

Applicant – print name here: _____



DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery & Consumer Services
200 East Gaines Street
Tallahassee, FL 32399- 0361

**APPLICATION FOR
 DIRECT DISPOSAL ESTABLISHMENT LICENSE**

Under Section 497.604, Florida Statutes. Before the Board of Funeral, Cemetery, and Consumer Services.

REQUIRED FEES (TYCL 2800)

| | |
|---|---|
| If applying in first year of biennial renewal cycle (i.e., if applying in the period Sept. 1 of an odd year to Aug. 31 of an even year) | If applying in second year of biennial renewal cycle (i.e., if applying in the period Sep. 1 of an even year to Aug. 31 of an odd year) |
| \$450 License fee | \$450 License fee |
| \$450 Inspection fee (prelicense inspection and year 2 inspection) | \$225 Inspection fee (prelicense inspection) |
| \$ 5 Unlicensed activity fee | \$ 5 Unlicensed activity fee |
| \$905 Total due with application | \$680 Total due with application |

This application form is used to seek licensure of a direct disposal establishment. As used in this application, “Division” refers to the Division of Funeral, Cemetery, and Consumer Services. “Board” refers to the Board of Funeral, Cemetery and Consumer Services. Unless specifically indicated otherwise, all questions and requests for data in this Application relate to the Applicant. Where the question calls for a YES or NO answer, circle the correct answer.

Section 1. APPLICANT INFORMATION

Section 497.141(12), Florida Statutes, reads: (a) The following licenses may only be applied for and issued to a natural person: 1. embalmer apprentice; 2. embalmer intern; 3. funeral director intern; 4. funeral director; 5. funeral director and embalmer; 6. direct disposer; 7. monument establishment sales agent; and 8. preneed sales agent. (b) The following licenses may be applied for and issued to a natural person, a corporation, a limited liability company, or a partnership: 1. funeral establishment; 2. centralized embalming facility; 3. refrigeration facility; 4. direct disposal establishment; 5. monument establishment; 6. cinerator facility; 7. removal service; and 8. preneed sales business under s. 497.453. (c) A cemetery license may only be applied for and issued to a corporation, partnership, or limited liability company.

Subsection 1A. Print name of applicant:

(use care -- the license, if issued, will be issued in the name you enter above)

Subsection 1B. Type of applicant (check one):

- Natural person (sole proprietorship, not incorporated)
- Corporation
- Limited liability company (LLC)
- Partnership

Subsection 1C. Changes to Existing License (if applicable):

- Change in Ownership

_____ Current Name & License Number

| | | | | | |
|---|------|---------|--|------|---------|
| FOR OFFICE USE ONLY | | | If applying in second year of biennial renewal cycle | | |
| If applying in first year of biennial renewal cycle | | | BT TYCL FT | | |
| BT | TYCL | FT | BT | TYCL | FT |
| V | 2800 | L \$450 | V | 2800 | L \$450 |
| | 2800 | E \$450 | | 2800 | E \$225 |
| | 3800 | F \$ 5 | | 3800 | F \$ 5 |
| | | \$905 | | | \$680 |

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| | | |
|--|-------|----------|
| <p>Subsection 1D.</p> <p>(1) If applicant is an individual person, state applicant’s date of birth: _____</p> <p>(2) If applicant is an entity, state the date applicant was organized (e.g., date articles of incorporation were filed): _____</p> | | |
| <p>Subsection 1E. If applicant is a corporation, LLC, or partnership, answer the questions in this Subsection:</p> <p>(1) Under the laws of what state was the applicant organized? _____</p> <p>(2) In what state is the applicant currently domiciled? _____</p> <p>(3) Is the applicant currently an entity in good standing under the business organization laws of Florida? YES NO</p> <p>(4) Attach written documentary evidence that the applicant is an entity is in good standing under the business organization laws of Florida. (e.g., a “Certificate of Status” issued by the Division of Corporations of the Florida Department of State, or equivalent certification).</p> <p>(5) If applicant is a corporation, limited liability company, or partnership, complete and attach to this application, the Division form entitled “<u>Business Entity – List of Principals</u>.” (s. 497.141(12) (d), Florida Statutes).</p> | | |
| <p>Subsection 1F. If the license applied for is issued, will applicant do business under a name other than applicant’s name as shown in this application? YES NO</p> <p>If YES, state all names applicant will do business under that are different from applicant’s name as shown in this application:</p> | | |
| <p style="text-align: center;">Section 2. CONTACT INFORMATION CONCERNING THIS APPLICATION</p> | | |
| <p><i>Enter the name and contact information of the person the Division should contact concerning this application.</i></p> | | |
| Name: | | |
| Mailing address: | | |
| Phone number with area code: | | |
| Email address: | | |
| <p style="text-align: center;">Section 3. APPLICANTS PREFERRED MAILING ADDRESS</p> | | |
| <p><i>Enter applicant’s preferred mailing address this Division should use for routine correspondence and notices, if and after the license applied for is issued (e.g., renewal notices).</i></p> | | |
| Street or PO Box: | | |
| City | State | Zip Code |

Applicant – print name here: _____

| Section 4. ACTUAL BUSINESS LOCATION ADDRESS | | | |
|--|---------------|--------------|-----------------|
| <i>Enter the actual street address where operations under the license applied for will be conducted, if the license is issued. NO post office boxes or similar addresses allowed in this section.</i> | | | |
| Street Address | | | |
| City | County | State | Zip Code |
| Section 5. OTHER LICENSURE INFORMATION | | | |
| <p>(a) Does the applicant now hold, or has applicant ever in the past held, a license or registration in Florida <u>or any other state</u> or jurisdiction, as a funeral director, embalmer, direct disposer, funeral establishment, direct disposal establishment, cinerator facility, removal service, centralized embalming facility, refrigeration service, cemetery, monument establishment, or preneed sales business? YES NO</p> <p><i>If your answer to the question in this Section is YES, you must fill out and submit with this application, the “Other Licenses Form.” You must disclose on that form details of each current or prior license that required a “YES” answer to the question in this Section of this application. The “Other Licenses Form” may be obtained from the website of the Division of Funeral, Cemetery and Consumer Services, or you may request the form by letter directed to the Division office at the address shown at the top of this form.</i></p> | | | |
| Section 6. ADVERSE LICENSING HISTORY QUESTIONS | | | |
| <p><i>As used in this Section, “you” refers to applicant; “deathcare industry license” refers to any licensure as an embalmer, funeral director, direct disposer, funeral establishment, direct disposal establishment, centralized embalming facility, cinerator facility, removal service, refrigeration service, cemetery, monument establishment, or preneed sales business.</i></p> <p>(a) Have you ever had any deathcare industry license revoked, suspended, fined, reprimanded, or otherwise disciplined, by any regulatory authority in Florida or any other state or jurisdiction? YES NO</p> <p>(b) Have you ever had any application for a deathcare industry license denied for any reason by any regulatory authority in Florida or any other state or jurisdiction? YES NO</p> <p>(c) Have you ever voluntarily relinquished or surrendered a deathcare industry license while under investigation, or after initiation of a disciplinary proceeding against you or the license? YES NO</p> <p>(d) Are you currently to your knowledge under investigation by any regulatory or law enforcement authority in Florida or any other state or jurisdiction, in regards to alleged misconduct or incompetency in the performance of work under a deathcare industry license? YES NO</p> <p><i>If the answer to any of the questions in this Section is YES, you must fill out and submit with this application, an “Adverse Licensing Action History Form”. You must disclose on that form details of each adverse licensing action and pending investigation that requires a “YES” answer to any of the questions in this Section of this application. That form may be obtained on the website of the Division of Funeral, Cemetery & Consumer Services, or you may request the form by letter directed to the Division office at the address shown at the top of this form.</i></p> | | | |
| Section 7. CRIMINAL HISTORY QUESTIONS | | | |
| <p><i>For purposes of this section, the phrase “ person subject to disclosure requirements” should be understood to refer to and include the following persons:</i></p> <ol style="list-style-type: none"> <i>1. If the applicant is a natural person, only the natural person making application.</i> <i>2. If the applicant is a corporation, all officers and directors of that corporation.</i> <i>3. If the applicant is a limited liability company, all managers and members of the limited liability company.</i> <i>4. If the applicant is a partnership, all partners.</i> <i>5. The licensed direct disposer or funeral director in charge.</i> <p><i>(see s. 497.142(10)(e), Florida Statutes)</i></p> <p>7A. Has any person subject to disclosure requirements ever pled guilty, been convicted, or entered a plea in the nature of no contest, regardless of whether adjudication was entered or withheld by the court in which the case was prosecuted, in the courts of Florida or any other state or a foreign country, regarding any crime indicated below:</p> | | | |

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1. Any felony or misdemeanor, no matter when committed, which was directly or indirectly related to or involving any aspect of the practice or business of embalming, funeral directing, direct disposition, cremation, funeral or cemetery preneed sales, funeral establishment operations, cemetery operations, or cemetery monument or marker sales or installation. **YES NO**
2. Any other felony not already disclosed under subparagraph 1. immediately above, which was committed within the 20 years immediately preceding the date this application is submitted. **YES NO**
3. Any other misdemeanor not already disclosed under subparagraph 1. above, which was committed within the 5 years immediately preceding the date this application is submitted? **YES NO**

If applicant circled YES on behalf of any person subject to disclosure requirements, there must be filed with this application a "Criminal History Form" by each such person. There must be disclosed on that form details of every criminal action that required a "YES" answer to any of 1, 2, or 3 above. That form may be obtained on the website of the Division of Funeral, Cemetery and Consumer Services, or it may be requested by letter directed to the Division office at the address shown at the top of this form.

7B. Name here every person subject to disclosure requirements, as to whom question 9A above is answered YES (if none, write "none").

Section 8. PRIOR NAME INFORMATION

Have you, the applicant, ever used, or been known by, any name other than the name under which you make this application?

YES NO

If the answer to any of the questions in this Section is YES, enter in the space below in full every such prior name, and the period it was used (attach additional sheets if necessary):

Section 9. MISCELLANEOUS MATTERS

a. It is required that the proposed direct disposal establishment be inspected prior to issuance of a license. On what date do you anticipate that the proposed funeral establishment will be ready to be inspected? _____

b. Do you understand that after licensure, you have a continuing duty under state law [s. 497.146, Florida Statutes], to notify this Division within 30 days of any change in your mailing address? **YES NO**

(A "Change of Address or Contact Data" form may be found on the Division website)

c. Do you understand that as part of this application, you must submit your fingerprints for a criminal background check? **YES NO**

*Instructions concerning how and where to submit fingerprints may be reviewed and printed from the website of the Division of Funeral, Cemetery and Consumer Services, as follows: go to the website of the Department of Financial Services (www.myfloridacfo.com), click on *FLDFS Divisions and Offices*, click on *Funeral and Cemetery Services*.*

d. Do you understand that in the event the licensed establishment changes its licensed business name, the Board office shall be notified within 30 days, and such notification shall include legal documentation of the name change, as well as a \$25 duplicate license fee and the original license? **YES NO**

e. Please give name and address of the licensed direct disposer or licensed funeral director who will be in charge; and state his/her license number.

Name: _____ **License Number:** _____

f. Pursuant to Rule 69K-23.004, will the direct disposal establishment be located at a fixed location, in a nonresidential building owned or leased by the applicant herein, with at least 625 contiguous interior square feet for the operation of the direct disposal establishment. **YES NO**

g. Is there currently a funeral establishment or direct disposal establishment at the business location address shown above?
YES NO

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h. Will the direct disposal establishment itself provide, at or from its actual business location address indicated in this application, the following (check Yes or No for each item).

YES NO

- ____ ____ Removal service
____ ____ Refrigeration facilities for bodies
____ ____ Cinerator facilities

For any NO response, attach to this application copies of contracts between the direct disposal establishment and a licensed provider of the services located within 75 miles of the establishment.

i. Will the direct disposal establishment display at its entrance the name of the establishment, and the name of the licensed supervisor or direct disposer in charge? **YES NO**

j. Will the direct disposal establishment transact business in any name other than the name by which it is licensed?
YES NO

Section 10. APPLICANT'S CERTIFICATION & SIGNATURE

All applications shall be signed by the applicant. Signatures of the applicant shall be as follows:

- 1. If the applicant is a natural person, the application shall be signed by the applicant.*
- 2. If the applicant is a corporation, the application shall be signed by the corporation's president.*
- 3. If the applicant is a partnership, the application shall be signed by a partner, who shall provide proof satisfactory to the licensing authority of that partner's authority to sign on behalf of the partnership.*
- 4. If the applicant is a limited liability company, the application shall be signed by a member of the company, who shall provide proof satisfactory to the licensing authority of that member's authority to sign on behalf of the company.*
(s. 497.141(12)(e), Florida Statutes)

Under penalties of perjury, I, the applicant or applicant's authorized signatory, do hereby declare that I have read the foregoing application and all attachments, and the facts stated in it are true and correct.

I declare that I have or will prior to commencing operations under this license comply with all requirements under Chapter 497, Florida Statutes, relating to the license for which I have applied.

I hereby authorize any court, law enforcement agency, or licensing authority to release or make available to the Division of Funeral, Cemetery & Consumer Services in the Florida Department of Financial Services, and to the Florida Board of Funeral, Cemetery, and Consumer Services, any and all information in their files, concerning me.

Signature of Applicant

Date Signed

Name and Title

Mail completed application with all attachments, and required fees to:

Division of Funeral, Cemetery & Consumer Services
Revenue Processing
P.O. Box 6100
Tallahassee, FL 32314-6100

Social Security No. or FEIN here:

(If applicant is an individual person, enter SSN; otherwise, enter FEIN.)