

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
VIDEOCONFERENCE MEETING
December 2, 2021 - 10:00 A.M.

A. Call to Order, Preliminary Remarks, and Roll Call

Mr. Jody Brandenburg, Chair – Welcome, ladies and gentlemen, to the Board of Funeral Cemetery and Consumer Service Video Conference Meeting. It's December 2, 2021. Ms. Simon?

Ms. Ellen Simon – Yes, sir?

Chair – Would you be kind enough to, now that I've called the meeting to order, to make your preliminary remarks and do a roll call?

Ms. Simon – Yes, Mr. Chairman. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is Thursday, December 2, 2021, and it is approximately 10 A.M. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by videoconference and notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to interested persons. Both the link and call-in number is on the agenda, which has been made available to the public. The call-in number and other information relating to the Board meeting has also been published on the Division's website. The Division staff present for this meeting are monitoring from their individual offices. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared.

As this is a videoconference of the Board, there are some items I need to draw your attention to. For one, as a general rule, please do not utilize your video camera for the meeting unless you are a Board member, Board counsel, or an authorized Division employee. If you have a matter listed on the agenda and intend to appear before the Board to represent yourself, or if you are an attorney that is representing a client, only turn your video camera option on when we have reached the agenda item that you want to be heard on or when you hear your name called. Then turn your video camera option off again as soon as your matter has been addressed by the Board. If you are planning on participating by video, please ensure that you are properly attired for the meeting. If you are not planning to participate by video, please ensure that your camera is off.

Additionally, we need everyone that is on the call to place their phone or audio feed on mute, if you are not speaking. The ambient noise coming from someone's phone or audio, which is not muted, causes severe disruption to the meeting. If you are not muted, you may be muted by Division staff. As a result, you may need to call back into the meeting because that may be the only way to unmute your phone. Also, if you are using your computer or smartphone for your audio feed, please remember to speak directly into the microphone on your device. To do so otherwise negatively impacts the recording of this meeting. Just as in a live meeting, persons speaking are requested to identify themselves for the record each time they speak. Participants are respectfully reminded that the Board's Chair, Mr. Brandenburg, runs the meeting. Persons desiring to speak should initially ask the Chair for permission. As a final reminder, Board meetings are public meetings under Florida Law, and anything said via chat is subject to a public records request. Therefore, this feature should only be used for technological issues you may be experiencing, directing any inquiries in chat to Mary Schwantes, our Executive Director. She is monitoring the chat feature and, as necessary, will forward your inquiry to someone who can assist in resolution of the problem. At this point I will take the roll:

Joseph "Jody" Brandenburg, Chair
Keenan Knopke, Vice Chair
Andrew Clark
Sanjena Clay
Lewis "Lew" Hall (EXCUSED)
Christian "Chris" Jensen (DELAYED)
Ken Jones (EXCUSED)
Jay Lyons
Darrin Williams

Also noted as present:

Mary Schwantes, Executive Director
Rachelle Munson, Board Legal Advisor
Marshawn Griffin, Department Legal Counsel
James Bossart, Department Legal Counsel
LaTonya Bryant, Department Staff

Ms. Simon – The only person that we are missing at this point is Mr. Jensen.

Chair – Ms. Simon, could you get staff on the line to contact Mr. Jensen?

Ms. Simon – Yes, sir. For the first couple of the issues on the agenda, I do not think there will be a problem, but we can deal with that if one surfaces.

Ms. Sanjena Clay – Mr. Chairman, may I ask what constitutes a quorum, the number?

Ms. Simon – If I may?

Chair – Go right ahead.

Ms. Simon – The number is six (6). Mr. Chairman, could I have one moment?

Chair – Yes.

Ms. Simon – Ok, I hope that we will be able to get Mr. Jensen on the call shortly. If I may continue with the rest of the agenda.

Chair – Please do.

B. Old Business

(1) Recommended for Approval with Conditions

(a) Collective Application(s) – Change of Ownership

- 1. JMC Family Enterprise Inc d/b/a Rolling Oaks Cemetery and Cremation Gardens***
 - Application(s) to Acquire Control of an Existing Cemetery Company***
 - Application for Preneed License***

Ms. Simon – These applications for licensure based upon a change of ownership were presented at the May 6, 2021 Board meeting and were approved subject to the conditions as set forth in the attached Board minutes from the May 6th meeting. Due to Applicant not satisfying all the conditions as stated by the Board for approval within the additional extended 90-day deadline as granted by the Division, the applicant is re-applying for approval of licensure. All required documentation is enclosed for the Board’s review.

JMC Family Enterprise Inc (JMC), a corporation, seeks approval for the following applications for licensure based upon a change of ownership: an application to acquire control of an existing cemetery (F072542), and an application for a new preneed main. The change of ownership is due to a change of control via an asset purchase agreement, wherein JMC is acquiring all the cemetery and preneed assets of this location. The officers of the corporation will be: Kinndy Rodriguez and Jose Rodriguez. More specifically, the entity that is being acquired is Rolling Oaks Cemetery and Cremation Gardens LLC d/b/a Rolling Oaks Cemetery, a licensed cemetery, license # F072452, physical address: 2200 SW Del Rio Blvd, Port St Lucie, FL 34953. Additionally, the preneed main license will be at the same location.

Enclosed within your Board package are the separate applications. If approved, Applicant is assuming responsibility for any outstanding preneed contracts that have previously been issued by or for fulfillment at the previously mentioned location. The care and maintenance trustee report for CY 2019 is attached. The cemetery report appears to be in line with the reported gross sales for CY 2019. The Division has no record of disciplinary action regarding the applicant. The Division recommends approval of the applications subject to the following conditions:

- 1) That the closing on the transaction to acquire ownership shall occur within 60 days of the date of this Board meeting.

- 2) That the closing on the transaction shall be substantially on terms and conditions as represented to the Board at this Board meeting.
- 3) That Applicant shall assure receipt by the Division within 75 days of the Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred and stating the date of closing, and stating that closing occurred on terms and conditions not inconsistent with those as represented to the Board at this Board meeting, and providing a copy of the fully Bill of Sale, Asset Purchase Agreement, or other document by which the acquisition transaction is consummated, executed by all parties, and any and all amendments, schedules, and other attachments thereto, also fully executed.
- 4) That the Director of the Division of Funeral, Cemetery, and Consumer Services may extend any deadline set out in these conditions, by up to 90 days, for good cause shown. The Director shall report any such extensions to the Board as an informational item.
- 5) That all representations by the applicant in the application and related materials provided to the Board or FCCS Division by the applicant, in support of the application(s), are deemed material to the Board's action herein.

Ms. Clay – Mr. Chairman, I guess I'm a little bit confused. Do we have enough people to transact business?

Ms. Simon – If I may?

Chair – Ms. Simon?

Ms. Simon – Yes, sir. Ms. Clay, we do have enough people to transact business. We may not be sufficient for the disciplinary action, but for non-disciplinary cases, I do believe we have that number.

Ms. Clay – So, we don't need the six (6) people for that?

Ms. Simon – We have six (6).

Chair – We have six (6).

MOTION: Ms. Clay moved to approve the applications subject to the conditions recommended by the Division.

Chair – Mr. Knopke?

Mr. Keenan Knopke – Couple of questions for Ms. Simon, if I may?

Ms. Simon – Yes, sir.

Mr. Knopke – In looking through the package, I see where, I think it's Ms. Rodriguez, or Kinndy, has about seven (7) months cemetery or industry experience. I don't see any other experience from Mr. Rodriguez. Who's going to be running the cemetery, because I believe there's three (3) years of industry experience required?

Chair – Ms. Wiener?

Ms. Wendy Wiener – Good morning, Mr. Chairman. I represent the applicant, JMC. Mr. Knopke, that three (3) year requirement is actually only for the formation of new cemeteries. But to your good point, which is who's going to be running the cemetery and do they have the experience to do so, {inaudible} Rodriguez. Jose Rodriguez's mother, who has been managing the cemetery for the last five (5) or six (6) or more years, I believe, maybe even longer, will be continuing on in that capacity. It's going to really become a family business now for the Rodriguez family.

Mr. Knopke – Great, thank you.

Chair – We have a motion. Is there a second?

Mr. Knopke – I'll second it.

Chair – We have a motion to approve subject to the conditions listed, and all those in favor, aye?

Board members – Aye.

Chair – And any opposed? And that motion carries.

(2) Recommended for Denial
(a) Funeral Director and Embalmer by Endorsement
1. Greenfield, Jaime L

Ms. Simon – An application for a funeral director and embalmer license was received by the Division on August 26, 2021. The application was incomplete when submitted and a completed application was received on October 8, 2021. The applicant has reportable criminal history. The application was placed on the November agenda and tabled until the December meeting, pending a request by the Board members for letters of recommendations, which are included within your Board package. The Division’s recommendation is for denial.

Chair Brandenburg – Is Jamie Greenfield on the call or someone representing, Jamie Greenfield?

Jamie Greenfield – Yes, I’m Jamie Greenfield. I’m here.

Chair Brandenburg – Thank you. There’s so much background noise, Ms. Greenfield.

Ms. Greenfield – That’s not me. I’m sitting in an office alone. I think that somebody else has their microphone on.

Chair Brandenburg – I’m just noting that there was background noise. Are you here to address the Board or merely answer questions that the Board members may have?

Ms. Greenfield – I am here to answer any questions you have. I believe that you guys have received a few letters of recommendation, some from my superiors. So, I’m just here to answer any questions that you might have at this time.

Ms. Simon – Mr. Chairman?

Chair Brandenburg – Go right ahead.

Ms. Simon – Before we continue, I notice that Mr. Jensen is on video, and he is present for the meeting.

Chair Brandenburg – Thank you. We’ll count him as present for the meeting. Thank you.

Mr. Chris Jensen – My apologies, Mr. Chairman. There was some sort of technical difficulties.

Chair Brandenburg – We’re glad that you’re with us.

Mr. Jensen – Thank you, sir.

Chair Brandenburg – Ms. Greenfield, can you describe to us the incident that led to your initial arrest?

Ms. Greenfield – I can. Back in, it was actually, this all occurred back in 2005 and 2006. I was in a relationship with somebody who was involved in the sale of narcotics and I did have some in my vehicle at the time, when he was arrested, so I was arrested. I cooperated with the arresting officers and ended up with a reduced sentence. I ended up getting out of prison early on good behavior, and off of parole on good behavior. And New York State awarded me a Certificate of Relief from Disability for that. That was all over fifteen (15) years ago. I did not obtain my funeral directors license until after, so this is something that was a preexisting situation from a long time ago that costs me dearly and I have worked very hard to put behind me.

Chair Brandenburg – Are you currently on a curriculum of testing for control substances?

Ms. Greenfield – No.

Chair Brandenburg – When was the last time you had a drug test?

Ms. Greenfield – I had to get it for it for where I am now, but it was in 2019 in November, because I switched to a different funeral home, and they do require it.

Chair Brandenburg – Thank you.

Mr. Knopke – Mr. Chair?

Chair Brandenburg – Mr. Knopke?

Mr. Knopke – I was one of the ones that asked her for some additional information. And I'm satisfied, based upon the time period involved and her pronouncement just now that she did pass a drug test for employment in 2019.

MOTION: Mr. Knopke moved to approve the application. Mr. Jay Lyons seconded the motion.

Chair Brandenburg – Just a moment. I'm getting back to where I need to be.

Ms. Clay – Mr. Chairman, I have a question.

Chair Brandenburg – Ok. We have a motion for approval and a second, and we have a question from Ms. Clay.

Ms. Clay – Did I understand the staff to recommend not approving?

Ms. Simon – If I may?

Chair Brandenburg – Ms. Simon?

Ms. Simon – Yes, Ms. Clay. The Division recommended denial based on the criminal history.

Ms. Clay – Thank you.

Chair Brandenburg – So, Board, any other discussion? So, we have a motion to approve and we have a second. And all those in favor, Aye?

Board members – Aye.

Chair Brandenburg – And any opposed? And the motion carries. Ms. Greenfield, congratulations. We look forward to you serving in an exemplary manner.

Ms. Greenfield – I just want to say thank you to everybody. Thank you for the additional opportunity to provide those letters and giving me that extra time and I will not disappoint you. Thank you so much.

Chair Brandenburg – You're welcome.

Mr. Darrin Williams – Mr. Chairman?

Chair Brandenburg – Mr. Williams?

Mr. Williams – Yes, sir. Thank you. I need to recuse myself from C. (1) (a) 1 and C. (1) (a) 2. I served on Probable Cause Panel B for those cases.

Chair Brandenburg – And by the way, thank you for your service on Probable Cause.

Mr. Williams – Yes, sir.

Chair Brandenburg – Ms. Simon?

Ms. Simon – Thank you, sir.

C. Disciplinary Proceeding(s)

(1) Settlement Stipulations (Probable Cause Panel B)

(a) Related Cases – ATN-32722

1. Hancock, Charles: DFS Case No. 268724-20-FC; Division No. ATN: 32722 (F029660)

Ms. Simon – Presenting for the Department is Mr. Bossart.

Mr. James Bossart – May I proceed, Mr. Chairman?

Chair Brandenburg – Please go right ahead, Mr. Bossart, and good morning, again.

Mr. Bossart – Thank you. Good morning to you and the Board, sir. This is James Bossart, from the Office of the General Counsel. Charles Hancock (Respondent) is licensed as a funeral director and embalmer and a monument establishment salesman, license number F029660. Respondent is the owner and FDIC of Hancock Funeral Home, Inc. (funeral establishment), a funeral establishment and apprentice/intern training agency, operating under license number F039972. The Department alleges that the funeral establishment failed to provide a written contract and a price list to a consumer for a monument purchase. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay an administrative fine of \$1,000 and undergo a one-year period of probation. The Department requests that the Board accept this Settlement Stipulation. Thank you.

Chair Brandenburg – Thank you. Is there anyone represented? I see there's a counsel, Mr. Moody, on the call. Good morning, Mr. Moody. Did you want to address the Board, or are you merely here to answer questions?

Mr. Dan Moody – Yes, I would like to address the Board. My name is Dan Moody, on behalf of Mr. Hancock, who is sitting across from me here. Mr. Hancock is also the owner of Hancock Funeral Home. What Mr. Bossart and I have done here, as he described, we entered into a stipulation and he laid out most of the terms. One of the terms of our agreement was that one of the more serious violations was stricken from the initial complaint. The remaining complaint that we have really not agreed to, in terms of whether Mr. Hancock is guilty of that or not, but basically it was responded that Mr. Hancock and his funeral establishment neither admits or denies the allegation. But the allegation, I think, is important to put before that before the Board, and we appreciate your time today, first of all. Thank you for allowing us to come before you. In large part, what we're here today for is not only to show that we're in agreement with the stipulation as entered, but also to talk about what is stipulation allows us to do. Under paragraph 10 (c) of the stipulation, we were allowed by the agreement that the Respondent shall be afforded an opportunity to present to the Board mitigating factors requesting no probation or a shortened length of probation, together with the terms of probation. So, that in one part is what I intend to do briefly with {inaudible} to go over some of the mitigating factors. One of, or the only charge that remains, because the nature of the complaint and other investigative matters that have occurred have resulted in the only finding being in paragraph (c) of the stipulation, which is basically, and I'll read to the Board what this investigation found. The investigation found, and this again is the stipulation that the Department has agreed to. The stipulation says, "*The investigation found that the funeral establishment failed to provide a written contract to the consumer that listed in detail the items and services purchased together with the prices of the items and services purchased. As FDIC, Respondent is responsible for these violations.*" And so, basically what has been alleged against Mr. Hancock and his funeral home is that he failed to provide a written contract. And I have two (2) exhibits I'd like to display to the Board. One which we think, in our mind, if we had to try this case, we're prepared to present evidence that would show that there were material terms of the contract, and those material terms were known by the consumer, provided to the consumer and so on and so forth. I think in large part there is a technical allegation that is before us that can be inferred from this is that Mr. Hancock didn't really utilize a formal listed contract. And one of the reasons why this standardized contract was not used was because Mr. Hancock was allowing a local church in his community, they had the {inaudible} containing the contracts. He was

doing a memorial for the church, and they had all of his forms, if you will. And so, as a result of that book not being there, including the forms, he put together, on his letterhead with his business card, a contract. We submit that it was all done above board.

And the other mitigating factor that needs to be taken into consideration is how this purchase of a headstone and a slab came about was Mr. Hancock was working the visitation, and someone from out of town, the consumer, if you will, came from out of town, came into the visitation area and said, "I'd like to purchase a monument for my brother." Again, you know, it's after 8 to 5 business hours, and Mr. Hancock is working visitation. And you have to remember, this is in the small town, Fort Meade, population of about 5000 or 6000 people. And so, Mr. Hancock, in order to help this consumer, basically took the consumer and said, you know, "I don't have a display here. The best display of monuments is down at the cemetery." And so right before dusk, he had to call someone in to stand in for him for the visitation. But, to help this consumer, he went down to the cemetery, it's right behind the funeral home. He goes down to the cemetery, and she makes a selection of what she wants. And he has a price book there with him. She knows the price. She said, "This is what I want for my brother." She came back, and they entered into this contract that is now in dispute. In my opinion, a very minor infraction a minor technicality, if you will. When Mr. Hancock ordered the monuments, what ended up happening is when the monument came in, after it was ordered, there was some verbiage on the monument that wasn't there that the consumer had ordered. So, it had to be reordered. It couldn't be cut on the [inaudible] because there wasn't enough room. All this time. The consumer got a little frustrated because it was taking more time than she thought should have been taken, and that led to a complaint. And, I think the point there I need to make is Mr. Hancock make good on a promise. He actually lost like \$522 trying to satisfy this lady, well this contract. So again, I think the Board needs to really understand what the technical terms are here that are being alleged that it is violation, but there was no contract. That's in the stipulation, and that's what we've all been talking about in this particular case. But, my paralegal is here. Can you pull these two (2) documents up?

Unidentified person – Are we allowed to share the screen?

Mr. Moody – Can we share the screen?

Chair Brandenburg – Just a moment? Mr. Moody, I'm not sure that you know that the packet that the Board gets on each individual case contains all the information that you've just been through, and we do have that packet, and, of course, we have the Settlement Stipulation. Our information on this particular issue is very extensive. So, so far, everything that you're mentioning to the Board, we already have that information.

Mr. Moody – Ok, well I won't display this, and in my opinion, it's been itemized. You know, all of the prices are there, all the critical terms are there, and the client signed the check. I hear you, Mr. Chairman. So, with that said, I would just like to read Florida Statute, s. 497.154. It basically says that it is "*the legislative intent that minor violations be distinguished from those which endanger the public health, safety, or welfare.*" That's paragraph (2) of that statute. Paragraph (3) says, "*A specific finding of mitigating or aggravating circumstances shall allow the board to impose a penalty other than that provided for in such guidelines,*" and that's what we're doing here today. We're asking this Board to consider, in light of the length of time that went on, the money lost by Mr. Hancock in trying to help this lady get through this. In terms of all of the other mitigating circumstances that the Board shouldn't be familiar with, the Board has gone through this, we would ask that the probation, in this case, be zero probation, no probation, or if the Board is inclined, at least to limit the probation. So, with that I would ask, on behalf of Mr. Hancock and his funeral home establishment, that this is in fact a minor infraction, and that because of that that this Board shorten the length of probation and really no probation is what we're requesting for. Mr. Hancock is a young funeral director. He's never had any trouble ever before. He was only there to serve this consumer.

Chair Brandenburg – Mr. Moody, thank you for your comments. It's ironic, when I read through all the information, I was thinking about making a motion and I will make a motion that we accept the proposed Settlement Stipulation and Respondent shall pay an administrative fine of \$1000 and not undergo one (1) year of probation. So, that's my motion to the Board.

Rabbi Lyons – Second.

Mr. Andrew Clark – Mr. Chairman?

Chair Brandenburg – Go right ahead, Mr. Clark.

Mr. Clark – Thank you, Mr. Chairman. Can I ask Attorney Moody a quick question?

Chair Brandenburg – Please do.

Mr. Clark – Thank you, sir. And I may have misunderstood. Prior, you talked about the incident where the complainant met with the director during the visitation. And right before that, you mentioned that there was a church that had all of Mr. Hancock's prices, but they didn't have the forms. Can you clarify? Is the church selling monuments for Mr. Hancock?

Mr. Moody – No. Mr. Hancock was basically, they have Memorial Gardens there on the side of the Church, and Mr. Hancock had taken, and may have misspoken, but my intent was to tell you that all of his forms, his contract forms, including his prices, were left there with the Church, and the church Board was going through this monument pricing to erect monuments in the garden. It was basically a center monument. There were benches being placed and Mr. Hancock had left all of his material down at the church and that was the reason why he didn't write it on a formal contract. He just wrote it up, again, on the exhibit that I wanted to show you, which broke down every price. Everything was broken down. The consumer agreed to it and she signed the check, and they were all happy. This only came about later. I hope I answered that.

Mr. Clark – You did, sir. Thank you. Thank you, Mr. Chairman. That's all I have.

Chair Brandenburg – We have a motion. Ms. Munson?

Ms. Rachelle Munson – I think just for the record, we need to clarify because it's presented as stip, by the Office of General Counsel. I think, from what I'm hearing the motion to be, that the Board may be contemplating or entertaining rejecting the stip as presented and perhaps making a counter offer, with regard to removing the criteria of probation to see if both parties, the Office of General Counsel and Attorney Moody's client, will be willing to accept that, and the Order will be written, as such.

Chair Brandenburg – That's a good point, and I should have caught it myself. So, my motion would be, by the way, it was seconded. Will you draw the second, Rabbi Lyons?

Rabbi Lyons – Yes. Withdrawn.

Chair Brandenburg – Thank you. So, I will withdraw the previous motion in order to propose a new one.

MOTION: Chair Brandenburg moved to reject the Settlement Stipulation as presented, and offer a counter which provides that the Respondent shall pay an administrative fine of \$1,000 with no probation. Rabbi Lyons seconded the motion, which passed unanimously.

Ms. Munson – And now, just to clarify, because it's a stip, the parties that entered into the stip would have to agree to that because it's not a hearing. So, if Mr. Bossart agrees to it and Mr. Moody agrees to it then it's the counter that will be memorialized.

Chair Brandenburg – Thank you.

Mr. Moody – On behalf of Mr. Hancock and his funeral establishment, and his lawyer, we agree to that stipulation.

Chair Brandenburg – Thank you.

Ms. Munson – Mr. Bossart? Does Mr. Bossart also agree? I didn't hear his answer.

Chair Brandenburg – I'm sorry.

Mr. Bossart – Yes. The Office of General Counsel agrees and has no problems with the revised stipulation.

Chair Brandenburg – Thank you. I suppose I was cutting corners and didn't think of that.

Mr. Moody – Do we have to come back before the Board, or is this kind of like a done deal now? Or how will that work?

Ms. Munson – If I may, Chair Brandenburg? In Order will be issued, sir, indicating that this counter settlement was agreed upon and it will settle all matters involving this particular issue.

Mr. Moody – Thank you very much. And by the way, I used to be a licensee funeral director and embalmer. I've always admired the Board and what you folks do for the funeral profession. Thank you so much for your time today.

Ms. Simon – Mr. Chairman?

Chair Brandenburg – Go right ahead, Ms. Simon.

Ms. Simon – We do have the next case being that of Hancock Funeral Home.

Chair Brandenburg – I understand. So, we've drilled on this one, and everybody's accepted the, shall we say, amended stipulation. And, next, Ms. Simon.

2. Hancock Funeral Home, Inc.: DFS Case No. 247426-19-FC; Division No. ATN: 32722 (F039972)

Ms. Simon – Mr. Bossart?

Mr. Bossart – Thank you. This is James Bossart for the Office of the General Counsel. Hancock Funeral Home, Inc. (Respondent) is licensed as a funeral establishment and apprentice/intern training agency, operating under license number F039972. Charles Hancock is licensed and the funeral director and embalmer and monument establishment salesman. Mr. Hancock is the owner and FDIC of the Respondent. Respondent failed to provide a written contract and a price list to a consumer for a monument purchase. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay an administrative fine of \$1,000 and undergo a one-year period of probation. And in light of the prior case, the Office of the General Counsel would agree to the deletion of the requirement for a one-year period of probation. The Department requests that the Board accept this Settlement Stipulation. Thank you.

Chair Brandenburg – Board? Mr. Moody, do you and your client agree with that?

Mr. Moody – We agree, Mr. Chairman. Thank you.

MOTION: Rabbi Lyons moved to accept the amended Settlement Stipulation, which provides that the Respondent shall pay a \$1000 fine. Mr. Knopke seconded the motion, which passed unanimously.

Chair Brandenburg – Mr. Moody, I have a question for you.

Mr. Moody – Yes, sir?

Chair Brandenburg – Have you maintained your funeral directors license? Are you still a licensed funeral director?

Mr. Moody – No, sir. I put it on ice. I put it on hold, in case I ever need to go back to that. Fortunately, I really enjoyed it when I worked. My dad was long-time funeral director and owner of a funeral home. I've got a special place in my heart for it, though. I'm a lawyer now so, you know, what can I say.

Chair Brandenburg – As a friend of mine once said, who was a lawyer, but he did not practice law. And, someone asked him about it. He said he never had to resort to it to make a living. Yours is the opposite situation. Well, thank you.

Mr. Moody – Thank you, sir. I appreciate it.

Chair Brandenburg – Ms. Simon?

Ms. Simon – Thank you, sir.

- (2) *Material Facts Not Disputed (Section 120.57(2) Hearings) (Probable Cause Panel A)*
 - (a) *Signature Memorial Funeral & Cremation Services, LLC: DFS Case Nos.: 243515-19-FC and 255301-19-FC; Division Nos. ATN-31645 & ATN-33146 (F090323)*

Ms. Simon – This item was withdrawn from the agenda.

- D. Application(s) for Preneed Sales Agent**
 - (1) *Informational Item (Licenses Issued without Conditions) – Addendum A*

Ms. Simon – This item is informational only. Pursuant to s. 497.466, F.S., the applicants listed on Addendum A have been issued their licenses and appointments as preneed sales agents.

- E. Application(s) for Continuing Education**
 - (1) *Course Approval - Recommended for Approval without Conditions – Addendum B*
 - (a) *Independent Funeral Directors of Florida Inc. (135)*
 - (b) *International Cemetery, Cremation and Funeral Association (22808)*
 - (c) *Wilbert Funeral Services (39408)*
 - (d) *Zebra Credits Inc (43008)*

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K-17.0041, F.A.C., the courses presented on Addendum B have been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the applications for the number of hours indicated.

Mr. Knopke – Are you looking for a motion?

Chair Brandenburg – Please.

MOTION: Mr. Knopke moved to approve the applications. Ms. Clay seconded the motion, which passed unanimously.

- F. Consumer Protection Trust Fund Claims**
 - (1) *Recommended for Approval without Conditions – Addendum C*

Ms. Simon – The CPTF claims presented on Addendum C have been reviewed by the Division and the Division recommends approval for the monetary amounts indicated.

Rabbi Lyons – Mr. Chair, can I ask a question?

Chair Brandenburg – I'm sorry, I couldn't hear that. Rabbi Lyons?

Rabbi Lyons – Yes, I have a question, if I may?

Chair Brandenburg – Please go ahead.

Rabbi Lyons – I'm just trying to understand what the story is behind some of these. I mean, you have a \$6000 contract, but there's no money, or it looks like maybe about \$900 in trust fund. Or some of these are around \$1000 and there's no money in the trust fund. What's the story behind these? How does this come to be a claim on the public?

Chair Brandenburg – Ms. Simon?

Ms. Simon – Yes, sir. Rabbi Lyons, in cases where a funeral establishment or any preneed licensee goes out of business, and is no longer capable of serving consumers, the money in trust is paid back to the consumers, but the balance of that money that

the consumer paid in is to be refunded to the consumer by the Consumer Protection Trust Fund; because their contract is no longer going to be fulfilled, due to no fault of the consumer.

Rabbi Lyons – Certainly no fault of the consumer, but if there was money in a trust fund, and the business goes out of business, that money should be protected from bankruptcy or whatever, and the money should be there for the consumer. Correct?

Ms. Simon – Rabbi Lyons, I will be happy to discuss this with you more fully offline. But what I can tell you is that any money that is in trust is paid back to the consumer, and the balance of the contract is paid by the Consumer Protection Trust Fund. Mr. Chairman?

Chair Brandenburg – Yes, go right ahead.

Ms. Simon – I believed there was a motion.

MOTION: Mr. Clark moved to approve all the claim(s), for the monetary amounts indicated. Mr. Jensen seconded the motion, which passed unanimously.

G. Application(s) for Embalmer Apprentice

(1) Informational Item (Licenses Issued without Conditions) – Addendum D

- (a) *Boyce, Hanna S F545814*
- (b) *Cherizard, Nadjeda F545823*
- (c) *Duran, Natacha F F544803*
- (d) *Jackson, John B F546311*
- (e) *Rogers, James D F544472*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved the applications listed on Addendum D.

H. Application(s) for Florida Law and Rules Examination

(1) Informational Item (Licenses Issued without Conditions) – Addendum E

- (a) **Funeral Director (Endorsement)**
 - 1. *Rudd, Arin S*
 - 2. *Woods, Aaliyah D*
- (b) **Funeral Director (Internship and Exam)**
 - 1. *Callins, Tandria M*
 - 2. *Hernandez, Brittney P*
 - 3. *Sullivan, Alexis*
- (c) **Funeral Director and Embalmer (Endorsement)**
 - 1. *Bell, Michael N*
 - 2. *Dailey Jr, Herbert W*
 - 3. *Fioravonti, Frank*
 - 4. *Howell, Travis D*
 - 5. *King, Nelson M*
 - 6. *Moffitt, Michael R*
 - 7. *Pinto, Joanne G*
 - 8. *Richardson, Allen L*
 - 9. *Van Dyke, Mackenzie J*
 - 10. *Weston, Mark H*
 - 11. *Willison, Scott H*
- (d) **Funeral Director and Embalmer (Internship and Exam)**
 - 1. *Logan, Angela L*

Ms. Simon – This is an informational item. Pursuant to Rule 69K–1.005, F. A. C., the Division has previously approved the applications listed on Addendum E.

I. Application(s) for Internship

(1) Informational Item (Licenses Issued without Conditions) – Addendum F

(a) Funeral Director

1. Ennis, Emily A F497077

(b) Funeral Director and Embalmer

1. Baranynk, Nora E F544389

2. Brown, Debra S F548691

3. Delice, Scheyla S F548705

4. Garcia, Scarlett F548154

5. Gordon, Savaida E F544581

6. Hickson, Brittany F547221

7. Jones, Ky M F547229

8. Valdes-Torres, Guadalupe F544618

Ms. Simon – This is an informational item. Pursuant to Rule 69K–1.005, F. A. C., the Division has previously approved the applications listed on Addendum F.

J. Application(s) for Preneed Branch License

(1) Recommended for Approval without Conditions – Addendum G

(a) Northstar Graceland LLC d/b/a Miami Memorial Park (Miami) (license pending)

Ms. Simon – This item has been withdrawn from the agenda.

K. Applications(s) for Registration as a Training Agency

(1) Informational item (Licenses Issued without Conditions) – Addendum H

(a) Monarch Funeral Home & Cremation Services LLC (F438970) (Margate)

Ms. Simon – This is an informational item. The Division has reviewed the application listed on Addendum H and found them to be complete in that the applicant has met the requirements to be a training agency. Pursuant to Rules 69K-1.005, Florida Administrative Code, the Division has previously approved this application.

(2) Recommended for Approval with Conditions

(a) Request(s) for Waiver

1. Taylor & Modeen Funeral Home Inc (F525314) (Jupiter)

Ms. Simon – Taylor & Modeen Funeral Home Inc applied for new licensure based upon a change of ownership, which was approved at the June 2021 Board meeting. Its old license number was F041061, and their current license number is F525314. F041061 included training agency registration. The establishment is now seeking registration as a training agency for its current license, F525314, as well as approval of a waiver of certain requirements of Rule 69K-18.004, Florida Administrative Code. Additionally, this establishment is seeking to continue their training agency status that they had under their previous licensure. The Division recommends approval subject to the conditions as follows:

- 1) That Rule 69K-18.004, Florida Administrative Code, be waived as requested by the licensees, provided there has been no dispute by the public within 30 days of the date the request was published; and
- 2) That the Applications for Registration of a Training Agency be granted so that the aforementioned funeral establishments may continue to be registered as Training Agencies under the new ownership.

Mr. Knopke – Mr. Chair?

Rabbi Lyons – Mr. Chair?

Chair Brandenburg – Go right ahead.

Mr. Knopke – Which one of us?

Chair Brandenburg – I'm sorry. Mr. Knopke?

Mr. Knopke – I'll make a motion to approve this application, as recommended by the Department, all the way back to the closing or to the June 2021 meeting. So, in case there are any interns that were there at that time, or have started since then thinking that they were entering it working for a training agency, that they get their credit.

Rabbi Lyons – Mr. Chair, can I ask a question?

Chair Brandenburg – Please.

Rabbi Lyons – Just want to be clear on what they are asking for a waiver of? I think I understand it, but I just want to make sure that we have it right.

Chair Brandenburg – Ms. Munson?

Ms. Simon – May I answer that, Mr. Chairman?

Chair Brandenburg – Ms. Simon, please go right ahead.

Ms. Simon – Rabbi Lyons, typically, when one applies for registration as a training agency, they need to establish that they have had, I believe it is forty (40) embalmings and forty (40) opportunities to practice funeral directing. However, as this entity had been previously licensed and had already met that standard, and they had to be relicensed only because of a change of ownership, they are requesting proof of that funeral directing and embalming be waived, because they had it previously. And that is what they are requesting waiver of, regarding the rule requirements.

Rabbi Lyons – That's what I understood.

MOTION: Mr. Knopke moved to approve the request subject to the conditions recommended by the Division. Rabbi Lyons seconded the motion, which passed unanimously.

L. Notification(s) of Change in Location

(1) Informational Item (Licenses Issued with Conditions) – Addendum I

(a) Reed & Hall Mortuary Corp (F073091) (Quincy)

(b) SCI Funeral Services of Florida LLC d/b/a Sound Choice Cremation (F288731) (Sarasota)

Ms. Simon – This is an informational item. The establishments listed on Addendum I have applied for approval of a change of location of their businesses. The only criteria for approval is that the new location pass inspection by the Division of Funeral, Cemetery, and Consumer Services.

M. Application(s) for Funeral Establishment

(1) Recommended for Approval with Conditions

(a) Leo C Chase and Associates Inc (St Augustine)

Ms. Simon – An application for a funeral establishment was received on December 7, 2020. The application was incomplete when submitted and completed as of November 1, 2021. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Ms. Clay moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Knopke seconded the motion, which passed unanimously.

(b) St Fort's Funeral Home Investment LLC (Fort Pierce)

Ms. Simon – An application for a funeral establishment was received on September 16, 2021. While the application was incomplete when submitted, a completed application was received on November 8, 2021. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Knopke moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Clark seconded the motion, which passed unanimously.

N. Application(s) for Removal Service
(1) Recommended for Approval with Conditions
(a) BK's Removals LLC (Wellington)

Ms. Simon – An application for removal service licensure was received on October 18, 2021. While it was incomplete when submitted, a completed application was received on November 8, 2021. The Division is recommending approval subject to the condition that the removal service passes an onsite inspection by a member of Division Staff.

MOTION: Rabbi Lyons moved to approve the application subject to the condition that the removal service passes an onsite inspection by a member of Division Staff. Mr. Clark seconded the motion, which passed unanimously.

(b) Rightious Way Transportation LLC (Miami)

Ms. Simon – An application for a removal service license was received on October 20, 2021. While the application was incomplete when submitted, a completed application was received on November 3, 2021. The Division is recommending approval subject to the condition that the removal service passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Knopke moved to approve the application subject to the condition that the removal service passes an onsite inspection by a member of Division Staff. Ms. Clay seconded the motion, which passed unanimously.

(2) Recommended for Approval without Conditions
(a) Love Sweet Music Body Removal LLC (Jacksonville)

Ms. Simon – An application for a removal service license was received on August 25, 2021. While the application was incomplete when submitted, a completed application was received on October 26, 2021. The removal service passed its inspection on November 4, 2021. The Division is recommending approval without conditions.

MOTION: Rabbi Lyons moved to approve the application. Mr. Jensen seconded the motion, which passed unanimously.

(3) Recommended for Denial
(a) Holmes Mortuary Care LLC (New Port Richey)

Ms. Simon – An application for a removal service license was received on September 2, 2021. While the application was incomplete when submitted, a completed application was received on November 1, 2021. The applicant answered no on the criminal history question; however, a background check of the principals revealed criminal history for Emanuel Holmes, who pled guilty to Possession of Cocaine in March 2013. Mr. Holmes was sentenced to two (2) years' probation. The Division is recommending denial. Is there a representative of Holmes Mortuary Care, LLC on the call today?

Mr. Emmanuel Holmes – Good Morning, Board. This is Emmanuel Holmes.

Chair Brandenburg – Good morning, Mr. Holmes, did you want to address the Board or you're merely here to answer questions?

Mr. Holmes – Address and answer questions.

Ms. Simon – Mr. Holmes, before you begin, if you could raise your right hand and be sworn in. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Holmes – Yes, I do.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Holmes – My name is Emmanuel Holmes, last name spelled H O L M E S.

Chair Brandenburg – Do you want to address the Board, Mr. Holmes?

Mr. Holmes – Yes. On the application, I read it wrong, that's why I submitted another part with the criminal record. I read it as related to the funeral industry, so I checked no, but I did send in all my criminal history. Back in 2012. I was with some friends. I got what you call, a constructive possession, which means basically, the narcotics were in reach of everyone, and the two (2) subjects I was with wouldn't confess to it. I had just got picked up. And, from there, everyone was arrested. I did my two (2) years of probation. I'm still in contact with the judge, I do juvenile diversion with that judge. I'm a rotary member. I mean, it's been about ten (10) years since this happened. I just want to put it behind me and do what I love.

Chair Brandenburg – Mr. Holmes, at the time of this arrest, were you a drug user?

Mr. Holmes – No, I wasn't.

Chair Brandenburg – Are you currently a drug user?

Mr. Holmes – No, I'm not. I work for AAA Roadside. I have random drug tests, because I drive a heavy utility truck. I have random drug test, and AAA would literally fire me on the spot if anything came up with drugs.

Chair Brandenburg – When was your last drug test?

Mr. Holmes – Last one was three (3) months ago, around September.

Chair Brandenburg – Thank you.

Mr. Williams – Mr. Chair?

Chair Brandenburg – Go right ahead.

Mr. Williams – Thank you. This question may be for Ms. Simon or Mr. Holmes. On Page 5 of our packet, I just want to get some clarity. Are there any other felonies that Mr. Holmes has, because he answered yes, and I didn't know if that was just a part of the error, or is it accurate or what? I just want to get some clarity on that. And then it asks, in question C, any other misdemeanor? So, I just want to know are there any other charges that Mr. Holmes had, or was that part of the denial that was confusing?

Mr. Holmes – This is Mr. Holmes speaking. There was marijuana in the car, another narcotic and paraphernalia, so those three (3) charges ran together concurrent.

Mr. Williams – Mr. Chairman, may I have a follow up?

Chair Brandenburg – Please do.

Mr. Williams – So, are there any other felonies outside of that one charge? I guess that's what I'm asking.

Mr. Holmes – No, it's just that one. That's the only trouble I've ever been in in life.

Mr. Williams – So, these are only felony charges and no misdemeanors? Because on the application it says, "Other misdemeanors, yes."

Mr. Holmes – No. There's one (1). Two (2) of the charges were misdemeanors. One (1) was a felony and after completion of probation they pretty much gave me a dismissal.

Ms. Simon – Mr. Chairman?

Chair Brandenburg – Ms. Simon?

Ms. Simon – If I may? To respond to your question, Mr. Williams, the Division found no other relevant criminal history other than that which was presented today.

Mr. Williams – Was that the reason for the denial?

Ms. Simon – The reason for the denial was the inaccurate information on the agenda stating that there was no criminal history, as well as the criminal history.

Rabbi Lyons – Mr. Chair?

Chair Brandenburg – Go right ahead.

Rabbi Lyons – I'm a little bit confused about that, because in our packet here on Page 5, the question was, "Any felony or misdemeanor related to the funeral industry?" And the answer was no. And any other felonies, the answer was Yes. And the other misdemeanor, the answer is Yes. So, what did he not disclose? The narcotics possession has nothing to do with the funeral industry.

Ms. Simon – If I may?

Chair Brandenburg – Ms. Simon?

Ms. Simon – This application was updated. The first application stated, No.

Rabbi Lyons – Stated no to any felony charge at all?

Ms. Simon – I believe so. Yes, sir.

Mr. Knopke – Mr. Chair?

Chair Brandenburg – Mr. Knopke, go right ahead.

Mr. Knopke – A question for Mr. Holmes. Is your funeral business open and operating yet?

Mr. Holmes – No. I created an LLC, just so if I got approved by the Board, I was ready to go into business.

Mr. Knopke – The reason for the question is, I look on page, it's probably 7...

Mr. Holmes – Is it the last page?

Mr. Knopke – Yes. Where you have the stamp that says Holmes Mortuary Care, LLC?

Mr. Holmes – Yes, I received a call from the Division yesterday and she asked me the same question. After I completed the application, I had my daughter with me and she said, "Dad, it's only right if you put your stamp on it."

Mr. Knopke – Ok.

Mr. Holmes – That was that, but I'm not active. I haven't done a removal. I'm in the same area as you are. The only thing I do is funeral attendance with local funeral directors around here.

Mr. Knopke – Ok. That's all my questions, Mr. Chair. Thank you.

Chair Brandenburg – Thank you.

Rabbi Lyons – Mr. Chair?

Chair Brandenburg – Go right ahead.

Rabbi Lyons – I think it was one (1) incident. It sounds like it was in the past. The original application does bother me a little bit. It was inaccurate, but germane to the point of the gentlemen being dangerous to the public based on a criminal history, I just don't see it and I recommend that we approve.

Chair Brandenburg – Thank you.

Rabbi Lyons – I move that we approve.

Mr. Williams – Mr. Chair?

Chair Brandenburg – Go right ahead.

Mr. Williams – Just a point of order. Would we have to deny the Division's recommendation, since it is a recommendation to deny, or would it be a straight approval? Ok. I'll second that motion.

Chair Brandenburg – We have a motion to approve and it's been seconded. Any other discussion? And all those in favor, aye?

Board members – Aye.

Chair Brandenburg – And any opposed?

Board members – No.

Chair Brandenburg – It would seem to me, unless someone wants to challenge it, that the motion was denied.

Ms. Munson – I would suggest a roll call.

Chair Brandenburg – Ms. Simon, do you want to do a roll call vote?

Ms. Simon – Yes, sir.

Ms. Simon – Please respond by saying aye or nay as to the motion. Mr. Clark?

Mr. Clark – Nay.

Ms. Simon – Rabbi Lyons?

Rabbi Lyons – Aye.

Ms. Simon – Ms. Clay?

Ms. Clay – Nay.

Ms. Simon – Mr. Williams?

Mr. Williams – Yes.

Ms. Simon – Mr. Knopke?

Mr. Knopke – Yes.

Ms. Simon – Mr. Jensen?

Mr. Jensen – Nay.

Ms. Simon – Mr. Chairman.

Chair Brandenburg – Nay.

Ms. Simon – That motion did not pass.

Chair Brandenburg – So, are there any other motions?

Mr. Knopke – Mr. Chair?

Chair Brandenburg – Mr. Knopke?

Mr. Knopke – I'll make a motion to approve and place him on a period of three (3) years' probation.

Mr. Williams – Second, Mr. Chair.

Mr. Clark – Mr. Chair, question?

Chair Brandenburg – Mr. Clark?

Mr. Clark – I'm just thinking through the process for removal, for renewing that application. How will we be notified if there is criminal activity? Would it be when he renews his license {inaudible}?

Ms. Simon – Yes, sir, Mr. Clark.

Mr. Clark – Ok.

Mr. Knopke – Mr. Chair?

Chair Brandenburg – Is that Mr. Knopke?

Mr. Knopke – It is. I was going to also respond after Ms. Simon did to Mr. Clark's question. It would appear to me when he renews his license, but also if there's any disciplinary that comes to the Board or to the Department prior to renewal, that would be impacted and be flagged at that point, too.

Chair Brandenburg – So is that a part of your motion? Would you withdraw your original motion?

Mr. Knopke – No, my original motion still stands. I was just trying to explain it a little further, at least how I was presenting it, after Ms. Simon said on the renewal, but I was adding to that. I believe it would also appear to the Department that he had violated it, if he had discipline between now and that three-year period. We wouldn't be waiting until the renewal. It would be all during the time period.

Chair Brandenburg – And how would that be accomplished, Ms. Simon?

Ms. Simon – I'm not certain it can be, Mr. Chairman. The only way we would know about the criminal history would be at the time of renewal, or, maybe we can ask the licensee to have fingerprints done every six (6) months, at his cost. I don't know what else we can do in order to see about his criminal history or his current criminal history.

Chair Brandenburg – We have before us a motion to approve with a condition of three years' probation. And that motion has been seconded.

Mr. Knopke – Mr. Chair?

Chair Brandenburg – Yes?

Mr. Knopke – Ms. Wiener's trying to get your attention.

Ms. Munson – Is Ms. Wiener representing in this case?

Ms. Wiener – I'm not. I was just going to remind the Division that the conditions of probation require that licensees notify the Division of any criminal activity. So, I believe that the standard conditions of probation will resolve this issue, as well as the issue with regard to discipline, as long as the standard conditions that are typically imposed are imposed. I was just trying to be helpful.

Chair Brandenburg – Thank you. So, we're down to a vote. And all those are in favor, aye?

Board members – Aye.

Chair Brandenburg – And any opposed?

Mr. Jensen – No.

Chair Brandenburg – One opposed. Congratulations, Mr. Holmes, and good luck. Remember all the things that we discussed today and it's important, because you're going to be interacting with families in their homes at the most difficult times in their lives.

Mr. Holmes – Yes, sir. I appreciate you all.

- O. **Collective Application(s)**
 - (1) *Recommended for Approval with Conditions*
 - (a) *Foundation Partners of Florida LLC*
 - 1. *Change of Ownership*
 - *Cinerator Facility (4)*
 - *Funeral Establishment (19)*
 - 2. *New Application(s)*
 - *Funeral Establishment*
 - *Preneed Branch*

Ms. Simon – Foundation Partners of Florida LLC, seeks approval of applications for licensure based upon a change of ownership for nineteen (19) funeral establishments and four (4) cinerator facility. Additionally, the applicant is seeking approval of applications for licensure for one (1) new funeral establishment and one (1) new preneed branch. More specifically the entities being acquired, are listed as part of your Board package.

Enclosed in your Board package are the separate applications regarding each of the properties. The change of ownership is the result of an asset purchase. The principals of the corporation have submitted fingerprints, which were returned without criminal history. Applicant confirms that if there are currently any unfulfilled preneed contracts sold at these locations, the

obligation to fulfill those preneed contracts will be assumed by the new owners. The Division recommends approval of the applications subject to the following conditions:

- 1) That the closing on the transaction to acquire ownership shall occur within sixty (60) days of the date of this Board meeting.
- 2) That the closing on the transaction shall be substantially on terms and conditions as represented to the Board at this Board meeting.
- 3) That Applicant shall assure receipt by the Division within 75 days of the Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred and stating the date of closing, and stating that closing occurred on terms and conditions not inconsistent with those as represented to the Board at this Board meeting, and providing a copy of the fully Bill of Sale, Asset Purchase Agreement, or other document by which the acquisition transaction is consummated, executed by all parties, and any and all amendments, schedules, and other attachments thereto, also fully executed.
- 4) That the Director of the Division of Funeral, Cemetery, and Consumer Services may extend any deadline set out in these conditions, by up to 90 days, for good cause shown. The Director shall report any such extensions to the Board as an informational item.
- 5) That all representations by the applicant in the application and related materials provided to the Board or FCCS Division by the applicant, in support of the application(s), are deemed material to the Board's action herein.
- 6) That the establishment(s) under the application(s) herein pass an onsite inspection by a member of Division Staff.
- 7) That the Applicant (new owner or controlling party) shall assume all existing preneed liabilities, (if any), of the location(s) being acquired.

Chair Brandenburg – Mr. Clark?

Mr. Clark – Thank you, Mr. Chairman. I would just like to state for the record my affiliation with Foundation Partners Group of Florida and I'll recuse myself from this matter.

Chair Brandenburg – Thank you. So, we have a Division recommendation, with conditions. Is there a motion?

Mr. Knopke – Mr. Chair?

Chair Brandenburg – Mr. Knopke?

Mr. Knopke – Well, let me disclose my relationship as usual to the president of Baldwin Brothers, my brother, Skip Knopke. And while he is my brother, as in the past, it's never impacted my ability to make a fair and impartial decision, so I will be participating today.

Chair Brandenburg – Thank you.

MOTION: Mr. Knopke moved to approve the applications subject to the conditions recommended by the Division. Ms. Clay seconded the motion, which passed unanimously.

Chair Brandenburg – Ms. Wiener?

Ms. Wiener – Mr. Chairman, thank you. I just wanted to recognize and thank Board staff for processing this large number of applications. They did so incredibly efficiently and effectively, and a special shout out to Jasmin Richardson, who really just did her job to the utmost. So, we appreciate that. Thank you.

Chair Brandenburg – That's so noted and certainly part of the record. Thank you.

Ms. Wiener – Thank you.

Mr. Clark – Mr. Chairman?

Chair Brandenburg – Go right ahead.

Mr. Clark – I just recused myself, but since we voted, I just wanted to echo Ms. Wiener’s sentiment. So, thank you to do the Division.

Chair Brandenburg – Thank you for that comment, Member Clark. Thank you. Ms. Simon?

Ms. Simon – Yes, sir.

(b) *SCI Funeral Services of Florida LLC d/b/a Hardage-Giddens St Johns Funerals and Cremations (St Johns)*

1. *New Application(s)*

- ***Funeral Establishment***
- ***Preneed Branch***

Ms. Simon – SCI Funeral Services of Florida LLC seeks approval of its applications for funeral establishment and preneed branch licensure. A completed background check of the principal(s) for the business revealed no relevant criminal history.

- 1) SCI Funeral Services of Florida LLC d/b/a Hardage-Giddens St. Johns Funerals and Cremations, a funeral establishment license, physical address: 1285 St Johns Parkway, St Johns, FL 32259
- 2) SCI Funeral Services of Florida LLC d/b/a Hardage-Giddens St. Johns Funerals and Cremations, a preneed branch license, physical address: 1285 St Johns Parkway, St Johns, FL 32259

The applications are included as part of your Board package. The Division recommends approval subject to the condition the establishments pass an onsite inspection by a member of Division Staff.

Chair Brandenburg – I want to declare my affiliation with SCI Funeral Services of Florida, LLC. This affiliation will in no way affect my ability to make a fair and impartial decision on these matters before the Board, or any other matters coming before the Board today.

MOTION: Mr. Knopke moved to approve the applications subject to the condition the establishments pass an onsite inspection by a member of Division Staff. Mr. Clark seconded the motion, which passed unanimously.

Chair Brandenburg – Thank you.

(c) *SCI Funeral Services of Florida LLC d/b/a Hodges Life Celebration Center (Bonita Springs)*

1. *New Application(s)*

- ***Funeral Establishment***
- ***Preneed Branch***

Ms. Simon – SCI Funeral Services of Florida LLC seeks approval of its applications for funeral establishment and preneed branch licensure. A completed background check of the principal(s) for the business revealed no relevant criminal history.

- 1) SCI Funeral Services of Florida LLC d/b/a Hodges Life Celebration Center, a funeral establishment license, physical address: 26051 S Tamiami Trail, Bonita Springs, FL 34134
- 2) SCI Funeral Services of Florida LLC d/b/a Hodges Life Celebration Center, a preneed branch license, physical address: 26051 S Tamiami Trail, Bonita Springs, FL 34134

The Division recommends approval subject to the condition the establishments pass an onsite inspection by a member of Division Staff.

MOTION: Mr. Knopke moved to approve the applications subject to the condition the establishments pass an onsite inspection by a member of Division Staff. Mr. Clark seconded the motion, which passed unanimously.

(d) *SCI Funeral Services of Florida LLC d/b/a Robert Toale & Sons Celebration of Life (Bradenton)*

1. *New Application(s)*

- ***Funeral Establishment***
- ***Preneed Branch***

Ms. Simon – SCI Funeral Services of Florida LLC seeks approval of its applications for funeral establishment and preneed branch licensure. A completed background check of the principal(s) for the business revealed no relevant criminal history.

- 1) SCI Funeral Services of Florida LLC d/b/a Robert Toale & Sons Celebration of Life Center, a funeral establishment license, physical address: 4310 Solutions Lane, Bradenton, FL 34211
- 2) SCI Funeral Services of Florida LLC d/b/a Robert Toale & Sons Celebration of Life Center, a preneed branch license, physical address: 4310 Solutions Lane, Bradenton, FL 34211

The Division recommends approval subject to the condition the establishments pass an onsite inspection by a member of Division Staff.

MOTION: Mr. Knopke moved to approve the applications subject to the condition the establishments pass an onsite inspection by a member of Division Staff. Mr. Clark seconded the motion, which passed unanimously.

Ms. Simon – If I could just have one moment, sir?

Chair Brandenburg – Take your time.

P. Contract(s) or Other Related Form(s)

(1) Recommended for Approval without Conditions

(a) Preconstruction Performance Bond(s)

1. S.E. Combined Services of Florida, LLC d/b/a Caballero Rivero Palms Woodlawn (Naranja)

Ms. Simon – S.E. Combined Services of Florida, LLC DBA Caballero Rivero Palms Woodlawn intends to construct a new mausoleum building consisting of 516 crypts and 180 niches. Pursuant to s. 497.272, Fla. Statutes, typically, a pre-construction trust must be put in place if sales are going to occur prior to completion. However, s. 497.272(8) provides that in lieu of the preconstruction trust fund, the cemetery company may provide a performance bond in an amount and by a surety company acceptable to the regulator. The licensee has submitted for approval a performance bond, in lieu of a preconstruction trust. The mausoleum project, and the bond, is summarized within your Board package. Cemetery agrees to complete said construction in accordance with the terms of the construction agreement with Mausoleum USA, which is included within your Board package. The Division recommends approval of the above-named preconstruction performance bond without conditions.

MOTION: Mr. Knopke moved to approve the preconstruction performance bond. Mr. Jensen seconded the motion, which passed unanimously.

(2) Recommended for Approval with Conditions

(a) Request(s) for Trust Transfer

1. Morris Terrill L d/b/a Morris Funeral Chapel (F038711) (Sebring)

Ms. Simon – Morris Funeral Chapel seeks approval of the transfer of the FSI Master Trust Agreement (90/10 trust) to the IFDF Master Trust Fund A Agreement (90/10 trust), all under Argent Trust Company. If approved, Argent will continue to be the trustee, all as more specifically set out within your Board package. The Division recommends approval subject to the conditions set forth below:

- 1) That the representations of Morris Terrill L d/b/a Morris Funeral Chapel, as set forth in Attorney's letter dated November 4, 2021 be deemed material to the Board's decisions herein.
- 2) That within ninety (90) days of this Board Meeting Argent provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
 - ⊗ A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1)(b), to act as trustee of the trust to be transferred pursuant to Attorney's letter dated November 4, 2021.
 - ⊗ A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in Attorney's attached letter dated November 4, 2021.
 - ⊗ Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in Attorney's attached letter dated November 4, 2021.

- 3) That the Board's executive director, for good cause shown, may extend the compliance time frame for the above specified conditions, an additional ninety (90) days.

MOTION: Mr. Knopke moved to approve the trust transfer subject to the conditions recommended by the Division. Mr. Clark seconded the motion, which passed unanimously.

Chair Brandenburg – Is Terrill Morris on the call?

Mr. Luke Grabowski – Mr. Chair, can you hear me?

Chair Brandenburg – Yes.

Mr. Grabowski – I apologize, Mr. Chairman. This is Luke Grabowski, on behalf of Mr. Morris Terrill and the Independent Funeral Directors of Florida. He is not on the meeting today, but I am here if you did have any questions.

Chair Brandenburg – Just pass along our best regards.

Mr. Grabowski – I will do that. Thank you very much.

2. Ruskin Memorial Park Association Inc (F039551) (Ruskin)

Ms. Simon – Ruskin Memorial Park Association, Inc seeks approval of a proposed asset transfer. Ruskin seeks approval of the transfer of the following: funds for the cemetery's care and maintenance currently held at SunTrust Bank to the FSI Care & Maintenance Trust Agreement under Argent Trust Company (Argent). If approved, Argent will be the trustee. The Division recommends approval subject to the conditions set forth below:

- 1) That the representations of Ruskin Memorial Park Association, Inc, as set forth in Attorney's letter dated 10-11-2021 be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board Meeting Argent provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
 - ⊙ A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b), to act as trustee of the trust to be transferred pursuant to Attorney's letter dated 10-11-2021.
 - ⊙ A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in Attorney's attached letter dated 10-11-2021.
 - ⊙ Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in Attorney's attached letter dated 10-11-2021.
- 3) That the Board's executive director, for good cause shown, may extend the compliance time frame for the above specified conditions, an additional 90 days.

Chair Brandenburg – You're representing, Ms. Wiener?

Ms. Wiener – I am, sir. Just here to answer questions, if there are any.

Chair Brandenburg – Do you know the amount of the transfer of the funds?

Ms. Wiener – I don't know the exact amount. I don't believe it is a lot of money. This is an unusual situation where the funds, it's a licensed cemetery, but the funds were not actually held in a trust. And I believe that an examiner came to the location and said, "You need to resolve this." And so, they are moving it to the FSI Master Trust.

Chair Brandenburg – Good. It looks like it will be resolved, then. Thank you.

Ms. Wiener – Yes, sir. Thank you.

Chair Brandenburg – Board members?

MOTION: Mr. Knopke moved to approve the trust transfer subject to the conditions recommended by the Division. Mr. Clark seconded the motion, which passed unanimously.

Ms. Wiener – Thank you.

Q. Related Items

(1) Recommended for Approval with Conditions

(a) Application for Monument Establishment

1. White Rose Monuments LLC (Plant City) (Monument Establishment)

Ms. Simon – An application for monument establishment retail licensure was submitted by White Rose, Monument's, LLC on September 1, 2021. While it was incomplete when submitted, the application was deemed complete on October 27, 2021. A completed background check revealed no criminal history. If approved, applicant will operate as a monument establishment retailer at the address listed in your Board package. The Division recommends approval subject to the condition the establishment pass an onsite inspection by a member of Division Staff. Is there a representative of White Rose, Monuments, LLC on the call today?

Mr. Luis Wilson-Wolfe – Yes, I'm here.

Ms. Simon – Thank you, sir.

Chair Brandenburg – What is your name, sir, please?

Mr. Wilson-Wolfe – Luis Wilson Wolfe.

Chair Brandenburg – Would you like to address the Board, or you're merely here to answer questions?

Mr. Wilson-Wolfe – I'm here to answer any questions.

Chair Brandenburg – Thank you. Board?

MOTION: Rabbi Lyons moved to approve the applications subject to the condition the establishments pass an onsite inspection by a member of Division Staff. Mr. Knopke seconded the motion, which passed unanimously.

Chair Brandenburg – And thank you for being on the call, Mr. Wolfe.

Mr. Wilson-Wolfe – Thank you so much.

(b) Monument Retail Sales Agreement

1. White Rose Monuments LLC (Plant City) (Sales Agreement)

Ms. Simon – White Rose Monuments, LLC submits a monument retail sales agreement for approval. If the form is approved, it is to be used for the sale of monuments through its monument retailer establishment. The Division recommends approval subject to the conditions set forth below:

- 1) That the Board approves the application for monument retailer establishment license.
- 2) That Applicant provide the Division a copy of its addendum for the layout/inscription of monuments and;
- 3) That two-full sized print-ready copies are received by the Department within 60 days of this Board meeting.

Mr. Jensen – Mr. Chairman, may I ask a question?

Chair Brandenburg – Please go right ahead, Mr. Jensen.

Mr. Jensen – Yes, sir. The previous applies to this as well, but I see on there that there's been a monument establishment there for ten (10) years. Why are we getting a new application? Anybody? Ms. Simon?

Chair Brandenburg – I don't have the answer to that. Perhaps Mr. Wolfe could be sworn in and give us the answer.

Ms. Simon – Mr. Wolfe, could you please raise your right hand and be sworn in?

Mr. Wilson-Wolfe – Yes.

Ms. Simon – Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Wilson-Wolfe – Yes, I do.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Wilson-Wolfe – My name is Luis Wilson-Wolfe, W I L S O N - W O L F E. The previous business here was Sweet Dreams Memorials, which my father owned, He is no longer doing that. He is retired, He's moved on. I am starting my own business. I've got all the land, and I'm going to continue by myself.

Chair Brandenburg – Mr. Jensen?

Mr. Jensen – Yes, sir? I'm satisfied with that. I was just more curious why we're getting an application for a new license if there's been one there for ten (10) years.

Chair Brandenburg – Thank you. Board?

Rabbi Lyons – Mr. Chair?

Chair Brandenburg – Rabbi Lyons?

Rabbi Lyons – J just wanted to say, because you usually asked me this question, but this is the standard contract that you get from the Department, if you ask them nicely. The one thing conspicuously missing is the ability for the consumer to sign off on the final draft or the proof, but that was one of the conditions that they submit that addendum. Otherwise, it's fine. I do have one comment, just because it came up in previous meetings, as far as a definition of preneed versus at-need. The standard contract does have a line that says to have the consumer sign off on. It says, "This agreement does not include any future inscriptions, such as date of death." The problem with that is that's obviously talking about somebody who's alive and they're having some type of inscription on a monument. You know, maybe it's a companion monument, maybe they're having the whole thing down on a single monument, whatever it might be. Obviously, there's no date of death yet, because nobody knows that. My only point is that even though this is a live person who is engaging in the funeral industry, it is an at-need transaction, because the monument company is providing the service in a timely manner. And that is not a preneed, because there is no promise of doing anything in the future. So, it has nothing to do with this contract specifically. That's just the standard you get from the Division that all these at-need contracts have. So, I'm just pointing out that there is a situation of a live person, as a consumer, in an at-need basis. Thank you for allowing me to speak.

MOTION: Rabbi Lyons moved to approve the agreement subject to the conditions recommended by the Division. Mr. Knopke seconded the motion, which passed unanimously.

Chair Brandenburg – Congratulations Mr. Wilson-Wolfe.

Mr. Wilson-Wolfe – Thank you very much.

Ms. Simon – Mr. Chairman?

Chair Brandenburg – Yes?

Ms. Simon – Before we move on, I would like to address a previous issue on the agenda, Item K, which is an application for registration as a training agency.

K. Applications(s) for Registration as a Training Agency
(2) Recommended for Approval with Conditions
(a) Request(s) for Waiver
1. Taylor & Modeen Funeral Home Inc (F525314) (Jupiter)

Ms. Simon – If I may have some feedback from the Board? Did the Board receive the documents attached to the coversheet on this matter?

Mr. Knopke – Yes.

Mr. Jensen – No.

Mr. Clark – I did not.

Mr. Knopke – I believe I did. I'll put it that way.

Ms. Munson – I did not.

Chair Brandenburg – I received a one (1) page document. That's all.

Ms. Simon – There were more documents associated with this, including an application and a Petition for Waiver. And I am not sure that we can actually vote on this, or we already took the vote, but we may need to revisit that without the application being presented to the Board members. Ms. Munson?

Ms. Munson – Yes, that was my point exactly. I can't issue an Order for a petition without the actual petition being presented. I need the information about the petition. I want to make sure that the Board actually...although the summary sheet covers everything, the material documents that support them appear to be missing from the materials for the Board to review.

Chair Brandenburg – So, what is our recommendation for action from here?

Ms. Simon – Ms. Munson, is it possible that the Board can still proceed forward with this vote, that the vote is still ok based on the description provided to the Board?

Ms. Munson – Yes, except the material information...I can't issue an Order.

Ms. Simon – If I provide it to you after the Board meeting, would I be able to do that or no?

Ms. Munson – I just wouldn't recommend that. Especially, I wouldn't want to have that set as some type of method of course of action on the record. The answer would be no.

Ms. Simon – As a result, Mr. Chairman, we can either revisit this, but we know that we're going to have to put this on the next agenda, because it cannot be characterized as a training agency without the Board reviewing the documentation that supports the coversheet.

Chair Brandenburg – I do understand. So, Board members, our vote on this will be a continuation to the next meeting.

Ms. Munson – Please.

Ms. Simon – Thank you, sir. I apologize to the Board for that.

Chair Brandenburg – Ms. Simon?

Ms. Simon – Thank you.

Mr. Jensen – Mr. Chairman, Mr. Knopke has some comments.

Chair Brandenburg – I'm sorry. Mr. Knopke?

Mr. Knopke – Thank you. Thank you, Mr. Jensen. Ms. Munson or Ms. Simon, for that matter with Taylor & Modeen, do we need to take it up and reconsider it? Will this create a deemer issue here now?

Ms. Munson – I'm just going to interject with my initial comments and Ms. Simon, you can please feel free to follow up. I believe that this was presented on the documentation as a Petition for Variance of a Rule. It also appears to be presented, however, as a review of an application, because a change of ownership that occurred. That was not actually clear for the record. I was trying to correspond with staff just to make sure I didn't have a misunderstanding with that. For the petition itself, you don't need to reconsider, because we never had a petition to review. We just had a summary presented by the Department describing what they summarized the petition to state. We actually need a petition to vote on for the petition itself. If you're asking about a deemer for an application, I'll just turn this over to Ms. Simon to see if there's any type of timeline in consideration regarding the application itself, which is also not in the materials for review. So, I'll turn it over to Ms. Simon.

Ms. Simon – Thank you, Ms. Munson. And if I could just have one moment? Just one second. Ok, it appears that we received the application on October 25th, so we could still have it heard at the January meeting without having a deemer issue. Is that correct, Ms. Munson?

Ms. Munson – I don't have the January meeting on top of my memory date, but, yes, if the ninety (90) days is there that's fine.

Ms. Simon – Thank you for bringing that up, Mr. Knopke.

Mr. Williams – Mr. Chair?

Chair Brandenburg – Go right ahead.

Mr. Williams – Thank you. This question is for Ms. Simon. I was looking through the packet, and before Ms. Schwantes makes her report, is there a reason for item C (2) to continue to keep going each month? I think we're now going to the third month of this case of not being heard, and it has some extensive violations, and I wanted to know if we have some reasons why this keeps prolonging in terms of addressing it? Because I don't want us to come into a situation of a timetable or anything.

Ms. Simon – Mr. Chairman, may I respond?

Chair Brandenburg – Please go right ahead and clarify what issue it is.

Ms. Simon – Mr. Williams, the Department noticed yesterday that the entity has an attorney. The attorney filed a Notice of Appearance, and due to that, the attorney requested that it be removed from the agenda, so it could be heard in January. There is no time-table problem associated with a disciplinary case, as there would be for an application case.

Mr. Williams – Ok. Mr. Chair, I guess, with the violations that are being proposed, I just want to make sure we're not harming the public in any kind of way, in terms of them still being outstanding, and we haven't addressed it. So, that was my reason for that, if that makes any sense.

Chair Brandenburg – It does make a lot of sense. And I understand your angst and your concern about that. I was somewhat miffed that it was being withdrawn, but I suppose that's what we have to do.

Mr. Williams – Thank you so much, Ms. Simon.

Ms. Simon – Thank you, sir. May we move on with the agenda, Mr. Chairman?

Chair Brandenburg – Please do.

R. Executive Director’s Report
(1) Operational Report (Verbal)

Ms. Simon – At this point, I will turn the meeting over to the Executive Director, Mary Schwantes.

Ms. Schwantes – May I, Mr. Chair?

Chair Brandenburg – Good morning. Go right ahead.

Ms. Schwantes – Thank you, sir. Good morning, again, Board members. The report this month will be extremely short. At this time, the Department's Agency Bill has not been filed. A Bill is expected to contain proposed changes to Chapter 497, Florida Statutes. Hopefully I'll be able to provide a detailed report about the bill at the next Board meeting. As a reminder, the 2022 Legislative Session begins on January 11th, and ends sixty (60) days later, on March 11th. The next Board meeting will be a videoconference meeting on Thursday, January 6, 2020. I expect the Division's Annual Financial Reports will be presented to the Board at that meeting or perhaps the February meeting. That ends the Operational Report for this month. Thank you, Mr. Chair, and on behalf of the Division, we wish you all a very happy holiday. Thank you.

Chair Brandenburg – Thank you.

(2) Report: Payment of Disciplinary Fines and Costs (Informational)

Ms. Simon – This is informational only.

Monthly Report of Fines and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 Date of Board meeting: December 2, 2021
 Date report was prepared: November 23, 2021

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Americare Funeral Services, LLC, d/b/a Lifesong	11/4/2021	280011-21-FC	\$500			
Southwest Professional Services, Inc.	11/4/2021	282717-21-FC	\$750	12/17/2021		
Debra Lynn Parrish	11/4/2021	282523-21-FC	\$1,000	12/17/2021		
Dees-Parrish Family Funeral Home	11/4/2021	280025-21-FC	\$1,000	12/17/2021		
Johnson-Nelson-Gill Funeral Home LLC	11/4/2021	282877-21-FC	\$1,750	12/17/2021		
David Menneke	11/4/2021	276840-21-FC and 280022-21-FC	\$7,500	12/17/2021		
Carol Y. Washington dba Washington Funeral Home	11/4/2021	283173-21-FC	\$1,250	12/17/2021		
Florida Finest Family Cremations, LLC d/b/a Florida Family Cremations	11/4/2021	276834-21-FC and 280021-21-FC	\$7,500	12/17/2021		
Anthony Washington Jr.	11/4/2021	283175-21-FC	\$1,250	12/17/2021		
Hernando Crematory	Oct-21	282561-21-FC	\$250	11/18/2021	Paid	
Jonnye Charlow	Oct-21	282725-21-FC	\$1,250	11/18/2021	Paid	

	Charlow Funeral Home	Oct-21	282722-21-FC	\$1,750	11/18/2021	Paid	
	Richard Ritchie	Oct-21	283112-21-FC	\$1,250	11/18/2021	Paid	
	Daniel Vinson	Oct-21	270655-20-FC	\$1,250	17-Jan-22	Paid	
	Vinson Funeral Home	Oct-21	270637-20-FC	\$1,750	17-Jan-22	Paid	
	Anthony Zipperer	Oct-21	283117-21-FC	\$1,250	11/18/2021	Paid	
	Zipperer's Funeral Home	Oct-21	283113-21-FC	\$1,750	11/18/2021	Paid	
	Callahan Funeral Home, Inc.	Oct-21	278180-21-FC	\$1,000	11/18/2021		
	Andrew Thornberry	Oct-21	280951-20-FC	\$500	11/18/2021	Paid	
	Warren Family Funeral Homes, Inc. d/b/a Newcomer Cremations, Funerals & Receptions:	Oct-21	280392-21-FC	\$1,250	11/18/2021	Paid	
	Winslow Honors Funeral Chapel	Oct-21	283111-21-FC	\$3,000	11/18/2021	Paid	
	Peavy Funeral Home	8/5/2021	280003-21-FC	\$500		Paid in Full	
	Elliot Maurice Graham	8/5/2021	280740-21-FC	\$4,000		Paid in Full	
	Morris Funeral Chapel	8/5/2021	278436-21-FC	\$250	9/13/2021	Paid in Full	
	Marion Graham Mortuary	8/5/2021	265816-20-FC	\$2,000		Paid in Full	
	Marion Graham Mortuary	8/5/2021	278140-21-FC	\$1,000		Paid in Full	
	Rahming-Poitier Funeral Directors Corp	7/13/2021	265828-20-FC	\$25,000	20-Sep-21	Paid in Full	
	Joseph Santiago	7/13/2021	185639-16-FC	\$1,300		Paid in Full	
	Hubbell Funeral Home	24-Jun-21	276846-21-FC	\$250	9/13/2021	Paid in Full	
	Phillips Mortuary	24-Jun-21	243521-19-FC	\$300	9/6/2021	Paid in Full	
	Shane Obert Funeral Home, Inc.:	24-Jun-21	279998-21-FC	\$250	9/6/2021	Paid in Full	
	Gause Funeral Home, Inc.	24-Jun-21	278141-21-FC	\$250	9/6/2021	Paid in Full	
	Metro Crematory Inc.	24-Jun-21	278434-21-FC	\$250	9/6/2021		Sent to OGC
	Charles Segal	24-Jun-21	229744-18-FC	\$1,500	9/8/2021	Paid in Full	
	Bay Area Family Funeral Services, Inc.	24-Jun-21	229738-18-FC 277011-21-FC	\$1,750	9/6/2021	Paid in Full	
	JMR Service Group, LLC	24-Jun-21	281351-21-FC	\$250	9/6/2021	Paid in Full	

S. **Chairman's Report (Verbal)**

Chair Brandenburg – Well, with the holidays coming up and a lot of people traveling, and spending time with their loved ones, I just want to wish everybody a happy and safe holiday. That's all.

Ms. Simon – Thank you, sir.

T. **Office of Attorney General's Report**
(1) Attorney General's Rules Report (Informational)

Ms. Simon – Ms. Munson?

Ms. Munson – The report is provided just for your information. You'll note that the only rule that we have decided to promulgate for the recent season has pretty much sailed through the rulemaking process without any type of intervention and should be effective sometime this month. Thank you, Ms. Simon. Thank you, Chair.

Ms. Simon – Thank you, Ms. Munson.

Chair Brandenburg – Thank you.

**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT
DECEMBER 2021**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-12.011	Annual Inspection Fees for Monument Builders	09/02/2021	10/19/2021	10/29//2021	11/17/2021		

U. Public Comments (Verbal)

Ms. Simon – Is there any public comment to be made at this point during the meeting? Hearing no response. Mr. Chairman?

V. Administrative Report

This information was provided on the agenda.

W. Disciplinary Report

This information was provided on the agenda.

X. Upcoming Meeting(s)

- (1) January 6th (Videoconference)
- (2) February 3rd (Videoconference)
- (3) March 3rd (Videoconference)
- (4) April 7th (Videoconference)
- (5) May 5th (Videoconference)
- (6) June 21st (Videoconference)

Y. Adjournment

Chair Brandenburg – That concludes the meeting, and the meeting is adjourned. Thank you.

Ms. Simon – Thank you, sir. Thank you, Board members.

The meeting was adjourned at 11:41.