

MINUTES
BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES
VIDEOCONFERENCE MEETING
JANUARY 2, 2025 - 10:00 A.M.

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

Ms. Jill Peeples – Good morning, this is Jill Peeples, Chair of the Board of Funeral, Cemetery, and Consumer Services. It is 10:09 A.M, on January 2, 2025, and I'd like to call this meeting to order. I'll turn it over to Ms. Simon for preliminary remarks and roll call.

Ms. Ellen Simon – Thank you, ma'am. Good morning. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is January 2, 2025, and it is 10:09 AM. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by videoconference. 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 are on the agenda, which has been made available to the public. The link and call-in number and other information relating to this Board meeting has also been published on the Division's website. 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.

As always, 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 Chair, Ms. Peeples, runs the meeting. Persons desiring to speak should initially ask the Vice Chair for permission.

As a reminder to Board members, you are to refrain from commenting on facts not included within your Board packages, and instead base your decision solely on the information in your Board packages, as well as testimony provided at this meeting. Additionally, ongoing investigations are private and confidential and are not to be discussed, even for the purposes of confirming there is an investigation.

Just a few words about Item Q on your agenda, which is Public Comment. Public Comment is reserved for general comments by the public and not for re litigation of any matter before the Board. Please be aware that if Public Comment is used as an attempt to re litigate a matter that has been heard on this agenda, the Board will be instructed that the comment is not appropriate for Public Comment, and it should not be considered for further discussion.

As a final reminder, Board meetings are public meetings under Florida Law, and anything said via chat is subject to a public records request. This feature should only be used for technological issues you may be experiencing, and all inquiries in chat should be directed to Mary Schwantes, 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 call the roll:

Jill Peeples, Chair
Andrew Clark, Vice Chair
David Chapman
Sanjena Clay

Vincent "Todd" Ferreira
Christian "Chris" Jensen
Kenneth "Ken" Jones
Janis Liotta
William "Bill" Quinn
Darrin Williams

Also noted as present:

Mary Schwantes, Executive Director
Rachelle Munson, Board Legal Advisor
Kimberly Marshall, Department Legal Counsel
Nicole Eldeb, Department Legal Counsel
LaTonya Bryant, Department Staff

Ms. Simon – Madama Chair, we have a quorum for the business of the Board.

Chair Peebles – Thank you ma 'am. Mr. Quinn, did you have a statement for record please sir?

Mr. Bill Quinn – Yes, ma 'am. Thank you. As a Board member affiliated with SCI, I want to assure this Board that my approach to decision-making will be guided by impartiality, fairness, and objectivity. After thoroughly reviewing the agenda, I will make my decisions based on the facts and the information presented. Thank you.

Chair Peebles – Thank you. Any other Board members, any statements, or comments before we begin with agenda item B? Hearing none, Ms. Simon.

Ms. Simon – Thank you, ma 'am.

B. Old Business

(1) Application(s) for Preneed Sales Agent

(a) Recommended for Denial (Criminal History)

1. Mitchell, Ivan W (Appointing Entity: Waldon Professional Funeral & Cremation Services LLC)

Ms. Simon – Is Ivan Mitchell present for this meeting or a representative of Mr. Mitchell's?

Mr. Ivan Mitchell – Yes, ma'am. I'm here.

Ms. Simon – Thank you, sir. On December 5, 2024, this matter was presented to the Board. The Board tabled the agenda item as it was unclear whether the applicant needed preneed sales agent licensure as he was already a licensed funeral director. There was much discussion on this subject, about the new law that was implemented with regard to the sale of insurance funded preneed contracts. To refresh the Board's memory, on October 23, 2024, an application was received by the Division from Mr. Mitchell for licensure as a preneed sales agent under Waldon Professional Funeral & Cremation Services LLC. Applicant answered "Yes" to the background question regarding criminal history on the application due to reportable criminal history that required disclosing. Applicant provided the Division with a written explanation when applying for licensure as a concurrent intern in 2019, which was approved with conditions by the Board in April 2019. Applicant also provided a completed Criminal History Form and court documentation.

In 2010, a felony charge of lynching was filed against Mr. Mitchell by the 5th Judicial Circuit Court in Richland County. This criminal offense occurred in Richland County, South Carolina. Mr. Mitchell pled guilty to all charges and was sentenced to fourteen (14) years of confinement with ten (10) years served. In 2011, a felony charge of possession of a substance was also filed against Mr. Mitchell in Richland, South Carolina to which he also pled guilty and was sentenced to three (3) years of confinement concurrent to the time he currently served, and payment of fines plus other costs and court fees. Mr. Mitchell has satisfied all conditions and paid all required fees.

It is clear that a funeral director may sell trusted preneed contracts without being licensed as a preneed sales agent. However, it is also clear that a funeral director may not sell insurance funded preneed contracts without additional licensure. If a funeral director would like to sell preneed contracts funded by insurance, there are two (2) paths to eligibility. The first path requires that the funeral director be licensed as a 2-14 Life Agent. In order to obtain licensure as a life agent, the funeral director is required to undergo an examination and acquire continuing education. The second path, obtaining limited licensure as a 2-24 or 29-4 limited agent, requires no exam or continuing education. As a result, it may be a much more preferable option to some licensees. However, in order to obtain this limited licensure, the Applicant is required to be licensed as a preneed sales agent under Chapter 497, Florida Statutes.

While the Division is recommending denial based upon criminal history, it is clear that, in order to sell preneed contracts funded by life insurance, a funeral director opting for a limited license must apply for preneed sales agent licensure under Chapter 497, Florida Statutes. For more information, your coversheets in your Board packages direct you to section 626.785, Florida Statutes. The Division recommends denial based upon the criminal history. Madam Chair?

Chair Peebles – Thank you, Ms. Simon. And I'd like to make a comment before we go further into this item. At our previous Board meeting when I spoke, I am a 2-14 Life Agent, which I became a life agent a number of years ago prior to this limited life license coming in because I knew I wanted to be available to have our firm offer to families the opportunity to pre-fund by trust or by insurance. It is my understanding with this limited license that even though Mr. Mitchell is a licensed funeral director, he will still have to have a pre-need agent license and then he can get this limited license, which is called 2.24 or 29.4 to proceed in utilizing life insurance as a preneed trust vehicle. So, I just want to make that information that that is my understanding. And Board members, if you'd like to begin any other discussion, we can. I'll open the floor, please. Mr. Jensen?

Mr. Chris Jensen – I slightly disagree with you a little bit there, Madam Chair. One is this Chapter 626 insurance is a whole another Board. It does not apply to us. We don't have any jurisdiction over that. I think Mr. Mitchell is in the wrong place. He, in effect, as a funeral director and embalmer already has a preneed license. If the insurance Board wants to require him to have insurance, then that's their business. It is none of our business. The criminal history stuff that the Department is talking about, this Board back in 2019 gave this gentleman a license as a funeral director and embalmer. So, really, he's in the wrong place. I mean, I don't know why he didn't just withdraw this and continue about his business. But I don't find 497 telling anywhere that you have to have a preneed license if you're a funeral director and embalmer. I just don't find that anywhere. And 626 does mention funeral director stuff, but we don't have any jurisdiction on 626. That is not us. So, those are my comments. I would implore Mr. Mitchell to just withdraw this and go about his business. And if he feels he needs an insurance license, then go to the insurance department. I think he's in the wrong place. Thank you.

Chair Peebles – Sir, Mr. Jensen, it's kind of, when I was in some discussions when the 2.24 and the 29.4 limited license were coming about, it was because of this exact scenario, that for funeral directors to be able to offer insurance as a preneed vehicle, they needed to have a limited life license. For instance, my 2-14 license opens me up to anything and everything in the State of Florida, life-wise. But I choose not to be involved in that, but I didn't have this limited license availability when I became licensed as a 2-14 agent. So, I do feel, just like we have a young lady that's a preneed agent for us, even though she is not a licensed funeral director, that's the avenue that the Department of Insurance worked with 497 to get this limited capability. But you do have to have a preneed agent license to get this limited license. So, we don't need to kind of confuse it with what we have been able to offer before. But he does need to have a preneed agent license, then apply for this limited license. It is not as involved as doing a 2-14, because a 2-14, you have to take a 40-hour class and go forward. So, that's why we tried to come up with this limited license. Ms. Munson, you had a comment?

Ms. Rachelle Munson – Good morning. Happy New Year again to all. My only comments were going to be actually and probably kind of more in alignment with what you've just stated. I wanted to first mention that 626.785 does involve the insurance licensure field. It references 497, so that clearly indicates that it contemplated this particular profession in the licensing consideration. I also wanted to mention a second point that if an individual wants to apply for licensure, there is no legal ground to deny them or prohibit them from applying for licensure, whether it makes sense or not. Whether it makes sense is not a legal basis for lack of consideration. If you feel that an applicant is eligible to be approved for licensure, not whether they should apply, but whether they are eligible to be approved, and an application is placed in front of the Board, the Board has to rule on that application. You can't deny it because you feel that you can't, or they shouldn't, or it doesn't make sense why they're doing it. It really is this legal parameter that I'm just going to caution the Board to just kind of operate within. And finally, I understand the Department recommended denial on this. And as Mr. Jensen previously noted, I would

also like the Board to weigh into consideration, and I don't usually make these comments, but my comments really are focused on Board purview and Board protection. But if a denial or any decision adverse to the application is based on a previous application which the Board had approved, to please give a distinctive characteristic why there is a difference of evaluation and deliberation. Those are my only comments about this particular application. I thank you all for your indulgence.

Chair Peeples – Thank you, Ms. Munson. Mr. Jensen?

Mr. Jensen – Just to expand upon that. On the 626, looks like number three is the only place I see where it mentions a preneed license. But this gentleman already has a preneed license because he's a funeral director and embalmer.

Chair Peeples – No, sir. Mr. Jensen, let me stop you. He does not. He just has the ability to offer preneed funding as a trust vehicle, not as insurance. So please don't kind of use that terminology. He is not a preneed agent, but he can offer pre-arrangements as a licensed funeral director by trusting. But the insurance being a different entity, he is not able to offer that because he doesn't have anything under the Department of Insurance statute aspect. Ms. Schwantes, I see you're on the camera. Did you like to speak?

Mr. Jensen – I mean, I can't finish my comments there?

Chair Peeples – Yes, sir.

Mr. Jensen – I get what you're saying. I understand that the gentleman might need a life insurance license. But through this Department and through us, he's already able to sell preneed, whether it's trust or insurance, whether he gets an insurance license. If he doesn't have an insurance license, then he can get in trouble for that. But that's not our business.

Chair Peeples – Yes, sir. Mr. Jensen, you just said he's able to sell insurance. He is not, sir.

Mr. Jensen – I understand that, but we don't govern insurance. We just say a preneed license. Our preneed license does not say you can only sell trust as a preneed agent. I think something's trying to get put on us here that is not good for us going down the road. If these things are going to continue to be funded by insurance, if they want a certain license to sell certain products, they need to go through the insurance department, not the funeral department. Thank you. I'm sorry, Madam Chair. I'm just a little -- I think this has long-ranging implications down the road and we should very carefully consider this. Thank you.

Chair Peeples – Ms. Schwantes, would you like to address?

Ms. Mary Schwantes – Thank you, Madam Chair. The limited license that folks are talking about came into effect on July 1, 2023. So, it's been in place for a year and a half. We worked with the Division of Agent and Agency Services, which issues the limited licenses, in developing this. When a statute refers to something as this does, when it refers to licensure under 497, Agent and Agency Services does not have the authority to issue a Chapter 497 license. It is a requirement prerequisite to any of our individuals obtaining a limited license under the statutes that apply. We referred to already s. 626.785(3), I know that's in your packets. There is another statute that I do not believe made it into the packets, but it is obviously available. Florida Statutes, 626.321(1)(i), which has to do with preneed funeral agreement insurance and it does specify that a limited license for insurance covering only prearranged funeral, cremation, or cemetery agreements or any combination thereof, which is funded by insurance, may be issued without examination only to an individual who has filed with the Department an application in the correct form and who currently holds a valid preneed sales agent license pursuant to s. 497.466. So clearly our Board is responsible for issuing a preneed sales agent license under Chapter 497.

I want to go back, and I apologize that I was not able to be at the last meeting, but I think that the Board and also the Department frankly had gotten confused and kind of gone down a rabbit trail on this issue of limited license versus regular license versus who needs to have a license at all if you're a funeral director. The bottom line here to me is that the gentleman applied for a preneed sales agent license. We within the Department do not question why somebody applies for it. We only look to see whether they are eligible or not and then we have to go to the Board for consideration under other statutes. You have certain time limits, and all know all about that - deemer, etcetera, etcetera. So those are kind of the comments that I wanted to make. Mr. Jensen, another comment you made was regarding a funeral director. Whether he has a preneed sales agent license, a funeral director does not automatically have a preneed sales agent license under that statute that I quoted, s.

497.466. They are only permitted under 497 to sell the trust fund type preneed contracts. If they're going to sell insurance funded preneed contracts, it goes down a different route, and you have to do the combination working with our Division, and also working with Agent and Agency Services. I hope that helped clarify somewhat and those were the only comments that I had, Madam Chair. I'm sorry. I also saw attorney Kimberly Marshall raising her hand. I didn't know if she wanted to add to that.

Chair Peeples – Thank you. Ms. Marshall?

Ms. Kimberly Marshall – Thank you. Madam Chair. Just to sort of piggyback on what Ms. Schwantes and Ms. Munson said, from my view as an attorney, we don't need to even touch the issue of whether or not this license is necessary for him to have because necessity is not valid grounds for denying someone's application. If somebody submits a complete application, pays the fee, meets the basic requirements, it's a due process issue, the Board has to issue that license unless you find something that is valid grounds for denial, such as in this case, the criminal history.

Chair Peeples – Thank you, Ms. Marshall. Mr. Jones?

MOTION: Mr. Ken Jones moved to approve the application. Ms. Janis Liotta seconded the motion.

Chair Peeples – Is there any other discussion on the motion before we take a vote? Mr. Jensen?

Mr. Jensen – Just to add, I understand what everybody's saying, but just to keep this in simple terms, the man already has a license to sell preneed. I don't see 497 saying that you can only do trust. It just talks about preneed period. He already has that license. So, he needs to go down the road to the Insurance Department and figure the rest of it out. So, I would implore him to withdraw this.

Chair Peeples – And thank you Mr. Jensen. We have a motion for approval and as soon as we have our discussion, we're going to take vote and you have the opportunity to either approve or deny. And so, thank you, sir. I need to open it up. Is there any other discussion on the motion? Mr. Quinn?

Mr. Quinn – Yes, ma'am. I don't know if this is appropriate but is there an attorney on this call who is a subject matter expert who can provide any additional insight on this issue?

Chair Peeples – Mr. Quinn, we will not be taking that comment. Ms. Munson, I'll offer it to you, please, ma'am.

Ms. Munson – Let me just respond. If there is an attorney on the call who considers themselves a subject matter expert, they are not at liberty to speak on this matter unless they are representing that particular applicant. I don't know if that was the nature of your question, but that would be outside of the Department's attorney, myself and the particular gentleman who is making the application, if he or she is not an attorney with the application does not represent. If he does not have a representative that's identifying themselves as a subject matter expert, then another individual can't speak on behalf or against on any particular application that comes before the Board. It would be inappropriate.

Chair Peeples – Mr. Quinn, does that answer your question, sir?

Mr. Quinn – Yes. Thank you.

Chair Peeples – Thank you. Any other discussion before we take a vote? Hearing none, Ms. Simon, if you will do a roll call vote, please ma'am.

Ms. Simon – Thank you, ma'am. All those in favor of approval of the application, please answer by saying Yay. Mr. Clark?

Mr. Andrew Clark – No.

Ms. Simon – Mr. Quinn?

Mr. Quinn – Yes.

Ms. Simon – Ms. Clay?

Ms. Sanjena Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Todd Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Ms. Liotta?

Ms. Liotta – Yes.

Ms. Simon – Mr. Chapman?

Mr. David Chapman – No.

Ms. Simon – Mr. Williams?

Mr. Darrin Williams – Yes.

Ms. Simon – Madam Chair?

Chair Peebles – Yes.

Ms. Simon – Madam Chair, that motion passes.

Chair Peebles – Thank you. Good luck, Mr. Mitchell.

Mr. Mitchell – Thank you, Madam Chair. Thank you all.

Chair Peebles – Thank you. Ms. Simon?

Ms. Simon – Thank you, ma'am.

C. Disciplinary Proceeding(s)

(1) Department's Motion for an Order Dismissing Petition Without Prejudice

(a) Gregorys' Funeral Transport: DFS Case No. 325329-24-FC; Division No. ATN-42472 (F623618)

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. Ms. Marshall?

Ms. Marshall – Thank you Ms. Simon and good morning, Board members and Happy New Year to all of you. The above-referenced matter is presented to the Board for consideration of the Department's Motion for an Order Dismissing Petition Without Prejudice ("Motion"). On or about October 17, 2024, the Department filed an administrative complaint against Gregorys' Funeral Transport LLC ("Respondent") alleging violations of chapter 497, Florida Statutes. On or about December

12, 2024, Respondent timely submitted a petition requesting a formal hearing pursuant to section 120.57(1), Florida Statutes; however, the petition failed to identify any disputed issues of material fact. As such Respondent's petition failed to meet the requirements for a formal hearing as outlined in Rule 28-106.2015, *Florida Administrative Code*. Accordingly, this Motion requests that the Board dismiss Respondent's petition without prejudice and enter an Order providing Respondent with an additional twenty-one (21) days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the Order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter. And I'm available to answer any questions. Thank you.

Chair Peeples – Thank you, Ms. Marshall. Board members?

MOTION: Ms. Liotta moved to dismiss Respondent's petition without prejudice and enter an Order providing Respondent with an additional twenty-one days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the Order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter. Ms. Clay seconded the motion, which passed unanimously.

(2) Motion for Qualified Representation

Ms. Simon – Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. So, Nicole Eldeb is an attorney in our office. She's a graduate of the FSU Law School and is studying to take GVAR exam next month. She is working under my supervision, and we are simply requesting that she be granted status as a qualified representative to appear before you all today and present her case.

MOTION: Mr. Jones moved to approve the Department's Motion. Mr. Quinn seconded the motion, which passed unanimously.

Chair Peeples – Welcome, Ms. Eldeb.

Ms. Nicole Eldeb – Thank you.

(3) Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)
(a) Dolinar, Ronald; DFS Case No. 325255-24-FC; Division No. ATN-42134 (F044796)

Ms. Simon – Is Mr. Dolinar our representative of Mr. Dolinar on the call today? Hearing no response. Ms. Eldeb?

Mr. Williams – Madam Chair?

Ms. Eldeb – Thank you.

Chair Peeples – Ms. Eldeb, one moment. Yes, Mr. Williams?

Mr. Williams – I need to myself from the disciplinary proceedings listed under C. (3), (4) and (5), as I served on the Probable Cause Panel for those cases.

Chair Peeples – Thank you, Mr. Williams. Ms. Eldeb?

Ms. Eldeb – Thank you. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Ronald Dolinar ("Respondent"). The Department conducted an inspection of Respondent and found that at all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. Respondent practiced embalming with an expired license. The disciplinary guidelines for these violations are as follows:

- Count I: *practicing embalming with an expired license*: Reprimand, fine of \$1,000 to \$2,500 plus costs. In addition, probation for six (6) months to one (1) year or permanent revocation of license may be imposed.

The Motion demonstrates that Respondent failed to timely file a responsive pleading contesting the factual allegations in the Administrative Complaint, requests that the Board adopt the factual allegations in the Administrative Complaint, and requests that the Board issue an appropriate penalty in this matter. And at this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and has failed to timely respond and has thus waived the right to elect a method of resolution in this matter.

Chair Peeples – Board members?

MOTION: Ms. Liotta moved that Respondent has been properly served with the Administrative Complaint and has failed to timely respond, thus waiving its right to elect a method of resolution in this matter. Mr. Clark seconded the motion, which passed unanimously.

Ms. Eldeb – The Department asks that the Chair entertain a motion determining that there are no material facts in dispute in this case.

MOTION: Mr. Ferreira moved that there are no material facts in dispute. Ms. Liotta seconded the motion, which passed unanimously.

Ms. Eldeb – Now that the Board has determined that there are no material facts in dispute in this matter, the Department asks the Chair to entertain a motion to adopt the allegations of fact as set forth in the Administrative Complaint.

MOTION: Mr. Ferreira moved to adopt the allegations of the facts as set forth in the Administrative Complaint. Mr. Chapman seconded the motion, which passed unanimously.

Ms. Eldeb – The Department also offers into evidence the investigative report with the exhibits, a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint.

Chair Peeples – Yes, Ms. Eldeb?

Ms. Eldeb – Now that the Department contends that the Board's findings of facts support a finding of violations of Chapter 497 of the Florida Statutes as charged in the Administrative Complaint. It is appropriate at this time for the Chair to entertain a motion finding Respondent is in violation of Florida Statutes as charged in the Administrative Complaint.

MOTION: Mr. Ferreira moved that Respondent is in violation of Florida Statutes as charged in the Administrative Complaint. Mr. Jones seconded the motion, which passed unanimously.

Ms. Eldeb – The Department is recommending the following penalty in this case: a \$1,500 fine plus one-year probation.

MOTION: Mr. Ferreira moved for a fine of \$1,500 and one (1) year of probation. Mr. Chapman seconded the motion, which passed unanimously.

Chair Peeples – Ms. Simon?

(4) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)
(a) SCI Funeral Services of Florida LLC – Southern d/b/a Caballero Rivero Southern: DFS Case No. 332907-24-FC; Division No. ATN-42092 (F039500)

Ms. Simon – Is there a representative of this entity on the call today?

Ms. Lisa Coney – Trying to get on. Good morning. Lisa Coney with Dignity Memorial.

Chair Peeples – Ms. Coney, are you here to be sworn in to answer any questions? And Ms. Marshall, I think you have a comment, ma'am.

Ms. Coney – I don't expect to need to be sworn in. It's my understanding that we are going to withdraw this matter to consider settlement negotiations with Ms. Marshall at a later date.

Chair Peeples – Ms. Marshall?

Ms. Marshall – Yes, that's correct Madam Chair. We are tabling this case for now.

Chair Peeples – So please let the record reflect that C.(4)(a) is being withdrawn today.

Ms. Coney – Thank you so much and Happy New Year, Board.

Chair Peeples – Thank you, Ms. Coney. Ms. Simon?

(5) Settlement Stipulations (Probable Cause Panel B)

(a) Related Case – Division No. ATN-40038

1. Day, Erin: DFS Case No. 305799-23-FC; Division No. ATN-40038 (F074358)

Ms. Simon – Is there a representative or Ms. Day on the call today?

Ms. Wendy Wiener – Wendy Wiener representing Ms. Day as well as Stonemor Florida Subsidiary in the next matter.

Ms. Simon – Thank you, Ms. Wiener. Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. Erin Day (“Respondent”) is a funeral director and embalmer, licensed under chapter 497, Florida Statutes, license number F074358. The Department conducted an inspection of Respondent and found that at all times material to the allegations in this case, Respondent was the funeral director in charge of Stonemor Florida Subsidiary LLC, d/b/a MacDonald Funeral Home and Cremation Services. This establishment failed to timely honor a consumer’s request for a refund on a preneed contract. As FDIC for this establishment, Respondent is therefore subject to discipline for this violation. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,000. The Department requests that the Board accept this Settlement Stipulation in resolution of this case, and I'm available to answer any questions. Thank you.

Chair Peeples – Thank you, Ms. Marshall. Board members?

MOTION: Mr. Ferreira moved that Respondent shall pay a fine of \$1,000. Ms. Clay seconded the motion, which passed unanimously.

Chair Peeples – Ms. Marshall?

Ms. Marshall – That is it for this case.

Chair Peeples – Ms. Simon, would you like to address the next case, ma'am?

Ms. Simon – Yes.

2. Stonemor Florida Subsidiary LLC d/b/a MacDonald Funeral Home and Cremation Services: DFS Case No. 305795-23-FC; Division No. ATN-40038 (F577389)

Ms. Simon – Again, representing the licensee is Ms. Wiener. Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. Stonemor Florida Subsidiary LLC, d/b/a MacDonald Funeral Home and Cremation Services (“Respondent”) is a funeral establishment, licensed under Chapter 497, Florida Statutes, license number F577389. The Department conducted an inspection of Respondent and found as follows: This establishment failed to timely honor a consumer’s written request for a refund of a preneed contract. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,000. The Department requests that the Board accept this Settlement Stipulation in resolution of this case, and I’m available to answer any questions. Thank you.

Chair Peeples – Board members?

MOTION: Ms. Liotta moved that Respondent shall pay a fine of \$1,000. Mr. Clark seconded the motion, which passed unanimously.

Ms. Wiener – Thank you.

Chair Peeples – Thank you, Ms. Marshall. Thank you, Ms. Wiener.

Ms. Marshall – Thank you, Madam Chair.

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

Ms. Simon – This is an informational item. Pursuant to Section 497.466, Florida Statutes, the applicants 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) Apex Continuing Education Solutions (4201)
(b) Continuing Vision LLC (52610)
(c) Independent Education Institute (135)
(d) International Cemetery, Crematory and Funeral Association (51609)
(e) National Funeral Directors Association (49609)
(f) WebCE (43)

Ms. Simon – The course presented on Addendum B has been reviewed by the CE Committee, and the Committee as well as the Division recommends approval for the number of hours so indicated.

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

F. Application(s) for Florida Laws and Rules Examination
(1) Informational Item (Licenses Issued without Conditions) – Addendum C
(a) Funeral Director (Internship)
1. Hoyt, Alexander T
2. Kotek, Nicholas J
3. Lewis, Louvenia
4. McGoldrick, Joseph L
(b) Funeral Director (Endorsement)
1. McNamara, John T
2. Shaw, Tammie Y
(c) Funeral Director and Embalmer (Internship and Exam)
1. O’Dacre, John E
2. Olson, Kayla C

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

G. Application(s) for Internship

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

(a) Funeral Director & Embalmer (Concurrent)

1. Gardner, Kristian F816557
2. Genaro, Lianett M F824398
3. Williams, Jacqueline F648422

(b) Funeral Director

1. Swain, Nathaniel J F735457

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. Notification(s) of Change in Location

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

(a) Family-Owned Services Company (dba) Coastal Cremation & Funeral Care (Zephyrhills)

Ms. Simon – This is an informational item. The establishment listed on Addendum E has applied for a change of location of their business. The only criterion for approval is that the new location pass inspection by the Division of Funeral, Cemetery, and Consumer Services.

I. Application(s) for Direct Disposal Establishment

(1) Recommended for Approval with Conditions

(a) Easy Affordable Cremations (St. Petersburg)

Ms. Simon – An application for direct disposal establishment licensure was received on December 12, 2024. The application was incomplete when submitted. A completed application was received on October 1, 2024. The direct disposer in charge will be Morgan Louise Van Amburgh (f 142528). A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of Division Staff. Is there a representative of Easy Affordable Cremation on the call today? Hearing no response, Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Board members, I have a couple of questions on this application. I'd like to bring your attention, I'm not sure if anyone else saw this. But if you go through the Board packet, if you'll notice on Page 3 of the PDF packet, it has under Section 2 *contact information*, it shows Mr. Nathan Hobson, which his mailing address is at 3180 30th Avenue North, St. Petersburg, Florida. So, when you come on down to the next page, Page 4, it says actual business location address will be 3147 49th Street North, also in St. Petersburg, Florida. Then if you'll scroll on down to Page 11, the IRS notification that was a part of the packet states that Easy Affordable Cremations, this address on this document states 31089 US Highway 19 North. Then if you come on down into the packet on Page 14, the contract for Cremation Care Center, which will provide refrigeration, storage, and cremation of remains for Easy Affordable Cremations, has the 31089 US Highway 19 North address. And then if you come on down to the last page, the Sunbiz has a principal address of 31089 US Highway 19. So, I saw a little question that I had and requested that the Board office ask a representative to be on the call today to kind of answer these questions. So, is there any other comment by Board members? My suggestion is [inaudible].

Mr. Nathan Hobson – Sorry, I'm here for Easy Affordable Cremations.

Chair Peeples – Okay. And who is representing, please?

Mr. Hobson – This is Nathan Hobson.

Chair Peeples – Hello, Mr. Hobson.

Mr. Hobson – I was the one who sent the application in.

Chair Peeples – Mr. Hobson if you will have Ms. Simon swear you in, please, sir.

Ms. Simon – Mr. Hobson, please raise your right hand to be sworn in.

Mr. Hobson – Okay.

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

Mr. Hobson – Yes.

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

Mr. Hobson – It's Nathan Hobson, H-O-B-S-O-N.

Ms. Simon – Thank you, sir.

Chair Peeples – Thank you, Mr. Hobson, and thank you for being a part of the meeting today. Could you address the concerns of the address and the different items that are listed in the application?

Mr. Hobson – So, the business address, we initially had the place on US 19, but after the hurricane, it became non-viable. We couldn't use that. So, we switched and we're using another address that I sent on the second application. So, the business address is 3147 49th Street North, St. Petersburg 33710. What was the other question?

Chair Peeples – Well, on the application, in our Board packet on Page 4, it has the 3147 49th Street North as the actual location address. So, you're confirming that, correct?

Mr. Hobson – Yes.

Chair Peeples – Okay, sir. So, you have not gotten an updated form from the Cremation Care Center to reflect your agreement with them --

Mr. Hobson – Oh, okay.

Chair Peeples – -- reflecting the correct new address. Is that correct?

Mr. Hobson – Right. It must not have got changed on there yet.

Chair Peeples – So, that kind of answers the question I had.

MOTION: Chair Peeples moved to approve the application subject to condition that the establishment passes an inspection by a member of Division Staff and receipt of a new contract between Cremation Care Center prior to licensure. Mr. Jones seconded the motion, which passed unanimously.

Chair Peeples – Mr. Hobson, you can be in contact with the Board office following the meeting, sir.

Mr. Hobson – Okay. Thank you.

Chair Peeples – Ms. Simon, I think what I'd like to do is it's almost 11:00 and that we may have a few minutes on this case. I'd like to go ahead and take a restroom break. Let's take a 10-minute restroom break and then we'll come back. We'll hear the next case and hopefully finish the rest of our meeting. Thank you.

Ms. Simon – Thank you.

*****BREAK*****

Chair Peeples – Ms. Bryant, are you ready for me to call the meeting back to order?

Ms. LaTonya Bryant – Yes.

Chair Peeples – OK. Ms. Simon, if I will call the meeting back to order. I have 11:07.

Ms. Simon – Thank you, ma'am.

J. Application(s) for Funeral Establishment

(1) Recommended for Approval with Conditions

(a) Lynn-Hadley Mortuary Inc. (Tallahassee)

Ms. Simon – Is there a representative of the applicant on the call? Hearing no response. An application funeral establishment licensure was received on November 6, 2024. The application was incomplete when submitted but completed on December 16, 2024. The funeral director in charge will be Isaac Miller, Jr. (F046777). A background check of the principals revealed no relevant criminal history. However, the information on Sunbiz does not appear to be correct. Sunbiz needs to be updated to reflect the correct corporate status that this is not a non-for-profit entity, and the correct address of the registered agent needs to be included as well. The Division recommends approval subject to the condition(s) as follows:

1. That the establishment passes an inspection by a member of Division Staff.
2. That that the registration in Sunbiz is corrected and notice of which is sent to the Division.

Chair Peeples – Thank you, Ms. Simon. And I have a question, which I had a question on the Sunbiz comment. But if you'll look in your PDF packet on Page 14, I notice that there's an officer and a director. There's a Cedric Lynn as president and -- this is -- he's the president and secretary, and right above that, it says name of registered agent, which that -- I think I probably just answered my question. I didn't know if Cleveland P. Lynn Jr. was the same as Cedric Lynn. But I noticed that Mr. Cedric Lynn is president and secretary, and he is listed on the entity page on Page 10 of your packet as a corporate officer. So, I think that completes that. But my only question was on the Sunbiz not-for-profit, and Ms. Simon has already addressed that. Is there any other discussion on this application or what? Mr. Williams?

Mr. Williams – Yes, ma'am.

Mr. Cleveland Lynn – Excuse me, ma'am.

Chair Peeples – Excuse me. Who is speaking, please?

Mr. Lynn – This is Cleveland Lynn. I'm the representative of Lynn-Hadley Mortuary. I got muted out. I couldn't hear anything in the beginning.

Chair Peeples – Okay. Mr. Lynn, if you will let Ms. Simon swear you in, please, sir.

Mr. Lynn – Okay.

Ms. Simon – Morning, sir. Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Lynn – Yes.

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

Mr. Lynn – Cleveland Lynn, last name spelled L-Y-N-N.

Ms. Simon – Thank you, sir.

Chair Peeples – Thank you, Mr. Lynn. And we are in a discussion item, which prior to you connecting with the call today, in the meeting, Ms. Simon had made a comment that on the application packet that was presented to the Board on Page 21 of the packet, it shows that your corporation is a not-for-profit corporation.

Mr. Lynn – Okay.

Chair Peeples – It's a Florida not-for-profit corporation. So, is that an incorrect designation, sir?

Mr. Lynn – It's incorrect. And when we were made aware of that, we contacted Florida Sunbiz this morning and we're in the process of correcting it.

Chair Peeples – Thank you, sir. So, that may be an item that will need to be completed with the Board office prior to licensure. So, thank you for answering that for us. And if I may just ask, are you the registered agent or are you a corporate officer of the entity?

Mr. Lynn – I'm the registered agent.

Chair Peeples – Okay. So, Mr. Cedric Lynn, would he be related to you?

Mr. Lynn – He's my son, yes.

Chair Peeples – Okay. Perfect. So, he is president and secretary of the corporation, correct?

Mr. Lynn – That is correct, ma'am.

Chair Peeples – Perfect. Thank you. Board members, are there any other questions? Mr. Williams?

Mr. Williams – Yes, ma'am. Thank you, Madam Chair. I have a question on Page 6 of the PDF, but page four of eight. It asks about refrigeration. It said, "make arrangements" and then it says "attached," but nothing's attached in reference to the location or the arrangements of the refrigeration.

Chair Peeples – Thank you, Mr. Williams. One second, Mr. Lynn. Ms. Simon?

Ms. Simon – I understand Mr. Williams' point that there is nothing listed in terms of who the entity is that would be providing refrigeration. However, on Page 16 of the application packet, Omega Crematory is providing cremations and refrigeration.

Mr. Williams – Okay. Thank you for that, clear. I just saw the cremations, but I didn't read the refrigeration portion. Thank you so much.

Chair Peeples – Thank you. Mr. Lynn, would you like to further address?

Mr. Lynn – That is correct. We just made an error with that. But Omega is the company that's providing cremation and refrigeration.

Chair Peeples – Thank you, sir. Board members, any other questions for Mr. Lynn? Ms. Clay?

Ms. Clay – Not for Mr. Lynn, but for staff. In terms of the motion now, because he is now waiting on Sunbiz to make that correction, is this something we need to wait on, or would that be subject to the conditions of the approval?

Chair Peeples – Ms. Simon?

Ms. Simon – As I indicated, we would recommend that that be a condition, that the Sunbiz information be corrected and a reflection of which should be sent to the Division before licensure is issued.

Ms. Clay – And for purposes of the motion, should there be a time limit for that submission? No? Okay.

Ms. Simon – No. Because licensure will not be issued until the Division receives confirmation of that change.

Ms. Clay – Thank you.

Ms. Simon – Thank you, Madam Chair.

Chair Peeples – Board members?

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

Chair Peeples – Thank you, Mr. Lynn.

Mr. Lynn – Thank you.

K. Application(s) for Monument Establishment Builder

(1) Recommended for Approval with Conditions

(a) Remakestones (Jacksonville)

Ms. Simon – An application for monument establishment builder licensure was received on November 14, 2024. The application was complete when submitted. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of Division Staff. Is there a representative of Remakestones on the call today? Hearing no response. Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Board members?

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

L. Application(s) for Removal Service

(1) Recommended for Approval with Conditions

(a) Arnex LLC d/b/a Raven Funeral Transport (Hialeah)

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for removal service licensure was received on December 2, 2024. The application was complete when submitted. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff.

Chair Peeples – Thank you, Ms. Simon. Board members?

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

(b) Delta Removal Service Corp (Hialeah)

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for removal service licensure was received on November 20, 2024. The application was complete when submitted. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff.

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

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

(1) Recommended for Approval without Conditions

(a) Revised Trust Agreement(s)

1. *Argent Trust Company (Wilmington, NC)*

Ms. Simon – In accordance with ss. 497.266, ss. 497.458, and ss. 497.464, Florida Statutes, Argent hereby submits the revised trust agreements, formerly under Live Oak Banking Company (Live Oak) for approval. Argent is the successor trustee to Live Oak due to an acquisition in October 2018. These restated trust agreements are for the trusting of preneed and cemetery funds to be utilized by various licensed cemetery and preneed establishments. The Division recommends approval without conditions. Is there a representative of Argent or of SCI on the call today?

Ms. Wiener – You mean FSI. Wendy Wiener for FSI.

Ms. Simon – Thank you, Ms. Wiener.

Chair Peeples – Thank you, Ms. Wiener. Board members?

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

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

N. *Executive Director's Report* **(1) *Operational Report (Verbal)***

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

Ms. Schwantes – May I, Madam Chair?

Chair Peeples – Yes, ma'am.

Ms. Schwantes – Thank you, ma'am. I hope everyone had a wonderful holiday season. We're looking forward to working with all of you on Board activities over the next calendar year. At the last Board meeting, I understand there was a question about the Department's legislative plans for the 2025 legislative session. And at this time, the Department's Legislative Affairs Office is still finalizing the Department's Bill. I understand that potential changes to Chapter 497 have been shared with association representatives. I'll have more news on these matters when the bill has been finalized, perhaps by the next Board meeting. As you know, the 2025 legislative session begins on March 4th. And the regular session, which is what this year is, will last for sixty (60) days.

On Tuesday, January 28th, the Department will conduct a Board member training session. The session begins at 1:00 PM and will be held by video conference. All Board members should plan to attend.

Our next Board meeting will be the video conference call on Thursday, February 6th.

And finally, a reminder that the March Board meeting to be held on Thursday, March 6th, will be an in-person meeting in Tallahassee. Board members who need assistance with travel arrangements or have questions about any of the travel issues should contact LaTonya Bryant. As always, details regarding all Board meetings are posted on our website. And that ends this portion of the Executive Director's Report. Thank you all.

(2) *Report on 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: January 2, 2025
Date report was prepared: December 19, 2025

Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
NFH Services LLC d/b/a David Russell Funeral Home	5-Dec-24	325295-24-FC	\$1,500			
Integrity Funeral Home and Cremations, Inc.	5-Dec-24	325251-24-FC	\$1,500			
Oaklawn Park, Inc., d/b/a Greenwood Cemetery	5-Dec-24	333169-24-fc	\$1,750			
Scott Norris	5-Dec-24	325296-24-FC	\$1,500			
Tim White's Vault Company of Crestview	7-Nov-24	315262-23-FC	\$1,500			
Camel Funeral Services, Inc. d/b/a Camel Funeral H	11/7/2024	315262-23-FC	\$1,000			
D.M. Baker Mortuary, LLC	7-Nov-24	315262-23-FC	\$1,000			
Donna Mullins-Prince	11/7/2024	315262-23-FC	\$1,000			
The Caisson Team	11/7/2024	315262-23-FC	\$2,500			
Andre Eady	Sep-24	315262-23-FC	\$2,000			
Leon White	18-Jun-24	315262-23-FC	\$500	2-Sep-24		
Karla Funkhouser	1/4/2024	292044-22-FC & 297727-22-FC	\$19,000	8-Mar-24		Order of Emergency Suspension filed along with Administrative Complaint
Holmes Funeral Directors	1/4/2024	307465-23-FC	\$8,250	8-Mar-24		Order of Emergency Suspension filed along with Administrative Complaint
Ruben Rojas	13-Jul-23	292034-22-FC	\$6,000	11-Sep-23		Order of Emergency Suspension filed along with Administrative Complaint
Nelson's Elite Care	13-Jul-23	301514-22-FC	\$500	11-Sep-23		Order of Emergency Suspension filed along with Administrative Complaint
Brian James Bonar	6/29/2023	293064-22-FC	\$11,000	4-Sep-23		Referred to the OGC for administrative action

ES 12-19-24

Chair Peebles – Ms. Simon if I may? I have a question and I don't know if Ms. Schwantes needs to kind of be on this question. But on these fines, I noticed that there were some cases going back to 2023 or the Board meeting that came before the Board in 2023 and 2024. So, Ms. Schwantes, I'm not sure kind of what's the process because I see kind of the comments like an Order of Emergency Suspension filed and then referred to OGC for administrative action. Is there like a 30-day, 60-day, 90-day that has to process? And Ms. Marshall, I see she's available to. I'm not sure which one of you all would like to kind of answer that.

Ms. Schwantes – I think Ms. Marshall should answer that, please.

Chair Peebles – Thank you.

Ms. Marshall – Thank you, Ms. Schwantes. So, Madam Chair, the process here essentially is generally a person has thirty (30) days to pay a fine in a Final Order. If that is not paid, the case is referred over to the Office of General Counsel. We open up a case. We pursue it to the terms of the Final Order. We are entitled to suspend their license for nonpayment. We have to send out a notice to the Respondent and give them seven (7) days to pay that fine and make it right. If they don't do that within that time frame, we issue an Order of Emergency Suspension of the license and file an Administrative Complaint at the next Probable Cause Panel meeting. That case then proceeds in the Office of General Counsel as any other disciplinary case would.

Chair Peeples – Thank you, ma'am. So, by the time we come to our next Board meeting in February, this will probably be updated to state where we are with that, or do we just receive information that we see today in the comment portion and then you all get back to us? Is the Board updated any further?

Ms. Marshall – I think that would be a question for Ms. Schwantes or maybe Ms. Simon.

Ms. Simon – Actually, on this it was my error for having this matter still on the informational report. Typically, after three (3) months have passed after the Final Order or the payment, we take items off of this informational report. And after the Order of Emergency Suspension is filed along with the Administrative Complaint, this matter should be taken off the informational item because the Administrative Complaint has already been filed and it will be before the Board at another time.

Chair Peeples – Okay. Thank you, ladies. I greatly appreciate the update. And Mr. Jones, you have a question, sir?

Mr. Jones – Yes. Just really quick, Ms. Marshall, when the emergency order is issued, license suspended, is that indicated on your website as an invalid license at that time?

Ms. Marshall – It should be. Ms. Simon, is that reflected in the license status?

Ms. Simon – It should be. Yes, ma'am.

Mr. Jones – Thank you.

Chair Peeples – Any other questions for Ms. Marshall, Ms. Simon, or Ms. Schwantes on this item, Board members? Hearing none. Thank you, ladies.

O. Chair's Report (Verbal)

Ms. Simon – Madam Chair?

Chair Peeples – Thank you, Ms. Simon. I appreciate that. And for those that weren't a part of the meeting earlier, Happy New Year to everyone. We're all back to hopefully, our beginning of our 2025. And I'd just like to say thank you to all the Board members for being prepared, participating, for the comments that are being made and looking forward to the end of the month to our Board training. I think it'll be a good refreshing aspect for some of us and for the two (2) new Board members, Mr. Quinn, and Mr. Chapman. So, I appreciate you all participating in that and looking forward to seeing you all in person in March. So, thank you for all that you're doing. Ms. Simon?

P. Office of Attorney General's Report (1) Attorney General's Rules Report (Informational)

Ms. Simon – Ms. Munson?

Ms. Munson – Yes, good morning again. This is provided for informational purposes only. You'll just see the progression of the repeal of 69K-7.022.

BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT JANUARY 2025

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-7.022	Payment of Funds Upon Contract Fulfillment; Documentation Required	11/07/2024	12/13/2024				

Ms. Munson – I would like to just make a side note that regarding a couple matters and it's actually a follow-up to a question that Ms. Clay had raised earlier. And it was in reflection to, I believe, it's item J, Lynn-Hadley and also Easy Affordable. Those conditions, as the Board voted on, I just wanted to make this clear for the record, that the license will be approved only after those conditions are met and the Order will reflect that it is a conditional approval, but that is the condition precedent. And I think there was a question about the timeline. Do they need to give a timeline? And I believe, unless the Department tells me otherwise, just to clarify for the record, that there is no worry or concern about an applicant maybe not doing this within the ninety (90) days that you need for approval because I think that's where that question was coming from. I had my hand raised. But I just wanted to just make that comment. And so, the Department is of the same understanding that there is no -- if they go outside the 90-day window and do not submit that condition, that their application is not subject to or in jeopardy of just being approved without it. So those are the things that I just wanted to clarify for the Board, for the benefit of the record, and the Board members. And that concludes my comments. Thank you, ma'am.

Chair Peebles – Ms. Munson, will you need us to amend that motion?

Ms. Munson – Not if the Department is of the same agreement that there is no jeopardy in play for these licenses to just be approved without those items, that that 90-day is not going to apply. Perhaps it's automatically tolled. I just wanted it clarified for the record, at least for the Board's perspective.

Chair Peebles – Thank you, Ms. Munson. Ms. Simon, would you like to address that comment?

Ms. Simon – I agree, as I stated earlier on the record, that there is no time frame. It's up to the applicant to fulfill the conditions. And until that time, they will not be licensed. Thank you.

Chair Peebles – Okay. Ms. Munson?

Ms. Munson – I'm fine. Thank you.

Chair Peebles – Thank you, ma'am. I appreciate that. Ms. Simon?

Q. Public Comments (Verbal)

Ms. Simon – Is there any public comment to be made at this time? Hearing no response. Madam Chair?

R. Administrative Report as December 18, 2024

A.	New Cemetery Applications	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications	0
	Recommended for Approval	0
	Pending	0
C.	Preneed License Applications	1
	Active Preneed Licenses	326
	Presented to the Board at this Meeting	1
	Pending	0
D.	Preneed License Branch Applications	2
	Active Preneed License Branches	348
	Recommended for Approval	2
	Pending	0

E.	Preneed Sales Agent Applications	30
	Active Sales Agents	3430
	Recommended for Approval	13
	Temporary Licenses Issued Pending Permanent	20
F.	Monument Establishment Applications	0
	Active Monument Establishments	85
	Pending	0
G.	Broker of Burial Rights Applications	1
	Active Brokers of Burial Rights	20
	Pending	0
H.	Exempt Cemetery Reports	0
	Active Exempt Cemeteries	44
	Pending	0
I.	New Establishment Applications	3
	Pending	2
	Completed	1
J.	New Individual Applications	17
	Pending	11
	Completed	6
K.	Request for Training Facility Applications	0
	Pending	0
	Completed	0
L.	Request for Continuing Education Providers and Courses	21
	Pending	0
	Completed	21
M.	Initial Inspections	19
	Pending	0
	Completed	19
N.	Inspections	68
	Pending	0
	Completed	68
O.	Initial Licenses Issued	20
	Renewal Licenses	568

S. Disciplinary Report

	Issued Since Last Meeting (December 5, 2024)
Notices of Non-Compliance	0

T. Upcoming Meeting(s)

- (1) February 6th (Videoconference)
- (2) March 6th (In-Person: Department of Revenue CCOC, Tallahassee)

- (3) April 3rd ([Videoconference](#))
- (4) May 1st ([Videoconference](#))
- (5) May 29th ([In-Person: Hammock Beach Golf Resort, Palm Coast – IFDF Annual Conference](#))
- (6) June 26th ([Videoconference](#))

U. Adjournment

Chair Peebles – Thank you, ma'am. It is, according to Verizon time, it's 11:29. So, we have had a great, fast meeting and I appreciate everybody's participation. And I now have 11:30, so we will adjourn. Have a great day and a great weekend, folks.

Ms. Simon – Thank you, Board members.

The meeting was adjourned at 11:30.