

MINUTES
BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES
VIDEOCONFERENCE MEETING
FEBRUARY 6, 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 10:00 A.M. on February 6, 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 February 6, 2025, and it is 10:00 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 R 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 **{EXCUSED}**
David Chapman
Sanjena Clay
Vincent "Todd" Ferreira **{EXCUSED}**

Christian "Chris" Jensen
Kenneth "Ken" Jones
Janis Liotta
William "Bill" Quinn
Darrin Williams {EXCUSED}

Also noted as present:

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

Ms. Simon – Madam Chair, excused from the meeting today are Mr. Ferreira, Mr. Clark and Mr. Williams. With that being said, we still have a quorum for the business of the Board.

Chair Peeples – Thank you, Ms. Simon.

B. Minutes

(1) *November 7, 2024*

(2) *December 5, 2024*

Ms. Simon – It may be appropriate at this time to consider the minutes that are in your Board package from November 7, 2024.

Ms. Sanjena Clay – Madam Chair?

Chair Peeples – Yes, ma 'am?

Ms. Clay – Madam Chair, I asked this last time, but don't remember the answer it. Should we go each one or can I move that both be approved?

Chair Peeples – Ms. Munson would you like to answer please?

Ms. Rachelle Munson – It will be appropriate to approve both of them, if the motion so states, and the Board so concurs.

Chair Peeples – Thank you Ms. Munson.

MOTION: Ms. Clay moved to adopt the minutes of both meetings. Mr. Chris Jensen seconded the motion, which passed unanimously.

Mr. Bill Quinn – Madam Chair, this is Bill Quinn. Can I add something to the record?

Chair Peeples – Yes, sir.

Mr. Quinn – 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 today, I'll make my decisions based on the facts and the information presented. Thank you.

Chair Peeples – Thank you, Mr. Quinn. Ms. Simon?

Ms. Simon – Yes, ma 'am.

C. Disciplinary Proceeding(s)

(1) 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 A)
(a) Funkhouser, Karla I.: DFS Case No. 325670-24-FC; Division No. ATN-43240 (F033776)

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

Chair Peeples – Mr. Jones, would you like to make a statement, sir?

Mr. Ken Jones – Yes, I was on Probable Cause Panel A, so I would like to recuse myself from C (1), C (2) and (3) (a).

Chair Peeples – Thank you, Mr. Jones. Mr. Griffin?

Mr. Marshawn Griffin – Marshawn Griffin for the Department. 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 Karla I. Funkhouser (“Respondent”). The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. On or about February 6, 2024, the Board issued a Final Order against Respondent in two (2) disciplinary cases, which required, in part, that Respondent pay a fine of \$19,000 within thirty (30) days. To date, the Department has not received payment of this fine. 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.

Chair Peeples – Thank you, Mr. Griffin. Board members, this will be a series of motions and Mr. Griffin, if you'll correct me if I need correction, sir. The first would be that the Respondent has been properly served and we're going to have an informal hearing and waiver for request. Is that correct Mr. Griffin?

Mr. Griffin – Yes ma'am.

Chair Peeples – Thank you. Board members?

MOTION: Mr. Jensen moved that Respondent was properly served and has waived its right to elect a hearing. Ms. Clay seconded the motion, which passed unanimously.

Chair Peeples – The next item, Mr. Griffin, would be that there are no material facts in dispute. Is that correct?

Mr. Griffin – Yes, ma'am.

Chair Peeples – Thank you. Board members?

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

Chair Peeples – The next item would be to accept the factual allegations. Is that correct Mr. Griffin?

Mr. Griffin – Yes ma'am.

Chair Peeples – Thank you. Board members?

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

Chair Peeples – Mr. Griffin would the next item be that that there has been a violation of Florida Statutes and that we need to request a motion for that sir?

Mr. Griffin – Yes, Madam Chair.

Chair Peeples – Thank you. Board members?

MOTION: Mr. Chapman moved to find the Respondent in violation of the statutes as charged in the Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Chair Peeples – Is there anyone on the call today representing or is Ms. Karla Funkhouser attached to this meeting today? Hearing no response. Mr. Griffin, would you like to discuss the discipline penalty?

Mr. Griffin – Yes, Madam Chair. So, the disciplinary guidelines for these violations are as follows:

- Count I: *violating a lawful order of the board, repeat offense*: Reprimand, fine of \$1,000 to \$5,000 plus costs. In addition, probation for up to two (2) years, suspension up to five (5) years, permanent revocation and/or restitution may be imposed.

The Department would request that the Board impose the following discipline: five (5) years suspension and as a condition of the suspension the Board would require that upon or that suspension would end, if Respondent repays the money that's outstanding under the Order and applies for reinstatement of licensure.

Chair Peeples – Mr. Griffin, so the penalty suggestion would be that we have a five-year suspension but if Ms. Funkhouser does pay that, then that five-year suspension would end at the completion of her payment. Correct?

Mr. Griffin – Upon reapplication for licensure, yes.

Chair Peeples – Okay. Thank you, sir. Board members?

MOTION: Mr. Jensen moved for five-year suspension but if Ms. Funkhouser does pay that, then that five-year suspension would end at the completion of her payment and reapplication for licensure. Ms. Liotta seconded the motion, which passed unanimously.

Chair Peeples – Ms. Munson?

Ms. Munson – Just to clarify, the suspension ends upon the payment of the \$19,000 or the remainder of the \$19,000 if something is paid? I just want to make sure.

Mr. Griffin – Yes, ma'am. She would need to repay whatever is outstanding on that \$19,000 fine.

Chair Peeples – Also, she would need to reapply for licensure. That also will be a part of the Order.

Ms. Simon – May I continue, Madam Chair?

Chair Peeples – Yes, ma'am. Ms. Munson, are we good?

Ms. Munson – We are good. I was just wanting to clarify with the reapplication, the license is suspended, not revoked. So, the Department is not automatically lifting the suspension upon payment? She's reapplying for a new license?

Mr. Griffin – She'll be reapplying for reinstatement of her licensure. And I believe that that language comes directly from 497.153.

Ms. Munson – Reapplying for reinstatement?

Mr. Griffin – Yes, ma'am.

Chair Peeples – Ms. Munson, should we amend our fifth motion that we had, or are we okay?

Ms. Munson – We're okay. I just wanted the Order to clearly state. Thank you.

Chair Peeples – Thank you, ma'am. Ms. Simon?

(b) Holmes Funeral Directors: DFS Case No. 333538-24-FC; Division No. ATN-43870 (F041651)

Ms. Simon – Presenting again for the Department is Mr. Griffin.

Mr. Griffin – Marshawn Griffin for the Department. 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 Homes Funeral Directors (“Respondent”). The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral establishment an apprentice/intern training agency. On or about February 6, 2024, the Board filed a Final Order against Respondent in disciplinary case number 307456-23-FC, which required, in part, that Respondent pay an administrative fine of \$8,250.00 within thirty (30) days. On or about April 23, 2024, the Board granted Respondent an extension of time, providing that this fine was to be paid in monthly installments of \$1,375.00, due on the 15th day of each month, beginning on May 15, 2024. Should Respondent miss a monthly installment payment, the entire balance of the fine would immediately become due. Respondent missed the first installment payment, and the entire balance became due on May 30, 2024. To date, the Department has received payment of \$2,850.00, and \$5,400.00 remains outstanding.

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. So, at this time, it would be appropriate for the Chair to entertain a motion determining whether the Respondent has waived its right to a s. 120.57(1) hearing based on Respondent's failure to timely file a response.

MOTION: Ms. Liotta moved that Respondent has waived its right to a s. 120.57(1) hearing based on Respondent's failure to timely file a response. Ms. Clay seconded the motion, which passed unanimously.

Mr. Griffin – Now that the Board has determined that the Respondent has waived its right to request a proceeding in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting allegation of the facts as set forth in the Administrative Complaint.

MOTION: Ms. Liotta moved to adopt the allegations of the facts as set forth in both Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Mr. Griffin – The Department contends that the Board’s findings of fact support a finding of violations of Chapter 497, Florida Statutes, as charged in the Administrative Complaint. The Department believes that it is appropriate at this time for the Chair to entertain a motion finding Respondent in violation of Florida Statutes as charged in the Administrative Complaint.

MOTION: Ms. Liotta moved to find the Respondent in violation of the statutes as charged in the Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Ms. Simon – Mr. Griffin if I could just step in one moment. I did not check to see if there was anybody here representing this entity. I just want to give that option now before you continue.

Mr. Claude Holmes – Yes ma'am. My name is Claude Holmes.

Ms. Simon – May I swear you in Mr. Holmes, if you are planning on speaking?

Mr. Holmes – Yes ma'am.

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

Mr. Holmes – Yes ma 'am.

Ms. Simon – Will you state your name and spell your last name for the record?

Mr. Holmes – My name is Claude Holmes Jr. Last name is H-O-L-M-E-S.

Ms. Simon – Thank you. Mr. Griffin?

Mr. Griffin – The Department also offers into evidence the investigative report with 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. The disciplinary guidelines for these violations are as follows:

- Count I: *violating a lawful order of the Board, repeat offense*: Reprimand, fine of \$1,000 to \$5,000 plus costs. In addition, probation for up to two (2) years, suspension up to five (5) years, permanent revocation and/or restitution may be imposed.

The Department is recommending that the Board impose a five-year suspension. That five-year suspension can be terminated upon repayment of the entire balance that remains due and Respondent submitting an application for reinstatement of licensure.

Chair Peeples – Mr. Griffin, could we have an opportunity, since Mr. Holmes is participating today, to see if he'd like to address the Board?

Mr. Griffin – Yes.

Chair Peeples – Thank you, sir. Mr. Holmes, would you like to address the Board members?

Mr. Holmes – Yes, ma 'am. Thank you so much. I first want to apologize for not being timely with our payments. However, we had a situation to occur where our account was compromised. I think that we have paid... Mr. Griffin, how much was it that you say we paid?

Mr. Griffin – You've paid \$2 ,850 against a \$8,250 total amount, so a balance of \$5,400.

Mr. Holmes – Okay. I have a cashier check today for \$3,000 and I could probably have the rest of it by Tuesday.

Chair Peeples – Mr. Holmes, I did not get the amount that you mentioned that you have available to me. Could you restate that please?

Mr. Holmes – Yes, ma 'am. I have a cashier check in the amount of \$3,000.

Chair Peeples – And that's available today?

Mr. Holmes – Yes, ma 'am. I can overnight it today.

Chair Peeples – And then by Tuesday, you would pay the remaining \$2,400?

Mr. Holmes – Yes ma'am.

Chair Peeples – Mr. Griffin, from the Department, what would be your suggestion? To continue with the suggested penalty and then we could receive the funds and then go from there.

Mr. Griffin – Yes. The Department would request that we impose the five-year suspension and obviously if he makes those payments then he can apply very quickly for that reinstatement licensure. But the Department would argue that there's no reason to delay suspending the license since he's had the better part of a year in order to kind of make any sort of progress on that payment before this was brought to the Board.

Chair Peeples – Thank you, Mr. Griffin. Mr. Holmes, before I turn it over to the Board members, do you have any other final comments, sir?

Mr. Holmes – No, ma'am. I just would ask for a little leniency. My wife has been sick and like I said, the account was compromised, and it threw us way off but we're doing the best that we can. Like I said, I will have the rest of it in there by Tuesday. I can overnight this in today.

Chair Peeples – Thank you, sir. Board members, you've heard the comment from Mr. Griffin and from Mr. Holmes. Mr. Jensen, I see your hand, sir.

Mr. Jensen – Yes, I have a question for maybe Ms. Munson here. So, I'm thinking of a motion. I understand the gentleman's having a little problem. He said he'd have the balance by Tuesday. Could I make such a motion that if we do not receive the balance by say Wednesday the 12th, then the suspension takes effect that day? Is that possible?

Ms. Munson – I'm going to turn it over to Mr. Griffin, because this is a discipline case that has been brought by the Office of General Counsel. If they are not inclined to make any changes to this particular information, then it is completely up to them. The Board does not have the leisure to change what their presentation is on this matter. Mr. Griffin?

Mr. Griffin – I would just say as a practical matter, I don't think that it would be possible to do that, because normally, like we are having a hearing today that, so that Order adopting whatever happens in this hearing is not going to be done by next Tuesday. So, for all intents and purposes, the Order actually suspending it won't be out for another two (2) or three (3) weeks which means his license isn't suspended until the Order comes out.

Ms. Munson – However, when the Order comes out, it will be on his licensing history that his license was suspended. So, I guess that's why he may be asking for leniency to see if the Office of General Counsel wants to hold up, but that's a different matter. I just want to clear that up for all parties.

Mr. Griffin – I don't see a reason to at this time, but it sounds like if things work out the way that he says he should be in a posture to be ready to reapply for the next Board meeting.

Chair Peeples – Mr. Jensen, does that complete your question, sir?

Mr. Jensen – One more part of that to Mr. Griffin, if I may?

Chair Peeples – Yes, sir.

Mr. Jensen – Mr. Griffin, if we say that Mr. Holmes has everything paid by Tuesday or just give him the 12th, which is Wednesday. would that in effect stop it? I'm trying to figure out how to not make him have to reapply and wait, because he has to try and make a living.

Mr. Griffin – I mean, the Board is free to make whatever decision it wants. So, if you want to give him yet another extension until the March Board meeting, then you could do that. You could disregard my penalty recommendation and reprimand him and say that all payments must be received by the Department by the March Board meeting. However, the Department would request if you're going to engage in such, you know, it's obviously your decision making process, but the Department would then request if you're going to give him yet another extension that there needs to be some sort of {inaudible} to ensure that if you do not have this process that, you know, that there is going to be a reckoning. That's all. And I'll leave our presentation at that.

Chair Peeples – Mr. Jensen, does that complete your question, sir?

Mr. Jensen – Just if I may clarify just for myself and everyone else. So, what you're saying, Mr. Griffin, if we do, and I understand what you said, nothing significantly has been done in last year. So, you know, reasoning will say nothing will be done. But, if Mr. Holmes is absolutely on Board with this, why not give him four (4) more days?

Mr. Griffin – Why don't we do this instead? Why don't we just table this until the March meeting? And then if it's paid, then the OGC will dismiss its complaint. If it's not paid, we're going to move forward. And in all honesty, I'll probably ask that Ms. Marshall recommend that it be a straight five-year suspension. Do not pass go. No way to reapply until it's done.

Chair Peeples – Mr. Jensen?

Mr. Jensen – I'm good with that, and I would like to make a motion as stated by Mr. Griffin.

Chair Peeples – Well, Ms. Munson, we don't need a motion to table. Is that correct?

Ms. Munson – If the Department is withdrawing their application or withdrawing the particular information today, you don't a motion.

Mr. Griffin – We'll just continue it to the March meeting if that's okay.

Chair Peeples – Ms. Munson, is that good?

Ms. Munson – That's fine.

Chair Peeples – Okay. Mr. Holmes, were you participating with what Mr. Griffin stated, sir?

Mr. Holmes – Yes, ma 'am.

Chair Peeples – Okay. Do you have the information that we are going to table this case until the March meeting, which that gives you till Tuesday to complete what you have stated on the record that you hope to complete? And I would strongly encourage you to complete.

Mr. Holmes – Yes ma 'am, we'll have that taken care of. As I stated, I already have \$3,000 here in my hand. I have a cashier's check right here for that amount and I'll get the other. Do you want me to just send both of them at the same time? I'll go ahead and overnight this way.

Chair Peeples – Sir, whatever is best for you, please complete that and we appreciate you participating today.

Ms. Simon – Madam Chair?

Mr. Holmes – Thank you so much.

Ms. Simon – In full disclosure, right now, Holmes Funeral Directors should not be operating because there is an Emergency Order of Suspension in place. Based on the same fact, we need to go down both routes, the Administrative Complaint and the suspension. So, in effect you should not be operating now.

Chair Peeples – Yes ma 'am, If we may Ms. Simon, is that something that Mr. Holmes if he has a question, he can call the Board office and talk with you there so that we can continue with the agenda item?

Ms. Simon – Yes, ma 'am.

Chair Peeples – Thank you ma 'am. Thank you Mr. Holmes. Ms. Simon?

Mr. Holmes – Who do I need to call?

Ms. Simon – You can call the Division offices, sir. May I continue, Madam Chair?

Chair Peeples – Yes, ma 'am, please.

- (2) *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) *Castillo, Gloria Yvette: DFS Case Nos. 333147-24-FC and 333151-24-FC; Division Nos. ATN-43387 and ATN-43247 (F078525)*

Ms. Simon – At this point, we are withdrawing that matter from today's agenda.

- (b) *Mena, Geronimo Jr.: DFS Case No. 311851-23-FC; Division No. ATN-41081 (F042156)*

Ms. Simon – Is Mr. Mena or a representative of Mr. Mena on the call today? Hearing no response. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. 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 Geronimo Mena, Jr. ("Respondent"). The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a direct disposer and was designated as the direct disposer in charge of Edens Cremation Society, a licensed cinerator facility holding license number F588545. The cinerator facility operated without paying the required business license fees or obtaining a business tax receipt. As direct disposer in charge, Respondent failed in his duty to ensure that the cinerator facility followed all applicable statutes and rules.

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. At this time, it would be appropriate for the Chair to entertain a motion to determine whether Respondent has waived its right to a Chapter 120, Florida Statutes, based on Respondent's failure to file a timely response.

MOTION: Ms. Liotta moved that Respondent has waived its right to a Chapter 120, Florida Statutes, based on Respondent's failure to file a timely response. Mr. Jones seconded the motion, which passed unanimously.

Mr. Griffin – Now that the Board has determined that the Respondent has waived its right to request a proceeding in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegation of the facts as set forth in the Administrative Complaint.

MOTION: Ms. Liotta moved to adopt the allegations of the facts as set forth in both Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Mr. Griffin – The Department contends that the Board's findings of fact support a finding of violations of Chapter 497, Florida Statutes, as charged in the Administrative Complaint. The Department believes that it is appropriate at this time for the Chair to entertain a motion finding Respondent in violation of Florida Statutes as charged in the Administrative Complaint.

MOTION: Mr. Jones moved to find the Respondent in violation of the statutes as charged in the Administrative Complaint. Ms. Liotta seconded the motion, which passed unanimously.

Mr. Griffin – The Department also offers into evidence the investigative report with 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. The disciplinary guideline for this violation is as follows:

- Count I: *failing to perform a statutory or legal obligation placed upon a licensee, first offense:* Reprimand, fine of \$250 to \$2,000 plus costs. In addition, probation for six (6) months to one (1) year with conditions, suspension up to one (1) year, or permanent revocation of license may be imposed.

In this matter, the Department is requesting that the Board impose a \$2,000 fine plus one (1) year of probation. This \$2,000 is on the upper end of what is permissible for this violation. However, this particular licensee has three (3) prior disciplinary matters, not necessarily for this type of violation, but three (3) prior times they've been before the Board. So, the Department believes that a \$2,000 fine plus one (1) year of probation is appropriate in this matter.

MOTION: Mr. Jones moved for a fine of \$2,000 and one (1) year of probation. Mr. Chapman seconded the motion.

Chair Peeples – Is there any discussion on the motion? Ms. Munson did you have a question ma'am?

Ms. Munson – I may have just missed it. Did we checked to see whether they were there?

Ms. Simon – Yes, we did, ma'am.

Ms. Munson – Okay, thank you.

Chair Peeples – Mr. Jensen?

Mr. Jensen – A quick question for Mr. Griffin. I notice lately I'm seeing this "plus cost". What exactly is that?

Mr. Griffin – I mean, so in theory, the Department can request a cost of investigation. So, I mean, these investigations aren't done for free. So, there's costs that are associated with paying the investigators, any sort of things like that. So that is permissible under the statute, however, the Board is not seeking investigative costs or requesting that the Board impose investigative cost.

Mr. Jensen – So is that an arbitrary number or is it fixed? I mean, how do you get that? I mean, that could be another \$2000, correct?

Mr. Griffin – Well, we have to provide justification for the cost. So usually there's like a report whenever there's cost that shows like X number of hours were spent on this investigation, then you kind of look at how much the people are paid, but we are not seeking costs in that. It's just part of the disciplinary guidelines.

Mr. Jensen – Okay. Yes, it's just something new that I've noticed. So, thank you for the clarification. I'm good, Madam Chair.

Chair Peeples – Thank you, Mr. Jensen. We have a motion by Mr. Jones, a second by Mr. Chapman. Is there any discussion on the motion? Hearing none, all in favor of the motion say yes.

Board members – Yes.

Chair Peeples – All opposed, say no. Motion carries. Ms. Simon?

(c) Nelson's Elite Care LLC; DFS Case No. 320690-23-FC; Division No. ATN-42195 (F379296)

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. 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 Nelson's Elite Care LLC ("Respondent"). The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. On August 4, 2023, the Board filed a Final Order against Respondent in case number 301514-22-FC. The Final Order required, in part, that Respondent pay a fine of \$500 within thirty (30) days. To date, the Department has not received payment of this fine.

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. At this time, it would be appropriate for the Chair to entertain a motion to determine whether Respondent has waived its right to a Chapter 120, Florida Statutes, based on Respondent's failure to file a timely response.

MOTION: Ms. Liotta moved that Respondent has waived its right to a Chapter 120, Florida Statutes, based on Respondent's failure to file a timely response. Ms. Clay seconded the motion, which passed unanimously.

Mr. Griffin – Now that the Board is determined that Respondent has waived its right to request proceeding in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting allegation of the facts as set forth in the Administrative Complaint.

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

Mr. Griffin – The Department contends that the Board's findings of fact support a finding of violations of Chapter 497, Florida Statutes, as charged in the Administrative Complaint. The Department believes that it is appropriate at this time for the Chair to entertain a motion finding Respondent in violation of Florida Statutes as charged in the Administrative Complaint.

MOTION: Ms. Liotta moved to find the Respondent in violation of the statutes as charged in the Administrative Complaint. Mr. Chapman seconded the motion, which passed unanimously.

Mr. Griffin – The Department also offers into evidence the investigative report with 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. The disciplinary guidelines for these violations are as follows:

- Count I: *violating a lawful order of the Board, first violation:* Reprimand, fine of \$250 to \$2,500 plus costs. In addition, probation for 6 months to one (1) year, suspension up to two (2) years, permanent revocation of license and/or restitution may be imposed.

The Department is requesting that the Board impose a two-year suspension, and as a condition of that suspension, the Respondent would be able to immediately apply for reinstatement licensure once they have paid the required amount of the fine.

Chair Peeples – Mr. Griffin, are you suggesting any fine amount?

Mr. Griffin – No. We're requesting that the license be suspended until such time as the consistent with what we've done in the first two (2) cases.

Chair Peeples – Thank you, sir. Mr. Jones?

Mr. Jones – Mr. Griffin, the fine originally was \$500, correct? And that has not been paid.

Mr. Griffin – Yes, sir.

Mr. Jones – Thank you.

Chair Peeples – Board members?

MOTION: Mr. Jensen moved Board impose a two-year suspension, and as a condition of that suspension, the Respondent's license would be reinstated once they have paid the required amount of the fine. Mr. Chapman seconded the motion.

Chair Peeples – Is there any other discussion on the motion? Mr. Jones?

Mr. Jones – Just to clarify, Mr. Griffin stated they could reapply, and Mr. Jensen's motion was reinstatement after the fine is paid. Is that acceptable to the Department?

Mr. Griffin – Yes.

Mr. Jones – Thank you.

Chair Peeples – Ms. Munson?

Ms. Munson – No reapplication necessary?

Mr. Griffin – No reapplication necessary.

Mr. Jones – Thank you.

Ms. Munson – Thank you.

Chair Peeples – We have a motion by Mr. Jensen, a second by Mr. Chapman. Is there any discussion on the motion? Hearing none, all in favor of the motion say yes.

Board members – Yes.

Chair Peeples – All opposed say no. Motion carries.

(d) Trappberger, Carlos Enrique: DFS Case No. 306758-23-FC; Division No. ATN-40163 (F045285)

Ms. Simon – Is Ms. Trappberger or a representative of Ms. Trappberger on the call today? Hearing no response. Mr. Griffin?

Mr. Griffin – 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 Carlos Enrique Trappberger (“Respondent”). The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. Respondent was designated as the funeral director in charge of Guiding Light Funeral Home, a licensed funeral establishment holding license number F082011. The establishment failed to timely pay medical examiner fees and overcharged a consumer for a cash advance for the medical examiner fee. Respondent, as funeral director in charge, failed to ensure that the establishment complied with all laws and rules.

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. At this time, it would be appropriate for the Chair to entertain a motion to determine whether Respondent has waived its right to a Chapter 120, Florida Statutes, based on Respondent's failure to file a timely response.

MOTION: Ms. Liotta moved that Respondent has waived its right to a Chapter 120, Florida Statutes, based on Respondent's failure to file a timely response. Mr. Jones seconded the motion, which passed unanimously.

Mr. Griffin – Now that the Board is determined that Respondent has waived its right to request proceeding in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting allegation of the facts as set forth in the Administrative Complaint.

MOTION: Ms. Liotta moved to adopt the allegations of the facts as set forth in both Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Mr. Griffin – The Department contends that the Board’s findings of fact support a finding of violations of Chapter 497, Florida Statutes, as charged in the Administrative Complaint. The Department believes that it is appropriate at this time for the Chair to entertain a motion finding Respondent in violation of Florida Statutes as charged in the Administrative Complaint.

MOTION: Ms. Liotta moved to find the Respondent in violation of the statutes as charged in the Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Mr. Griffin – The Department also offers into evidence the investigative report with 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. The disciplinary guidelines for these violations are as follows:

- Count I: *failing to perform a statutory or legal obligation, first offense*: Reprimand, fine of \$250 to \$2,000 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.
- Count II: *misrepresenting the amount of a cash advance, first offense*: Reprimand, fine of \$500 to \$2,000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.

Mr. Griffin – The Department is requesting that the Board impose a \$1,000 fine and one (1) year of probation. And the breakdown of that is the Department's requesting a \$250 fine for the failure to provide for the first count and then a \$750 fine for the misrepresentation of the cash advance with one-year probation concurrent between both counts.

MOTION: Ms. Clay moved for a fine of \$1,000 and one (1) year of probation. Ms. Liotta seconded the motion.

Chair Peeples – Is there any discussion on the motion? Mr. Jensen?

Mr. Jensen – Yes, discussion please. I agree with Count I. Count II, I have a couple of questions about. I understand the medical examiner fees was \$65. He was charged \$70. Albeit it's not illegal to charge that, as long as you have a disclaimer on your general price list. So, my question is, I don't see anything in the investigation as to whether or not it was on the general price list.

Mr. Griffin – Well, I think you've already voted to adopt the fact.

Mr. Jensen – Well, the fact was that he charged \$70.

Mr. Griffin – You already adopted the facts.

Mr. Jensen – It's perfectly legal if he disclosed it on the general price list. And that's what I'm trying to determine. Was that, in fact, disclosed or was it not disclosed? Because it doesn't say that in the investigation report.

Mr. Griffin – Well, unfortunately, we're past that point because you've already voted to find them in violation and that there was sufficient evidence for that violation. So, the time to have raised that would have been before you guys voted. The Board has already found that there's a factual basis for the violation. But as to his failure, you're asking, was it on there. We alleged he failed to disclose something and you're asking if it is on the price list, the GPL, the thing that didn't disclose?

Mr. Jensen – And here's what I'm saying. I'm sure when the investigator went in there, they looked at the contract and said, okay, medical examiner fees \$65. I see \$70 on here. So, there's a violation. Did the investigator in fact check the general price list? Because if it's on the general price list, it's legal.

Chair Peeples – Mr. Griffin, I don't want to overstep.

Mr. Griffin – No, that's fine.

Chair Peeples – If I may, to Mr. Jensen, the third motion, Mr. Jensen, when we're doing these multiple motions for these different cases is where this question should have come up, that there was a violation of Florida Statutes. So that's when your question probably should have been addressed during that time. So, I don't know if Mr. Griffin, if you prefer to continue or what would be your suggestion to the Board?

Mr. Griffin – I guess option one would be we could go back and re-vote as to that and then we can just go from there. So, I mean, if we want to unwind the clock, you guys determine whether or not you find that there's a factual basis for the motion or factual basis to support it. Let me see something really quick.

Chair Peeples – Ms. Munson, do you have any comments?

Ms. Munson – If there is information being presented on the record that a member may have not had all the information needed to make a particular vote, and it's disclosed during the same meeting, disclosed while the case is discussed. So, there's nothing inappropriate about going back and revisiting the motion if it's necessary.

Mr. Jensen – And my apologies, Chair. I just didn't realize we kind of went through them a little fast, but this case is not over, so I should be able to raise it at most any time, and we can certainly unwind it.

Chair Peeples – Yes, sir. Mr. Jensen, we're not saying that you can't. I'm just kind of relaying to you when we should have addressed it in that particular area, but we certainly can go back if need be.

Mr. Jensen – Yes, and I'm not saying that a violation didn't occur. I'm just saying, was everything correct because there is a legal way to do this. So, I'm just trying to determine if in fact that was there.

Mr. Griffin – This isn't my case. So, what I'm going to do is I'm going to pull this case and then Miss Marshall can supplement the record of need be and then we can readdress this in another month.

Chair Peeples – So we're going to table this case, Mr. Griffin?

Mr. Griffin – Yes, ma'am.

(3) Settlement Stipulations (Probable Cause Panel A)

(a) Arnex LLC d/b/a Apollo Cremations; DFS Case No. 325320-24-FC; Division No. ATN-42485 (F334901)

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

Ms. Maureen Daughton – Yes. Good morning. This is Maureen Daughton. I am the attorney for Arnex LLC d/b/a Apollo Cremations.

Ms. Simon – Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. Arnex LLC d/b/a Apollo Cremations (“Respondent”) is a direct disposal establishment, licensed under chapter 497, Florida Statutes, license number F334901. The Department conducted an inspection of Respondent and found as follows: This establishment advertised full funeral and burial services and preneed funeral services on its website despite not being properly licensed to do so. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,750, and the Respondent’s license shall be placed on probation for a period of one (1) year. The Department requests that the Board accept this Settlement Stipulation.

Chair Peeples – Thank you, Mr. Griffin. Ms. Daughton, would you like to address the Board or are you here just if questions arise?

Ms. Daughton – Thank you. I'm just here for questions.

Chair Peeples – Thank you, ma'am. Board members?

MOTION: Ms. Liotta moved to accept the stipulation which provides that Respondent shall pay a \$1,750 fine and have his license placed on probation for one (1) year. Mr. Quinn seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Dalton.

(4) Settlement Stipulations (Probable Cause Panel B)

(a) Resthaven Memorial Gardens; DFS Case No. 325289-24-FC; Division No. ATN-41879 (F077769)

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

Mr. Henry Thompson – Yes, ma'am. Henry Thompson. I'm the attorney for Resthaven Memorial in this matter.

Mr. Chapman – Madam Chairman?

Chair Peeples – Yes, sir?

Mr. Chapman – I need to recuse myself. I know these people.

Chair Peeples – Thank you, Mr. Chapman. And Mr. Chapman, you will also need to kind of complete a form. Ms. Bryant can kind of update you what you'll need to complete for the record and to be attached to that. Right, Ms. Munson?

Ms. Munson – The form you're referencing, I don't know if it would necessarily apply here because that's usually for some type of monetary gain or loss. I don't know if Mr. Chapman's affiliation is based on monetary gainer or laws, because he just indicated he knew them. So, I don't know if there's additional clarification. It's just maybe a personal relationship. I don't know.

Mr. Chapman – Well, I'll clarify it. I own Rust Haven Cemetery.

Ms. Munson – Okay, thank you. Then yes.

Chair Peeples – Mr. Chapman, we would need you to complete that form and get that to the Board office, sir. And I see Mr. Greg Caracci. Are you a part of this particular case or are you presenting for the General Counsel?

Mr. Greg Caracci – I'm presenting for the General Counsel.

Chair Peeples – Okay would you like to proceed sir?

Mr. Caracci – Yes. Resthaven Memorial Gardens ("Respondent") is a cemetery establishment, licensed under Chapter 497, Florida Statutes, license number F077769. The Department conducted an investigation of Respondent and found that Respondent improperly interred human remains. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a \$2,000 fine. The Department requests that the Board accept this Settlement Stipulation.

Chair Peeples – Thank you sir. Mr. Thompson?

Mr. Thompson – Before the Board decides to approve this consent where I did have a quick note I'd like to make.

Chair Peeples – Yes, sir.

Mr. Thompson – The investigative file includes a recording which was taken by the complainant without the knowledge of Resthaven Memorial staff. Florida law criminally prohibits the recording of oral communications, phone calls, and other vocal communications without the consent of each party to the recording. We object to any use of this recording in any proceeding, including administrative, civil, or criminal proceedings against Resthaven Memorial or its employees. I've spoken with the Attorney Caracci regarding this matter and the recording did not seem to play any part in the negotiations for this Consent Order, so we don't have any issues there. But we encourage the Division to review any future recordings for compliance with Florida law and that in any future matters, recordings are forwarded to licensees and their counsel if known. Finally, we would also like to request that this recording be removed from public record, if possible, given its potentially criminal nature. Otherwise, we just request that you approve this Consent Order, and thank you for your time.

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

Ms. Munson – I don't know if the recording was made available for public record, which is why I was commenting. I know it may have been presented for review materials, but I don't know if it's available and was published otherwise. So, I would defer to staff on that. I don't know how the materials were published.

Ms. Simon – Madam Chair?

Chair Peeples – Yes, Ms. Simon?

Ms. Simon – The recording was made a part of this matter in your agenda. However, as Mr. Thompson said, even with that, he is requesting that the Settlement Stipulation be accepted by the Board. In terms of whether it is public record, we can discuss that after the Board meeting.

Mr. Thompson – I know, just to quickly interject, it is in the Board packet so that was my understanding as to why I thought it was public record. If I'm incorrect on that then even better.

Ms. Munson – And that was my point. I don't know if these materials are always made available to the public. I know the agenda may be, but I don't know if all of the materials within the agenda are. That's kind of a staff issue so that's why I was not sure what answer was.

Ms. Simon – We can do that research after this motion is taken. I don't think that would impact what happens today.

Ms. Munson – Well, his question though isn't the impact for the outcome. I don't think that's what he's asking. He's just wanting a procedural note made that a recording is not disseminated for public consumption.

Mr. Thompson – Yes, ma'am.

Ms. Munson – And I don't know if the Board has information to respond to that because the Department only knows where this recording was made available. So that may be something you can. I don't think if the Board has no objection, I don't think that's an issue. But again, where it's been out there, I don't know. That's what I'm just saying to Mr. Thompson.

Mr. Thompson – Gotcha.

Chair Peeples – Thank you. So, Ms. Munson, we're good? Mr. Thompson, we're good?

Mr. Thompson – I believe so.

Chair Peeples – Thank you. Mr. Caracci, we're good?

Mr. Caracci – Yes.

Chair Peeples – Okay. Board members, what is your pleasure? Mr. Jensen?

Mr. Jensen – Yes, just a statement. You know, Ms. Munson mentioned that she doesn't know where that recording is out there. So, one statement is I would encourage the Department to do a little more due diligence on this because I happen to agree with Mr. Thompson that this should not have even come to us because the way I read the law, it was obtained in illegal manner.

MOTION: Mr. Jensen moved to accept the stipulation which provides that Respondent shall pay a \$2,000 fine. Ms. Liotta seconded the motion, which passed unanimously.

FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <i>Chapman David Hush</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Funeral Cemetery & Business Services</i>
MAILING ADDRESS <i>144 Country Club Dr W</i>	NAME OF STATE AGENCY <i>Department of Financial Services</i>
CITY <i>Deerfield Beach</i>	COUNTY <i>Okeechobee</i>
DATE ON WHICH VOTE OCCURRED <i>February 6, 2025</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE

WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

CE Form 8A - Effective 10/2013
Adopted by reference in Rule 34-7.010(1)(a), F.A.C.

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DISCLOSURE OF STATE OFFICER'S INTEREST	
<i>David H. Chapman</i> , hereby disclose that on <i>February 6</i> , 20 <i>25</i> .	
(a) A measure came or will come before my agency which (check one or more)	
<input checked="" type="checkbox"/>	inured to my special private gain or loss;
<input type="checkbox"/>	inured to the special gain or loss of my business associate;
<input type="checkbox"/>	inured to the special gain or loss of my relative;
<input type="checkbox"/>	inured to the special gain or loss of
<input type="checkbox"/>	whom I am retained, or
<input type="checkbox"/>	inured to the special gain or loss of
is the parent, subsidiary, or sibling organization of a principal which has retained me.	
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:	

I own Resthaven Memorial Gardens, LLC.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

February 25, 2025
Date Filed

David H. Chapman
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

CE Form 8A - Effective 10/2013
Adopted by reference in Rule 34-7.010(1)(a), F.A.C.

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Chair Peebles – Thank you Mr. Caracci. Thank you, Mr. Thompson. It is 11 o'clock. Let's take a 10-minute restroom break so we can try to see if some of the Department staff can rejoin the meeting. We will start at 11:10 and continue forward through the agenda. Thank you.

*****BREAK*****

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

Ms. LaTonya Bryant – Yes.

Chair Peebles – Thank you Ms. Bryant and it is 11:12. Let's call the meeting back into order. Ms. Simon, we'll turn it over to you, ma'am.

Ms. Simon – Thank you, ma'am. s3x2a<3zP

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) Academy of Graduate Embalmers of Georgia, Inc (41609)

(b) Cremation Association of North America (16008)

(c) Florida Morticians Association (23208)

(d) LifeNet Health (22608)

- (e) *National Funeral Directors Association (49609)*
- (f) *Wilbert Funeral Services (39408)*

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.

Chair Peeples – Board members?

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

- (2) *Provider Approval – Recommended for Approval without Conditions – Addendum C*
- (a) *National Institute of Funeral Service (54610)*

Ms. Simon – The application presented on Addendum C has been reviewed by the CE Committee, and the Committee as well as the Division recommends approval.

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

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

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

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

- G. *Application(s) for Embalmer Apprentice*
- (1) *Informational Item (Licenses Issued without Conditions) – Addendum E*
- (a) *Epps, Alaya J F830052*
- (b) *Harper, Kylie J F824882*
- (c) *Schalk, Nicholas R F827936*

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 E.

- H. *Application(s) for Florida Laws and Rules Examination*
- (1) *Informational Item (Licenses Issued without Conditions) – Addendum F*
- (a) *Funeral Director (Internship)*
 - 1. *Kotek, Nicholas J*
 - 2. *Ritter, Christina L*
- (b) *Funeral Director (Endorsement)*
 - 1. *Bello-Maino, Felicia*
 - 2. *Rafferty, Cassia S*
- (c) *Funeral Director and Embalmer (Internship and Exam)*
 - 1. *McConnell, Ericksen L*

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 F.

- I. *Application(s) for Internship*
- (1) *Informational Item (Licenses Issued without Conditions) – Addendum G*
- (a) *Embalmer Intern*
 - 1. *Sikes, Lyndsey H F506822*

- (b) Funeral Director Intern*
 - 1. *Jones, Jennifer M F834320*
- (c) Funeral Director & Embalmer (Concurrent)*
 - 1. *Harper, Kylie J F824882*
 - 2. *Hatcher, Natalia A F827976*
 - 3. *Senn, Morgan T F824775*
 - 4. *Wilkinson, Ryan N F045321*

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 G.

- (2) Application to Renew Internship*
 - (a) Recommended for Denial*
 - 1. *Funeral Director Internship*
 - a. *Tapia, Michael A F517181*

Ms. Simon – I saw that Mr. Tapia was on the Board call earlier today. Mr. Tapia, are you still on the call? Hearing no response. An application to renew a funeral director internship due to illness, hardship, or awaiting results was received by the Department on December 6, 2024, and the application was deemed complete when received. Mr. Tapia’s funeral director intern license expired on November 29, 2024. Rule 69K-18.002(10), Florida Administrative Code, only permits one internship in a lifetime. The funeral director internship expired seven (7) days before the application was received. The Division recommends denial based upon the requirements of the rule as previously mentioned.

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

Mr. Jensen – Is Mr. Tapia here?

Chair Peeples – We already asked Mr. Jensen. We did not get a response, sir. Thank you. Mr. Jones?

Mr. Jones – Ms. Simon, looking at this, there were no issues, or no one brought up anything as we had in previous meetings of mailing or issues with postal or anything, were there?

Ms. Simon – No, sir. I’m unaware of any other issues other than the fact that the application for renewal was not received timely.

Ms. Munson – And no petitions came with this, right, Ms. Simon?

Ms. Simon – I’m looking at the file now and I’m correct.

Ms. Munson – I didn't see it in the file. I just wanted to be sure.

Ms. Simon – If there were petitions filed, we would have alerted the Board.

Ms. Munson – Thank you.

Chair Peeples – Mr. Jones, did that complete your question, sir?

Mr. Jones – Yes, ma 'am. Thank you.

Chair Peeples – Thank you. Mr. Jensen?

Mr. Jensen – Yes, just a clarification. So, if we deny it, Ms. Simon, that means the gentleman could reapply and just start his year over. Is that correct?

Ms. Simon – He would have to take various steps to allow him to reapply. But as of this, those steps have not been taken. And this comes to us as a straight application for renewal of internship and based upon the legalities involved, the Division is recommending denial.

MOTION: Mr. Jensen moved to deny the application. Ms. Clay seconded the motion.

Chair Peeples – Okay. Ms. Munson, you had your hand up.

Ms. Munson – I was just advising, in follow-up to the discussion, that it would mean there's a denial on his licensing history that would also be imposed. That was my only other comment.

Chair Peeples – Thank you, Ms. Munson. We have a motion by Mr. Jensen, a second by Ms. Clay for denial. Is there any other discussion on this motion? Hearing none, all in favor of the motion say yes.

Board members – Yes.

Chair Peeples – Opposed, say no.

Board members – Yes.

Mr. Jones – No.

Chair Peeples – Who is our no? Is that Mr. Jones?

Mr. Jones – Yes, ma 'am.

Ms. Munson – The reason for the denial also when you finish all of your counts, please.

Chair Peeples – So we have six (6) Yes and one (1) No is that correct? Mr. Jones is a negative?

Mr. Jones – Yes ma 'am.

Chair Peeples – Thank you so the motion carries. So, Ms. Munson and Mr. Jensen, if you'd like to offer to Ms. Munson the reason for the denial.

Mr. Jensen – Yes, my reason would be that the gentleman has not taken any steps. And, if he didn't think enough about it to show up here today, then he really didn't leave us a choice. I would have liked to have heard from him, but he's not here.

Ms. Munson – When you say that he did not take any steps, do you mean failure to comply with the rule regarding...

Mr. Jensen – The- failure to comply and just not doing anything. As Ms. Simon stated, he has not made any efforts to do anything with this. So, in my mind, that kind of makes it an easy deal.

Ms. Munson – Thank you.

Chair Peeples – And Mr. Jensen, would maybe kind of a wording be that he did not go forward with the Board of presenting any kind of additional material? Could we maybe include that?

Mr. Jensen – Yes ma 'am, absolutely.

Chair Peeples – Ms. Munson, is that good?

Ms. Munson – That's fine. Thank you.

Chair Peeples – Yes ma 'am. Ms. Simon?

Mr. Quinn – Madam Chair?

Chair Peeples – Yes, Mr. Quinn?

Mr. Quinn – Can I go on the record as not favoring a denial?

Chair Peeples – Okay, are you stating that you would like to take your vote from Yes to No?

Mr. Quinn – That's correct, Madam Chair.

Chair Peeples – Well.

Mr. Quinn – I believe he was on the call earlier. I would like to hear from him. We need funeral directors in our profession. I would have at least like to talk to him, heard what his challenge was and why he didn't respond in a timely manner.

Chair Peeples – And also, Mr. Quinn, just for your information, he was updated about the Board meeting and that he they don't request them that they suggest that they participate. So, whether he was on the meeting at the beginning, he knew when his agenda item was coming up. But if you remove from your yes to a no, that will only be five (5) Yeses and two (2) Nos.

Ms. Simon – Madam Chair?

Chair Peeples – Yes, Ms. Simon?

Ms. Simon – Excuse me. The applicant has appeared.

Chair Peeples – A question I have, Ms. Simon, and maybe Ms. Munson, for this particular situation, because we had seven (7) Board members and two (2) decided to possibly, if Mr. Quinn moves his vote to a No, that would be five (5) . So, will that be a quorum that we would need? Would that be okay, with five (5) Yeses and two (2) Nos?

Ms. Simon – That is sufficient, Madam Chair. Ms. Munson is your Board counsel.

Chair Peeples – Thank you.

Ms. Munson – That is sufficient. However, if the applicant is on the call, albeit late, we may need to rescind and give the applicant an opportunity to present or explain why. I don't know if there was a technical issue going on or not.

Chair Peeples – Thank you, Ms. Munson, and that was going to be my next thing, so thank you for reading my mind. I appreciate that. So, let's kind of go back and Mr. is it Tapia?

Mr. Michael Tapia – Yes.

Chair Peeples – Thank you, sir. You are a part of this particular case, and I would like Ms. Simon to swear you in please sir, if you will.

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

Mr. Tapia – I do.

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

Mr. Tapia – Name is Michael. Tapia. Last name is T-A-P-I-A.

Ms. Simon – Thank you sir.

Chair Peeples – Thank you Mr. Tapia and thank you for joining the meeting. Would you like to address the Board, sir, and/or answer questions from Board members?

Mr. Tapia – Yes. So, thank you for the time. I was applying to extend my internship for, I guess, hardship or awaiting results. So, during the period of me taking classes, my final class that I had to take, my son ended up having a seizure, which actually postponed everything for my graduation. So, after that I had to wait another couple of months, take the last class which I completed in a truncated time frame and then just waited for the semester to end. So, my class ended in October, but the semester didn't end until almost December. So, I pushed everything back and then after that happened, I applied to take the Board's exam and then I had nine (9) days to continue to study. And then my grandfather-in-law passed away, literally the day before the exam happened, or we buried him the day before the exam happened. So, I had like zero timeframe for real studying. So, it just made the situation hard. So, when I applied for the extension, it was basically to get a little bit more time to do a little bit more studying to complete the Board's exam, hopefully in March, which is what I was going to apply for.

Chair Peeples – Thank you, sir. Board members, do you have questions for Mr. Tapia? And Mr. Tapia, I understand and thank you for being present and for giving us your information today.

Mr. Tapia – I saw that two (2) people had hands up.

Chair Peeples – I'm sorry, sir?

Mr. Tapia – I saw two (2) people had hands up.

Chair Peeples – Yes, sir. I'm speaking, so I will recognize them once I get through speaking, sir.

Mr. Tapia – My apologies.

Chair Peeples – Thank you. The information that we have states an application to renew a funeral director internship was received on December 6, 2024, but your license expired November 29, 2024. So, were you aware of the dates and what was the delay from the 29th of November to the 6th?

Mr. Tapia – If I remember correctly the 29th was a Saturday or a Sunday so when I...

Chair Peeples – It was a Friday.

Mr. Tapia – It was a Friday? So, I was working. When I went back into work on Sunday my direct supervisor and I both realized that the internship technically ended. So, when that happened, I started applying for everything and I did everything on like Monday-Tuesday, sent the paperwork out, and then you guys didn't get it until Friday or so. So, Friday, counting a couple days after that, I'm assuming that the paperwork just didn't get there. Everything wasn't completed until six (6) days-seven (7) days after. So that was the only reasoning for it.

Chair Peeples – Thank you, sir. But you were aware of the dates of your internship license expiring?

Mr. Tapia – Yes, I was. So, Friday and Saturday are my days off. So, I went into work on Saturday, and when I went into work on Sunday, we realized that. I was like, okay, with that be in a case, I was trying to get the exam in, but because of the dating of the closing of the school period, I wasn't able to. So, I got the exam in after in December.

Chair Peeples – Okay, you're speaking of an exam, and we have a situation {inaudible} internship license.

Mr. Tapia – Yes. I wasn't able to take the Board's exam until December 27th. I was trying to take it before that, but they didn't close the class until December. So, I was trying not to extend it unless it was necessary. Then we realized it was necessary because the class is closed, I put the paperwork in for the extension.

Chair Peeples – Okay. I think we have kind of a little bit of a situation here from an internship license versus a state laws and rules exam, which are two (2) separate things. So, Mr. Jensen, you had your hand up, sir. Would you like to ask a question, sir?

Mr. Jensen – Yes ma'am. So, Mr. Tapia, I think what Madam Chair is saying is you do not have to take the exam to complete an internship.

Mr. Tapia – Correct.

Mr. Jensen – That's what we're trying to get to the bottom of. I understand you had some hardships. How far along in your internship were you? You were at the end?

Mr. Tapia – I was at the end of the internship. So, the plan was to do my internship my final year of school and then take the exam at the end of the year. When we realized that there was missing a class, I've already applied for the exam in October. I've already applied, I purchased the exam to take the exam in October. So, it was supposed to end in October, and everything was supposed to be done. But because the class didn't end until December, because of the situations that occurred with me, I wasn't able to take the exam. So, I wanted to extend my internship before I took the next following exam.

Mr. Jensen – Mr. Tapia you believe that you'll have the exam, and this will all become a moot point in March of this year?

Mr. Tapia – That's what I'm hoping, yes.

Mr. Jensen – Thank you Madam Chair.

Chair Peeples – Thank you. Mr. Jones, did you have a question, sir?

Mr. Jones – No, ma'am.

Chair Peeples – Was there any other Board member that had a question for Mr. Tapia? Ms. Munson, if I can kind of get your direction, ma'am, because we previously had a vote and then we had one (1) of the members want to move their affirmative vote to a negative vote. And we now have Mr. Tapia who has become part of the meeting. Do we need to rescind this and start over? What would be your suggestion? Ms. Munson, if you could kind of give us some direction.

Ms. Munson – Procedurally, I think it would be most appropriate the Board to just rescind that entire vote regarding the initial process or initial review because you did not have the benefits of the information from the applicant, and you also had a Board member indicate that he may want to change his vote. So, if you could just kind of redo the vote but let there be a motion that the previous vote has been rescinded and if all the Board members so approved to do so then we can go and again begin with a new voting schematic.

Chair Peeples – Thank you, Ms. Munson. So, Board members, where we are is we need to rescind the first motion, second, and vote, I need to have a motion to rescind that and a second.

MOTION: Ms. Clay moved to have the previous motion and vote be rescinded. Mr. Quinn seconded the motion, which passed unanimously.

Chair Peeples – So now we are at a new procedure. Board members, what is your pleasure regarding the applicant's request?

Ms. Clay – Madam Chair?

Chair Peeples – Yes, Ms. Clay?

Ms. Clay – I believe Mr. Jensen was before me, Madam Chair.

Chair Peeples – Mr. Jensen?

Mr. Jensen – I appreciate that, Ms. Clay. I saw you were before me, but I do appreciate that. Yes, I was going to make a motion that we extend this for sixty (60) days, if he said he's going to be done in March. As Mr. Quinn stated, we do need funeral

directors, and I'm happy that Mr. Tapia is here to explain his situation. And with all the schooling and everything he's been through; we should give him a chance to do what he says he's going to do.

MOTION: Mr. Jensen moved to extend the internship for sixty (60) days. Mr. Quinn seconded the motion.

Chair Peeples – And Ms. Munson, if I may in the discussion area. Normally an internship request like this has been extended for a full year. Can we do a minimum of two (2) months versus twelve (12) months?

Ms. Munson – Normally you have the discretion to do that. Normally a petition is also associated with these, but all of that being said, the Board has that level of discretion. It would be more appropriate if there were a petition attached. No other comment.

Chair Peeples – Okay, Ms. Munson, could we request that Mr. Tapia present a petition to attach to this particular situation once we take a vote on this motion and a second?

Ms. Munson – You can. I guess the Board staff can explain the formalities of it. I'm just identifying that because the rule technically is a hard fast rule and if you want to do any variation of it, a petition is usually associated requesting that the Board consider a variation. I don't know what Mr. Tapia may understand about this process or not. Normally they come with attorneys associated assisting in the process. So, I just wanted to, at least for the Board's benefit, understand that what should normally happen. I see Ms. Simon has a comment that she can add.

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

Ms. Simon – Thank you, Madam Chair. In order to approve this motion legally, the applicant would have had to timely file the petition. Since they did not timely file the petition, they could have petitioned this Board for a waiver of that rule. However, that wasn't done. To do it post hoc, there's no relevance upon this. However, you can table this and bring it back next month if you want to and give him an opportunity to petition. It's up to the Board.

Ms. Munson – He still has an opportunity to file a petition. It's not untimely in doing so. We've seen petitions come in after the date has passed. I mean, that has happened before.

Ms. Simon – And I apologize. I only meant that if you take a vote now, having the petition in our records, it wouldn't change things. But if you are going to want to follow the legal requirements of this, you can table this. Your options are to table this and give the applicant an opportunity to file a petition or to approve or deny the application today.

Ms. Munson – And if I may, just for the benefit of the applicant, because this may not make complete legal sense to him. So, I think the position that's being presented is that because there is a hard fast rule about the one (1) year and only the opportunity for the one (1) time, not the one year, but the only one time, what is being suggested is that your application is tabled until the next meeting, which is March 6th. During that time, the Board may consider reviewing your application again. I don't know if there's any waiver necessary based on the time limits of this application, but the Board can review your application. What normally accompanies an application of this nature with this extension of the internship is a petition for the request to extend because you're asking for them to look at the rule and kind of make a waiver or provide a waiver or variance to that rule. So, you would provide a petition for them to perhaps waive the rule and then also provide an opportunity for them to review your application. If all information is complete on your part by the time the petition and application is reviewed, that may work to your benefit. I can't say that it will or not.

Mr. Tapia – I have...

Chair Peeples – Mr. Tapia, if you'll give me one second, please, sir. Ms. Clay, you had your hand up.

Ms. Clay – Mr. Tapia, why did you not contact the office to find out what you would need to do given the fact that you had all of these adverse circumstances going on?

Mr. Tapia – So when I applied for the extension the expectation was, I would have, I was trying not to apply for the extension I was trying to complete the course, have everything done, take the exam, so the extension wouldn't be needed. So, the purpose of the extension is because I was trying to continue to work as a director intern so that I could still complete the hours, or not necessarily complete the hours, but still learn as I'm doing everything as a director. So, when my mishap happened, and then on top of having to reapply for the exam, everything just got shortened for me. So, I wasn't trying to extend the internship. I'm just trying to be proactive about everything that's happening now. So, I extended the internship with the hopes that I take the exam, and I have nothing to worry about. But when everything happened, again, after already applying for the internship, it kind of just snowballed to this.

Ms. Clay – And if I may ask another question, Madam Chair?

Chair Peeples – Yes, ma'am.

Ms. Clay – So when you found out that you were in this particular situation, did it ever dawn on you that you should research and determine what you needed to do [inaudible] petition?

Mr. Tapia – It never dawned on me because it wasn't something that I necessarily thought was necessary. I was going to apply to extend the internship. If I was able to extend it, great. If not, then I would've just tried to take the exam as soon as fast as possible. I did that, and then the passing of my loved one happen, and then now we're here.

Ms. Clay – Madam Chair, then do we need to just make a suggestion that this matter be tabled until the next meeting, or do you want to entertain a motion?

Chair Peeples – Ms. Clay, thank you for your questions to Mr. Tapia. Mr. Tapia, thank you for your answers. I feel we need to be procedurally correct. We need to have a petition for waiver presented to us because I do not want to set any type of precedent that we are not procedurally correct so that if anyone comes forward after today's meeting, we will be handling things the correct manner. So that would be my suggestion from Chair that we table this to the March meeting. But prior to that, Mr. Tapia, it states in our information on our coversheet that your field director intern license expired on November 29, 2024. Had you completed all of your internship requirements by that date?

Mr. Tapia – Yes, I have.

Chair Peeples – So what would be the reason for you wanting an extension? If you're going to be now sitting for hopefully the Laws and Rules test in the next month or two (2), why would you need to have your internship license extended?

Mr. Tapia – So I could continue to work as a funeral director intern, I guess. So, I could continue to still meet with families because the second that expired, I understood that I can't meet with families.

Chair Peeples – So have you applied for the state Laws and Rules test? Do you have a date?

Mr. Tapia – I applied for The Conference Boards.

Chair Peeples – We're talking about multiple things again here. I'm speaking of the state Laws and Rules test. Are you talking about the National Board test? Which are two (2) separate tests.

Mr. Tapia – I was told that I couldn't complete the National Boards test until I completed The Conference. Unless I was misinformed.

Chair Peeples – Okay, I think there's some terminology, is there's two (2) tests that you have to pass to become a licensee in the State of Florida. One is the National Board, and that's through The Conference. And then there's a state Laws or Rules test that is provided through the State of Florida that you have to pass. So, there's two (2) tests. So, you have not taken either one, correct?

Mr. Tapia – I've taken The Conference one. I haven't taken the state yet because I was told that I can't take the state until I take The Conference.

Chair Peeples – Well you just stated you took The Conference, which is the National Board.

Mr. Tapia – Yes.

Chair Peeples – So, Ms. Simon, did you want to chime in, ma'am?

Ms. Simon – Only to say it is my understanding that The Conference exam needs to be successfully taken before the Florida Laws and Rules exam can be.

Chair Peeples – Thank you, Ms. Simon. That's what I'm trying to get an answer to and I'm not sure. Mr. Tapia, I'm trying to help you out, sir. You have a National Board that you have to take, you have an internship you have to complete, then you take a state Laws and Rules. So, of those three (3) steps, what have you taken and what have you completed? Have you the National Board?

Mr. Tapia – I have not passed the National Boards, but I've completed my internship.

Chair Peeples – Yes, sir. So, you've got one (1) of three (3), so you have two (2) other things. So, would there be a need, if you're going to be sitting for that in the next couple of months, do we even need to address this? Even though you have stated you would like to continue to wait on families, we may not need to table this to next month for you to present your paperwork.

Mr. Tapia – Yes, the purpose of it so I could continue to still meet with families as a director. So, if we could wait until March, I'm fine with that as well.

Chair Peeples – Okay, I think because we're taking a little bit more time than we need, I think we need to table this to March, and you need to present a petition to the Board. Ms. Simon?

Ms. Simon – I'd be more comfortable if there was a waiver of the deemer in this matter. I'm not sure one is necessary under Chapter 120, but in an abundance of caution, if this matter is going to be tabled, I would ask that that be addressed.

Chair Peeples – Ms. Munson, will we need a vote on the deemer?

Ms. Simon – You're muted, Ms. Munson.

Ms. Munson – The deemer comes from the applicant, right? So, I think Ms. Simon is asking the applicant to give permission to waive the application deadline fees. Is that what you're asking, Ms. Simon?

Ms. Simon – I am, in order to in order to table this matter.

Ms. Munson – Yes.

Ms. Simon – I would request that that take place before hand.

Chair Peeples – Okay. Ms. Simon, if you'll explain to Mr. Tapia what you are needing, please.

Ms. Simon – Yes, ma'am. Mr. Tapia, either you can have this heard today and you have the potential of this being denied or approved, or you can wait and table it until next month, but the Division is asking that if it's going to be tabled till next month that you waive the 90-day rule in chapter 120.

Mr. Tapia – So to waive the 90-day is what I'm being asked? I'm okay with that. I'm fine with that with hopes that everything is completed as fast as possible being in March, hopefully.

Ms. Simon – So does that mean you are waiving the deemer date?

Ms. Munson – Deemer is not a legal term, so most people don't even I don't know what deemer means. She's just asking, sir. that for the applications to be suspended and possibly heard at the March meeting, the Board and staff are asking that you waive any right for automatic approvals, because that's what happens within ninety (90) days; any automatic right of approvals for your application so that they can actually table the application and wait until possibly the March meeting for a final deliberation. If you choose not to waive those ninety (90) days, where I don't know the time frame, if it's close to the ninety (90) days or not, but if you choose not to, there may be the requirement that the Board vote on your application as it is today presented.

Mr. Tapia – I'm fine waiving the ninety (90) days with the hope that in March, everything is going to be completed as fast as possible.

Ms. Munson – Providing your waiver does not incur a detrimental outcome for your application, it just gives the Board an opportunity to put it on pause without any other legalities attaching to that pause.

Mr. Tapia – I'm totally fine with that. That is okay with me.

Ms. Munson – I know that Mr. Chapman had his hand up, but I just don't want to think I was ignoring him. I just have to allow Ms. Peoples to do what she does as Chair.

Chair Peoples – Yes, ma 'am. Ms. Munson, I'm going to go back to Ms. Simon, then we'll go to Mr. Chapman. Ms. Simon?

Ms. Simon – Not wanting to complicate matters, but his internship is over now. So, if we table this matter, he cannot work until next month because he cannot work without being an intern. I'm sorry to complicate it, but Ms. Munson can weigh in on that.

Ms. Munson – Are you asking me is he allowed to work without an internship being active? On the record, I'm going to say that the law requires that he be actively involved in an internship or not. So, I think that was why he was presenting this today, but did not perhaps understand that a petition would have been legally appropriate with this particular request.

Chair Peoples – Mr. Chapman?

Mr. Chapman – Well, that was going to be my question was Mr. Tapia said that he's not passed The Conference test and then his internship expires, but he still wants to meet as a funeral director. How can you meet as a funeral director if your internship has expired, and you've not passed your conference test? So that was my question that was just answered. So, I don't see how you can do both or how you can meet with families as funeral director if those two (2) criteria you know are no longer if you haven't passed your test and your internship has expired. That was my question.

Chair Peoples – Mr. Chapman, just to answer your question there's a process in a procedure that needs to be followed which a petition for waiver should have been offered by Mr. Tapia. He did not follow the correct process all the other previous folks you have followed that process, so that's what we are going to do is make sure we do the correct legal procedure. So that's why we were going to be tabling it till March, sir. Mr. Tapia?

Mr. Chapman – That's fine.

Mr. Tapia – No, I understand completely. So, it's okay. I will not be able to meet with families, but the rest of my duties wouldn't end. So, it's okay.

Chair Peoples – Yes, sir. And also, Mr. Tapia, as you're considering and we appreciate you going forward with your schooling and internship, but as a longtime licensee in the State of Florida, this is one of the things as a funeral director you're going to have to do is to follow dates, follow requirements, follow procedures, and I'm sure you probably do that through your internship, but this is something that needs to be handled in this order, sir. So, we're going to table this until the March 6th meeting. So, if you would please, sir, if you'll plan to get with Division staff, complete the paperwork and then we will go forward should.

Mr. Tapia – I've been in contact with Crystal, so should I just continue to stay in contact Crystal?

Ms. Simon – You can do that if that is your contact in the Board office.

Mr. Tapia – Thank you very much. I appreciate all your help.

Chair Peeples – Thank you for participating today, sir. Ms. Simon, we'll go to the next agenda item, please.

Ms. Simon – Excuse me, that was the Division office.

J. Application(s) for Funeral Establishment
(1) Recommended for Approval with Conditions
(a) Clearview Cremations, LLC (Sarasota)

Ms. Simon – An application funeral establishment licensure was received on January 2, 2025. Mr. Jenson Carlgren withdrew his original application after the business location did not meet the square footage requirements. The funeral director in charge will be Ralph Dean Maloney (F026665). 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.

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

(b) SCI Funeral Services of Florida LLC d/b/a Traditions on Tyrone (St. Petersburg)

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

Ms. Lisa Coney – Yes, trying to get my camera on. I'm only here for questions. This is Lisa Coney, Dignity Memorial.

Ms. Simon – Thank you. An application funeral establishment licensure was received on November 11, 2024. A completed application was reviewed on January 6, 2025. The funeral director in charge will be Carrie Orozco (F045143). 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.

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

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

Chair Peeples – Thank you, Ms. Coney.

Ms. Coney – Thank you, Board. Have a great day.

(2) Recommended for Approval without Conditions
(a) Freeman Funeral Home and Cremation Services, LLC (Pompano Beach)

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. Mr. DeBarris James has submitted several applications to the Division for approval. The first application was submitted back on March 12, 2024. A completed application was submitted on May 29, 2024, and it was discovered through a background check that Mr. James had criminal history. On February 13, 2009, Mr. James was adjudicated guilty of Grand Theft in the 3rd Degree and Impersonating a Bail Bond Agent, both felonies of the third degree. Mr. James was sentenced to 5 years confinement in Florida State Prison. He was released on May 12, 2013. An amended application along with Mr. James criminal history was presented to the Board during its meeting on September 5, 2024. A Notice of Intent to Approve his application was given to Mr. James on October 4, 2024, with the following conditions:

- The establishment must pass an inspection conducted by a member of the Division Staff,
- Applicant shall provide proof of a refrigeration agreement, and
- Applicant shall be placed on probation for two (2) years.

Mr. James submitted a new funeral establishment application on January 2, 2025, and this application had numerous deficiencies. A completed amended application was received on January 10, 2025. The amended application reflects the following:

- A new business location of 1351 S. Dixie Hwy Ste #10EW/20W, Pompano Beach FL 33060 with an on-site visitation chapel. An inspection of this location was completed on January 16, 2025, with no noted deficiencies.
- Arrangements have been made for refrigeration, embalming, and cremation. Agreements are attached to the application.
- The FDIC for this funeral establishment will be Johnny B. Johnson, License # F043266

Based upon the information in that application, the Division recommends approval. I believe an inspection has already been conducted, but in an abundance of caution, approval on the condition that an on-site inspection is completed.

Chair Peeples – Board members?

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

K. Application(s) for Preneed Branch Office

(1) Recommended for Approval without Conditions – Addendum H

(a) SCI Funeral Services of Florida LLC d/b/a Traditions on Tyrone (F019227) (St Petersburg)

Ms. Simon – Pursuant to section 497.453, Florida Statutes, the entities referenced on Addendum H have applied for preneed branch licensure. The application was complete without reportable criminal or disciplinary history and accompanied by the required fee. It is recommended that the entity referenced on Addendum H be approved for the branch licensure applied for.

Chair Peeples – Is there a representative of this entity on the call?

Ms. Coney – Yes, ma'am. This is Lisa Coney with Dignity Memorial, just here for any questions.

Chair Peeples – Thank you, ma'am. Board members?

MOTION: Ms. Clay moved to approve the application. Ms. Liotta seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Coney.

Ms. Coney – Thank you.

L. Application(s) for Removal Service

(1) Recommended for Approval with Conditions

(a) Ziemer Transport, LLC (Cape Coral)

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 08/30/2024. A completed application with a list of principals was received on 1/15/2025. A background check of the owner 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. Chapman seconded the motion, which passed unanimously.

(2) Recommended for Approval without Conditions

(a) Lawson Transportation Services, LLC (Deltona)

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 January 13, 2025. This application is for a Change of Location. The licensee originally renewed its license and attempted to change its location in the renewal system. The licensee was informed by staff that a new application would have to be submitted. A background check of the owner revealed no relevant criminal history. An inspection of the new location occurred on January 8, 2025, and noted no deficiencies. The Division recommends approval without conditions. Is there a representative of Lawson Transportation Services on the call today? Hearing no response.

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

M. Collective Applications for Change of Ownership

(1) Recommended for Approval with Conditions

(a) Infinity Transportation Services (Stuart)

- *Application for Refrigeration Facility*
- *Application for Removal Service*

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. Infinity Transportation Services, LLC has submitted the following: one (1) application to for a refrigeration facility and (1) application for a removal service. More specifically: applications for a refrigeration facility licensure and a removal services licensure were received on December 17, 2024. Completed applications were received and reviewed on January 10, 2025. These applications are for a Change of Ownership. The previous owner passed away and Ms. Jalene Diaz now has 100% of ownership. A background check of the owner revealed no relevant criminal history. The current licensees are as follows:

- 1) Infinity Transportation Services, LLC d/b/a Tri-County Mortuary Transfer Service, a licensed refrigeration facility, license #F422820, physical address: 142 Northeast Dixie Highway, Stuart, Florida 34994
- 2) Infinity Transportation Services, LLC d/b/a Tri-County Mortuary Transfer Service, a licensed removal facility, license #F422821, physical address: 142 Northeast Dixie Highway, Stuart, Florida 34994

Attached to your Board package are the separate applications regarding the aforementioned licenses. The officer of the corporation will be Jalene Diaz. Fingerprints were returned without any criminal history. The Division recommends approval subject to the condition that the establishments must pass an inspection conducted by a member of Division staff.

Chair Peebles – Thank you, Ms. Simon. Ms. Munson, a quick clarification. Since these are two (2) separate applications for a refrigeration facility and removal, do we need to take them separately or can it be one (1) motion?

Ms. Munson – It could be a collective if there's not any differentiation in what the recommendation is.

Chair Peebles – Thank you, ma'am. Board members?

MOTION: Mr. Jones moved to approve the applications subject to the condition that the establishments must pass an inspection conducted by a member of Division staff. Ms. Quinn seconded the motion, which passed unanimously.

(b) Weems & Sons Funeral Homes, LLC

- *Application for Cinerator Facility (Chiefland)*
- *Application for Funeral Establishment (Chiefland)*
- *Application for Funeral Establishment (Williston)*

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

Mr. Roy Weems – Good morning this is Roy Weems.

Ms. Simon – Thank you Mr. Weems. Weems & Sons Funeral Homes, LLC has submitted the following: two (2) funeral establishment applications and (1) application for a cinerator facility. The applications for the funeral establishment and the cinerator facility licensure were received on December 12, 2024. These applications are for a Change of Ownership. The

current owner is Knauff Funeral Homes, LLC. Completed applications were submitted which included the Asset Purchase Agreement on January 27, 2025. A background check of the principals revealed no relevant criminal history. More specifically, the applications were submitted for the change of ownership of the following licensees:

- 1) Knauff Funeral Homes LLC, a licensed funeral establishment, license #F091872, physical address: 512 East Noble Avenue, Williston, Florida 32696-1812.
- 2) Knauff Funeral Homes, LLC, a licensed funeral establishment, license number F091871, physical address: 715 West Park Avenue, Chiefland, Florida 32626.
- 3) Knauff Funeral Homes, LLC /b/a Knauff Funeral Home Crematory, a licensed cinerator facility, license number F091873, physical address: 715 West Park Avenue, Chiefland, Florida 32626

Attached to your Board package are the separate applications regarding the aforementioned licenses. The officer for each of the applicants is Roy Edward Weems, Jr. Fingerprints were returned without any relevant 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 owner. The Division recommends approval 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 seventy-five (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, Stock 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 establishments under the applications 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 Peeples – Thank you, Ms. Simon. Board members?

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

Chair Peeples – Good luck, Mr. Weems.

Mr. Weems – Thank you all.

(2) Recommended for Approval without Conditions

(a) Family Crest Management Services, Inc dba Good Earth Crematory (Bradenton)

- *Cinerator Facility*
- *Direct Disposal Establishment*

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. Family Crest Management Services, Inc dba Good Earth Crematory has submitted the following: (1) application for a cinerator facility and one (1) application to for a direct disposal establishment. Both applications were submitted on September 4, 2024, and both were incomplete. Completed applications were received and reviewed on January 2, 2025. This application is for a change of ownership. Mr. Tompkins passed away on July 21, 2024. He and his wife Karin Tompkins owned the facility as 50/50 partners. Karin Tompkins now controls 100% of the S Corporation. Dorothy J McClendon, license number F057740 will be the FDIC for both establishments. The applications are for the following previously licensed establishments:

- 1) The Good Earth Crematory, a licensed direct disposal establishment, license #F041305, physical address: 501 17th Avenue West, Bradenton, Florida, 34205
- 2) The Good Earth Crematory, a licensed cinerator facility, license #F041317, physical address: 501 17th Avenue West, Bradenton, Florida, 34205

Included in your Board package are the separate applications regarding the above listed property. The officer of both establishments is Karen S. Tompkins. Fingerprints were returned without relevant criminal history. Applicant confirms that if there are currently any unfulfilled preneed contracts sold by the current licensee, the obligation to fulfill those preneed contracts will be assumed by the new owner, Family Crest Management Services, Inc dba Good Earth Crematory. Inspections were completed on January 13, 2025, with no deficiencies noted. The Division recommends approval without conditions.

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

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

(1) Recommended for Approval without Conditions

(a) Revised Trust Agreement(s)

1. Independent Funeral Directors of FL/Argent Trust Company (Wilmington, NC)

Ms. Simon – In accordance with ss. 497. 266, Florida Statutes, IFDF hereby submits the above-named trust agreement and participation agreement for approval. If approved, this trust agreement will be utilized by licensed cemeteries for trusting of its funds for cemetery care and maintenance. The Division recommends approval without condition.

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

O. 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. Mary Schwantes – Madam Chair may I proceed?

Chair Peebles – Yes, ma'am.

Ms. Schwantes – Thank you, ma'am. First, I want to again thank all Board members for attending last week's Board member training session. We felt it was a very productive session and certainly hope that all Board members were able to take away helpful information from it. Very much appreciate your time on that.

The regular legislative session, as we've talked about before, begins on March 4th, which is about a month away. At this time, only one (1) bill has been filed relating to Chapter 497 or other statutes of concern to the death care industry that we continue to monitor. The one (1) bill that's been filed is HB301, which is Suits Against the Government for 2025. This was filed on January 29th. It is similar to bills that have been filed each year for the past number of years. This bill proposes increased limits on liability for tort claims against the state, its agencies, etc. The bill has not been assigned any committees for review yet, and there is no companion Senate bill at this time, and of course, we will be reporting more on the bill as it processes through the legislative session. The Department's bill has not yet been finalized, so I have nothing to report on that today. I will share information on that next month, I'm sure.

Our next Board meeting is in March. It will be held in person on Thursday, March 6th, at 10 a.m. in Tallahassee. Details regarding the location of the meeting as well as information on all Board meetings are posted on our website and Board members who need assistance with travel arrangements for this meeting, again, please contact with LaTonya Bryant.

This ends this portion of the Executive Director's Report and thank you again.

Ms. Simon – Thank you, Ms. Schwantes.

(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: February 6, 2025
Date report was prepared: January 29, 2025

Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
Ronald Dolinar	1/2/2025	325255-24-FC	\$1,000			
Erinn Day	1/2/2025	305799-23-FC	\$1,000			
Stonemor Florida Subsidiary d/b/a MacDonald Funeral Home and Cremation Services	1/2/2025	305795-23-FC	\$1,000			
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 Gaisson 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		
Brian James Bonar	6/29/2023	293064-22-FC	\$11,000	4-Sep-23		Referred to the OGC for administrative action

ES 1-29-2025

P. Chair's Report (Verbal)

Ms. Simon – Madam Chair?

Chair Peeples – Thank you Ms. Simon. I will piggyback on what Ms. Schwantes said is I appreciate all the Board members participating in Board training the end of January. I think it was very informative and offered a lot of information to current Board members and the newest appointed Board members. So, thank you for participating. We're looking forward to having a full Board presence at the March 6th meeting which will be in Tallahassee, so thank you for putting that on your schedule, as well. I appreciate all your due diligence that everyone does as they prepare for each meeting. So, thank you.

Ms. Simon – Thank you, Madam Chair.

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

Ms. Simon – Ms. Munson?

Ms. Munson – This is provided for informational purposes only. I just thought it might be helpful if I just highlight a couple of things about this February Rules Report, just because it looks a little bit different. This was a report requesting the repeal of 7.002. So, if you notice under Rule Development Publish, it's blank. The column is only blank because there is no rule development for appeals of rules. So, usually if you see a rules report, you see all of these blocks filled in. That's why that one remains blank. Of course, it was published and within twenty-eight (28) days of that date, hopefully this repeal will be adopted and then twenty (20) days from the adoption date, the repeal will become effective. That's just informational, just rulemaking FYI. That concludes my report. Thank you so much, Madam Chair. Thank you, Board.

BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT FEBRUARY 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		12/23/2024		

Ms. Simon – Thank you, Ms. Munson.

R. Public Comments (Verbal)

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

Chair Peeples – Thank you, Ms. Simon.

S. Administrative Report as January 28, 2025

Chair Peeples – As you see, just kind of make yourself aware of the items that are under the Administrative Report.

A.	New Cemetery Applications	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications	3
	Recommended for Approval	0
	Pending	3
C.	Preneed License Applications	0
	Active Preneed Licenses	326
	Presented to the Board at this Meeting	0
	Pending	0
D.	Preneed License Branch Applications	1
	Active Preneed License Branches	348
	Recommended for Approval	1
	Pending	1
E.	Preneed Sales Agent Applications	48
	Active Sales Agents	3467

	Recommended for Approval	47
	Temporary Licenses Issued Pending Permanent	10
F.	Monument Establishment Applications	0
	Active Monument Establishments	0
	Pending	0
G.	Broker of Burial Rights Applications	0
	Active Brokers of Burial Rights	0
	Pending	0
H.	Exempt Cemetery Reports	2
	Active Exempt Cemeteries	46
	Pending	0
I.	New Establishment Applications	19
	Pending	2
	Completed	17
J.	New Individual Applications	12
	Pending	8
	Completed	4
K.	Request for Training Facility Applications	0
	Pending	0
	Completed	0
L.	Request for Continuing Education Providers and Courses	25
	Pending	0
	Completed	25
M.	Initial Inspections	6
	Pending	0
	Completed	6
N.	Inspections	63
	Pending	0
	Completed	63
O.	Initial Licenses Issued	82
	Renewal Licenses	292

T. Disciplinary Report

	Issued Since Last Meeting (January 2, 2025)
Notices of Non-Compliance	0

U. Upcoming Meeting(s)

- (1) March 6th (In-Person: Department of Revenue CCOC, Tallahassee)
- (2) April 3rd (Videoconference)
- (3) May 1st (Videoconference)
- (4) May 29th (In-Person: Hammock Beach Golf Resort, Palm Coast – IFDF Annual Conference)
- (5) June 26th (Videoconference)

V. Adjournment

Chair Peebles – It is 12:14 on February 6th, and we will conclude and adjourn this meeting. Thank you for your participation today.

Ms. Simon – Thank you, Board members.

The meeting was adjourned at 12:14.