the readings of the meters installed in a residential house, according to which, at the end of each accounting period, the cost for a specific service is determined, as well as regarding other information related to payments. A service provider has a duty to provide a written response to the specified request within seven days to the lessor or the tenant, if he or she settles accounts independently.

*[9 December 2008]*

6. A lessor has the right to request information in writing not more than once per month from a tenant who settles accounts with service providers independently, regarding payments carried out. A tenant has a duty to provide a written response within seven days, if necessary, by submitting copies of the documents certifying payments thereof.

7. The lessor or, in the case a tenant settles accounts independently, the respective service provider has the right to check the readings or functioning of the meters installed in an individual apartment.

*[9 December 2008]*

8. [17 September 2013]

9. [17 September 2013]

10. [17 September 2013]

11. Water consumption in an apartment is accounted with meters which conform to the requirements of the laws and regulations regarding uniformity of measurements. The lessor shall be responsible for the installation of water meters.

*[17 September 2013 / The new wording of Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

12. If meters are not installed or if a service is not measurable, within one residential house a tenant shall pay for a service as follows:

12.1. for thermal energy for heating an apartment – in proportion to the total area of the residential house premises and groups of premises (apartment, artist’s workshop and non-residential premises), excluding the area of balconies and loggias;

12.2. for management and collection of municipal waste – in proportion to the number of persons declared in an apartment. If within a residential house there are premises or groups of premises that are non-residential premises or artist’s workshops, payments for individual apartments shall be calculated in proportion to the number of persons declared in an apartment, by dividing the amount that is formed after deduction of payments made by the tenants of these premises or groups of premises from the total amount payable by the residential house;

12.3. for a communal television aerial and radio transmission – according to the number of connections thereto;

12.4. for drainage – in proportion to the volume of water consumed;

12.5. for thermal energy for heating common premises – in proportion to the total area of premises and groups of premises in a residential house;

12.6. for electricity for the lighting of common premises and operation of common use equipment and engineering devices – according to the number of residential house premises and groups of premises;

12.7. [17 September 2013 / See Paragraph 3 of amendments];

12.8. [17 September 2013 / See Paragraph 2 of amendments];

12.9. for thermal energy for the preparation of hot water:

12.9.1. for thermal energy for hot water circulation – in accordance with the number of apartment properties;

12.9.2. for thermal energy for hot water consumed – in proportion to the amount of hot water consumed.

*[9 September 2008; 17 September 2013; 2 December 2014]*

13. If autonomous heating is installed in an individual apartment or if hot water that is centrally heated is not used in an apartment, a tenant shall pay for the part of thermal energy consumed for the communal requirements of the house that are referable to this apartment, according to a calculation developed by a certified heating supply specialist and agreed with a lessor thereof.

14. If a difference arises between the reading of a common water meter and the amount of water consumed by residential house premises and groups of premises (apartments, artist’s workshops and non-residential premises) as measured by meters, including water lost in leakages due to accidents and repairs (hereinafter – the difference in water consumption), the water consumption shall be recalculated. A tenant shall pay for the difference in water consumption as follows:

14.1. in a residential house which is not partitioned into apartment properties – according to the number of residential house premises and groups of premises (apartments, artist’s workshops and non-residential premises);

14.2. in a residential house which is partitioned into apartment properties – according to the decision taken by the community of apartment owners or in accordance with the procedures laid down in laws and regulations.

*[17 September 2013 / The new wording of Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

15. [17 September 2013 / See Paragraph 2 of amendments]

16. If meters have been installed neither in the inlet of a residential house nor in separate residential house premises and groups of premises (apartments, artist's workshops and non-residential premises), the payments shall be settled according to the terms of the agreement regarding the provision of the relevant service.

*[17 September 2013 / The new wording of Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

17. The lessor has the right to request that a service provider or a tenant arranges for an early verification of the meter, inviting a representative of the lessor. If the tenant does not agree to the verification of the meter, the lessor shall calculate the water consumption as for an apartment where the meter has not been verified.

*[9 December 2008; 17 September 2013 / Amendments to Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

18. If it is determined during the verification that the meter installed in the residential house water inlet is damaged or the verification term for the relevant meter has expired, the accounts for the last accounting period shall be performed according to the terms of the agreement regarding the provision of the relevant service.

*[17 September 2013 / The new wording of Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

19. A tenant shall take the readings of the water meter each month according to the procedures laid down in the lease agreement and submit these to the lessor or service provider (if the tenant settles accounts independently) for the calculation of consumption distribution.

*[9 December 2008; 17 September 2013 / The new wording of Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

19.1 If, due to absence, there is no single person using the apartment and the tenant is not able to provide data on the meter readings, perform the verification of the water meter or arrange that it is possible for the lessor to perform the verification of the water meters in the premises, the tenant shall notify the lessor thereof in advance.

*[2 December 2014]*

20. If a tenant has not submitted information regarding a meter reading, the person calculating the consumption distribution shall determine the water consumption of an apartment, taking into account the actual average water consumption of an apartment during the last three months, but not longer than for three months in succession.

*[9 December 2008; 17 September 2013 / The new wording of Paragraph shall come into force from 1 October 2013. See Paragraph 2 of amendments]*

21. If a difference greater than 20 % arises between the reading of the meter installed in a house inlet and the amount of water consumed by residential house premises and groups of premises (including water lost in leakages due to accidents and repairs), the lessor (if settlements are performed with the mediation of a lessor) shall:

21.1. within two months, take measures to investigate the situation and notify the tenant thereof;

21.2. without delay, however, not later than within two months after the situation has been investigated, take measures to reduce the difference.

*[18 September 2007; 9 December 2008]*

22. In order to use thermal energy more efficiently, as well as to facilitate the settlement of payments a lessor may appoint or the tenants may elect a representative who shall monitor the rate of thermal energy, take the readings of meters and perform other duties provided for in an agreement (hereinafter – energy administrator).

*[9 December 2008]*

23. A lessor shall enter into an agreement with an energy administrator regarding the performance of duties specified in Paragraph 22 of this Regulation. The rights, duties and responsibilities of an energy administrator shall be determined in the relevant agreement.

24. Costs associated with the services of an energy administrator shall be covered by a lessor if he or she has appointed the energy administrator, or the tenants, if they have elected the energy administrator.

25. A lessor shall cover the costs for services that relate to non-rented and non-leased residential house premises and groups of premises.

26. If autonomous heating is installed in an apartment until the day of coming into force of this Regulation, then until the calculations provided for in Paragraph 13 of this Regulation have been worked out, a tenant shall pay for the part of the thermal energy consumed for residential communal requirements that is proportionate to the total area of the residential house premises and groups of premises.

27. Cabinet Regulation No. 133 of 26 March 2002, Procedures by which Apartment Tenants and Lessors Settle Accounts with a Service Provider for Services that are Associated with the Use of Residential Space (*Latvijas Vēstnesis*, 2002, No.49), is repealed.

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