

MINUTES
BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES
VIDEOCONFERENCE MEETING
APRIL 3, 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 April 3, 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, Madam Chair. Good morning. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is April 3, 2025, and it is approximately 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 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 T on your agenda, which is Public Comment. Public Comment is reserved for general comments by the public and not for re litigation of any matter before the Board. Please be aware that if Public Comment is used as an attempt to re litigate a matter that has been heard on this agenda, the Board will be instructed that the comment is not appropriate for Public Comment, and it should not be considered for further discussion.

As a final reminder, Board meetings are public meetings under Florida Law, and anything said via chat is subject to a public records request. This feature should only be used for technological issues you may be experiencing, and all inquiries in chat should be directed to Mary Schwantes, Executive Director. She is monitoring the chat feature and, as necessary, will forward your inquiry to someone who can assist in resolution of the problem. At this point I will call the roll:

Jill Peeples, Chair
Andrew Clark, Vice Chair
David Chapman
Sanjena Clay
Vincent "Todd" Ferreira

Christian “Chris” Jensen
Kenneth “Ken” Jones
Janis Liotta
William “Bill” Quinn
Darrin Williams

Also noted as present:

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

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

Chair Peebles – Thank you, Ms. Simon.

B. Minutes

- (1) *February 6, 2025*
- (2) *March 6, 2025*

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

C. Old Business

- (1) *Application for Authority to Acquire Control of an Existing Cemetery Company*
 - (a) *Recommended for Denial*
 - 1. *Faithful Heritage Holdings, Inc d/b/a Resthaven Memorial Park*

Ms. Simon – Faithful Heritage Holdings, Inc (FHHI), has applied for Change of Control of an Existing Cemetery Company for the above-named cemetery property and licensure of the cemetery as a preneed branch location under FHHI’S preneed main license (F019269). The cemetery location for which the applicants are submitted is located at the above specified location. The application was received by the Division on August 23, 2024, and no deficiencies were noted. A completed background check of all officers revealed no criminal history. The change of control is requested via an asset purchase, wherein the applicant will acquire all the assets and liabilities of the current location and continue to operate under the existing name. The Division is recommending denial of the application due to: 1) previous discipline; 2) incorrect information provided within the application package; 3) deficits discovered during financial examinations; and 4) general care and maintenance of the currently owned cemeteries. With regards to incorrect information found within the application:

- Page 2 of the historical sketch form included in the application package includes a request for “All firms, companies, corporations, or other business organizations of which you are at present director, officer, employee, partner, or owner.” Both principals, Ruth Thornquest and Quinton Graciano, answered this question by providing a response of “see attached.”

Included in the submission is a three-page listing of properties purported to be owned by Faithful Heritage Holdings, Inc., at the time of application. Cited on page two of this three-page document is one Forest Meadows funeral establishment, three Forest Meadows cemeteries, the Evans-Carter Funeral Home and A Direct Cremations (Direct Disposal Establishment). In or about June 2023, the Board approved a change of ownership application for each of the six aforementioned entities. The properties are now owned and licensed by Family-Owned Funeral Group, LLC. Neither Ruth Thornquest nor Quinton Graciano are principals of Family-Owned Funeral Group, LLC. The current application was submitted in June 2024, approximately 14 months after the change of licensure.

- Page 3, Section 6(d) of the application provides the following, “Are you currently to your knowledge under investigation by any regulatory or law enforcement authority in Florida or any other state or jurisdiction in regard to alleged misconduct or incompetency in the performance of work under a deathcare industry license?” The applicant answered that question with a “No,” response. In point of fact, there are currently eleven (11) open investigations into this entity. Notice of these investigations were sent to the applicant at the time each investigation was opened.

With regards to previous discipline, the Division is also recommending denial based upon action taken in both North Carolina and South Carolina. In January 2024, the North Carolina Board imposed a suspension of the applicant's preneed sales license at Harnett Devotional Gardens. In November 2022, the South Carolina Perpetual Care Cemetery Board imposed a public reprimand and a \$500 fine in the matter of Bellville Memorial Gardens, a cemetery owned by the applicant. Additionally, the Division is recommending denial based upon trust fund deficits discovered during applicant's October 2024 financial examinations. The examinations revealed that the applicant had not placed any significant funds in trust during the three-year examination period, 2021-2024. The Department found that a total of over \$600,000 missing from the applicant's trust funds. These financial examinations are included within the Board package.

Lastly, the Division is recommending denial based upon the results of inspections of the applicant's three existing properties in March 2025. The inspections revealed numerous care and maintenance concerns on the properties, which have been ongoing as documented in the aforementioned eleven (11) open investigations. The inspection reports are included within the Board package. Ms. Wiener is here representing Faithful Heritage Holdings, and the Division recommends denial of this application

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

Ms. Wendy Wiener – Thank you. And Quintin Graciano, one of the owners of Faithful Heritage Holdings, Incorporated, is also on the meeting. He was on camera a few minutes ago. Perhaps he will pop back on momentarily. But in the meantime, let me start by saying the initial Board packet that you received was completely misleading. Since the time of the initiation of the ongoing investigations, and we'll talk more about that momentarily, but since the initiation of that time, a lot of information has been provided to the Division, and it was excluded from your Board packet. A supplemental Board packet was provided to you, and we appreciate that, but we're hoping that today you take into account the information to which you are entitled to take account and that you ultimately decide to approve this application.

So, let's talk about the specific items which form the basis for the Division's recommendation of denial. It cites previous discipline, incorrect information provided within the application, trust deficits, and care and maintenance-related issues. First, let's talk about the application package itself. It does not contain any incomplete information. And in fact, the Board cover sheet was not updated when they sent you the supplemental package. In fact, the initial application did have incorrect information in it, the adverse licensing history form, which was included in the supplemental package, which was provided long before this Board packet was created, and so that information was updated. And that can be attested to by Mr. Graciano if that becomes necessary. Now, I hope you read through the supplemental materials because what you will find is that with regard to adverse licensing history, the vast, vast majority of the issues have been resolved to the satisfaction of either the Division or of the two issues, one in each state in North Carolina and South Carolina. You will find many references to closeout letters that we received from the Division relating to the closed investigations.

Now, I think it's important at this point to reference the comment that Ms. Simon made for you earlier. And that is, that you cannot take into account for purposes of making a vote for denial, any information relating to an ongoing investigation. So, if there is an ATN number attached to a particular matter, an allegation, that's an ongoing investigation, and you cannot take that information into account when you make your determination, notwithstanding that the Department has inappropriately put a lot of information relating to ongoing investigations before you. And I'll highlight for you that information, which I firmly believe it will be illegal for you to take into consideration. Now, second, with regard to the previous discipline to which the Division refers as a basis for denial, that discipline is no greater and far less than the discipline of many licensees that come before you and are regularly approved for acquisition of other businesses. The three (3) cemeteries owned and operated by Faithful Heritage make up more than a hundred acres of cemetery in Florida. And across the United States, Faithful Heritage owns thousands of acres of operating cemeteries. Now, the most significant of the allegations in your Board packet relates to what they call trust deficits. That is an open matter. That is an open investigation. You may not, under the law, take into account the allegation of trust deficits. Now that information was set forth for you in great detail by the Division and we have provided information to 100% refute that there are any trust deficits. All of the trusts associated with the cemeteries owned and operated by Faithful Heritage are amazingly overfunded. But even if you were to take all of that information into consideration, it could not form the basis for your disapproval of this application. But before we talk a little more about trust, let's talk a little bit about the basis for recommending denial on care and maintenance issues.

Care and maintenance issues have -- in large part, any open investigations regarding those issues have been closed out. You can see when you look through the supplemental package, those things have all been closed out. And these are extremely old cemeteries. As you all will remember, these three (3) cemeteries were owned and operated by Cliff Work and then they were in receivership. During the entirety of Mr. Work's conclusion of his ownership and of the receiver's ownership or operation, I guess I should say, there was not resolution of most of the issues that have now been resolved by Faithful Heritage when it took over these projects, these cemeteries. So, any open care and maintenance issues are actually part of open investigations because there are ATNs, investigation notices laying over those open issues. Now, you were provided with a lot of photographic information showing a handful, really, of minor care and maintenance issues. What you were not provided was the photographs of all of the resolutions of those matters that were -- some of them have been provided to the Department already and some of which I will show to you right now. With regard to Royal Palm South, you will see that the one remaining stump has been removed. It was ground and removed prior to this meeting. You can see that the pile of debris in front of this mausoleum, also removed. I have four (4) pictures of windows that were fixed. They are fixed in your pictures although there's a complaint that they're made of plexiglass. These cemeteries are plagued with homeless populations and with vandals and vandalism, and so the cemetery has started to install plexiglass in some window frames in order to save from the broken glass that can occur. There was a photograph you were provided of a -- where this wall was sort of coming away from the wall. That, too, was repaired. Trash that was in prior pictures was removed. This roof, which was not part of any request by the Division, but this roof has been fully replaced. And this missing nameplate that they made a lot of issue about, that was painted over because the family disinterred their decedent and took their decedent up north to a veteran's cemetery. So, at Royal Palm South, the open issues and the photographic evidence that you have, all more or less resolved at this point. Sarasota Memorial Park, they're finishing up on painting the office. That wasn't a care and maintenance issue, just something that the cemetery decided it wanted to do. The fence has been -- all of that fence that was still there has been removed. I have photographs of all of the areas where the fence previously was. Those have all been removed. And these dumpsters, they get filled, then they get taken away. They come back; they get filled again. They are still cleaning up from -- unfortunately, from the storms and they've had more spring storms there. So that is a constant matter of cleanup. But I will submit to you that any care maintenance issues associated with these cemeteries are no greater than care and maintenance issues of any cemetery in the State of Florida, especially when the cemeteries came from a receivership and have about 140 acres total of cemetery land.

Lastly, let's talk about those trust deficits. I hope that first, you recognize that you cannot consider the allegation of trust deficits. You can't consider the allegation of late deposits. You cannot consider those allegations in your determination because those are the subject of ongoing investigation. As soon as the information came to the attention of the owner, those trust deposits were made within days. The Division absolutely will not refute that, notwithstanding that the trusts themselves are incredibly overfunded. And we were hoping that those matters would be closed by now so that you could properly consider the quick action within which the licensee moved as soon as they became aware that they had an employee who had not been either depositing or withdrawing from the trust. We hoped that these matters would have come to conclusion, but frankly, they haven't.

And so, as this application comes to you today, there are two (2) issues you can take into consideration when making your determination about whether to approve or deny these applications. The first is whether appropriate information or correct information was provided to the Division, and it was. And secondly, the disciplinary history of this licensee, which includes, as you can see from your Board packet, very little discipline associated with anything more than slight care and maintenance issues. And so, with that, we would ask that the Division approve these applications. And Mr. Graciano and I are here for additional questions and to provide additional information as necessary.

Chair Peeples -- Ms. Munson, would you like to address the Board?

Ms. Rachelle Munson -- Yes. Just for clarity purposes, if I may. I'm having so many internet problems right now so if you guys find that you are losing me, I promise, I think it will automatically connect itself again because it keeps telling me my audio, my internet, all these things are unstable. I don't know why. But where Attorney Wiener has indicated information that you cannot consider, I just at least wanted to alert the Board that I think that maybe as an oversimplification, Ms. Wiener is, well, in a position to respond to that. But I will note that by statute in 497.141, the general licensing provisions for general application procedures, I think Subsection 5(b), Subsection 5 specifically speaks about the licensing authority, ability, and authority to issue. And 5(b) specifically states that the Board may refuse to rule on an initial application for licensure by any applicant who is under investigation or prosecution in any jurisdiction for an action, which there is reasonable cause to believe

would constitute a violation of this chapter if committed in this state until such time as such investigation or prosecution is completed and the results of the investigation or prosecution are reviewed by the Board. So, while I will direct the Board that you may not make a decision based on open investigations per se, if there are open investigations that may impact possibly a detrimental outcome, you have the authority to consider that. To base a denial on that solely may be a stretch. But to consider it, I think, is an overstatement. And I don't know if Ms. Marshall has anything to add to that regarding disciplinary procedures, but I thought it was at least important to make that clarification in this presentation.

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

Ms. Kimberly Marshall – Thank you. So, the investigations that are open, certainly what Ms. Munson said concerning your treatment of those in consideration of the application is absolutely relevant. The Division wanted to put this information before you concerning the open investigations, not strictly as a basis for denial, but so -- it's so much, but as the failure to disclose. As noted in the cover sheet for this application, they indicated on their application that they did not have any open investigations pending against them, when in fact, we did have eleven (11) investigations pending that they did not disclose. So, concerning the maintenance issues that Ms. Wiener addressed, these are not solely issues relating to hurricanes and storms in the recent past. A lot of these are issues that had been lingering since this entity had acquired these three (3) cemeteries, Ms. Wiener, I believe three (3) or four (4) years ago. And a lot of this is issues that when they acquire these properties, had assured the Board would be resolved and a lot of them are still outstanding.

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

Ms. Wiener – Yes. Regarding Ms. Marshall's first point, they absolutely did provide you inappropriately, and incorrectly, and unlawfully with information and asked you to base your denial on it. When I spoke to Ms. Marshall a week ago, she called me and said they're recommending denial based on the trust examinations. And I knew at that moment that they could not base a recommendation for denial on those trust examinations because those are open investigations. You can know that there is an open investigation. You are not supposed to be in receipt of any information about it, the back and forth, none of it. But instead, this Division has made that the centerpiece of its recommendation for you and yet provided all manner of information except for the information that shows that these trusts are all collectively overfunded by millions of dollars, millions of dollars. Not underfunded; overfunded. And during the time that trust funds' payments were not being deposited, which I am certain there will be discipline to come from that, but there will be no allegation that there were trust fund deficits. In fact, when the deposits were made and the withdrawals to which the cemeteries were entitled were made, they actually took out more than they put in. There will never be an allegation that these trusts are underfunded. This Division will not be able to discipline this licensee for failure to maintain proper levels in these trusts. So, they were put to you -- this matter was put to you as the basis, I said, that's the basis. She didn't mention the care and maintenance or anything else, she said, yes, based on the trust deficits found in the examination.

Now, next. Care and maintenance issues. The care and maintenance issues existed ten (10) years-plus before these cemeteries were acquired by Faithful Heritage. Ms. Simon and I personally went to these cemeteries together for a site visit during prior ownership. The biggest issues associated with those cemeteries, and you Board members that have been around for a long time will remember, was the mausoleum roofs. Those mausoleum roofs were fixed in short order to a very, very significant expense to Faithful Heritage, which knew what it was getting and knew what it had to do. These care and maintenance issues that you see are the result of -- I mean you can read them, you can look at the pictures, it's piles of debris. Yes, they're trimming limbs so that when the hurricanes come this year, they don't have so much of a problem. Yes, they're taking down trees. Yes, they're grinding stumps. Yes, sometimes there are anthills, but you can see the photos. These are not long-standing significant care and maintenance issues. These are the kinds of care and maintenance issues you have when cemeteries are 75 and 80, and 100 years old and have come from an owner that neglected them through a receiver that further neglected them, oh, but did take a lot of money out of trust. Don't know if this Board remembers that whole debacle. But lots of money they took out of trust to fix things, which did not get fixed. Faithful Heritage bought them, which is their stock and trade. They buy troubled cemeteries. They go into them. They try to make them better, and they do. These cemeteries, you do not have -- you were, as a regulator, getting complaints constantly about these cemeteries. Missed burials, other problems. You don't get those anymore. Faithful Heritage is a good, consistent operator with overfunded trusts and a good record.

And to her point about we put these matters before you to show you that they failed to disclose, absolutely not. Look at your supplemental Board packet. That documentation was provided in early March, well before this Board packet was made. There

will not be an allegation that stands that this licensee failed to disclose open disciplinary matters. Mr. Graciano himself signed the adverse licensing history forms and my paralegal, Liz, submitted them to you more than -- well, more than in time to go in front of you with a cover note that said, this replaces the previously submitted information. So, there is no allegation of incomplete information. You cannot take into consideration to base the denial on open investigations, including care and maintenance and trust deficits. And so, the only thing that you could possibly be left with to form a basis for denial, and I would caution this Board that this has not been a basis for denial for other licensees and acquisitions, which is the minor disciplinary history, actual disciplinary history, not open investigations, but actual discipline in any state. And we would, again, ask that you favorably consider this application because this cemetery was owned by a very, very, very elderly gentleman. Ruth and Quintin have agreed to buy it, take it over, do right by it. And unfortunately, he's already passed. And so, there's the estate and they're hoping to be able to come in, and acquire the cemetery, and help that cemetery get back on its feet.

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

Ms. Marshall – I'd like to let Ms. Munson speak first. I think she had a comment.

Ms. Munson – Yes. Again, my role is here is to make sure that there's clarity provided to the Board in any statements that are made. So, in that last presentation, I also wanted to provide some statutory clarity. Again, 497.141(5)(a), to Attorney Wiener's last point, the licensing authority, it says, you have the authority, may not issue, and I'm not telling you what to do or not to do. I just want to identify the reading of the statute, may not issue, may not renew a license under this chapter to an applicant that has a criminal record required to be disclosed under 497.142(10), unless the applicant demonstrates that issuance of the license according to the rules adopted by the licensing authority does not create a danger to the public. So that's just two (2) points I want to underscore, that you do have the authority if you so choose if there is a criminal record or disciplinary history. I'm just reading from the statute. You have the authority, it says, may not issue, it doesn't say shall not, doesn't say you're required to, may not issue this to an applicant that has a criminal record required to be disclosed under the stated section. And it also says, unless the applicant demonstrates, which then places the burden on the applicant to show that issuance of the license according to our rules does not create a danger to the public. I know Ms. Wiener has a comment, too. And again, just to circle back about not having the authority to consider ongoing investigations, 5(b), which I stated earlier, speaks specifically, it does not say the authority to deny. The language specifically states the Board may refuse to rule. So those are the two (2) comments I wanted to make because you don't have your statutes open to you at all times, but I think it's only proper that I at least identify what the language states. Thank you, Madam Chair.

Chair Peeples – Ms. Marshall?

Ms. Marshall – Thank you. I would just like to address the point that Ms. Wiener made stating that we have illegally disclosed the existence of investigations. I'd like to point the Board to Ms. Wiener's email from October 25th of 2024, which begins on Page 105 of the packet here. She specifically addresses issues both relating to trusting and care and maintenance. And in the last paragraph of this email, she states if the Division will recommend anything other than the approval of the application, do ensure that this email and all attachments are included in the Board packet, that she has in this email disclosed the existence of these investigations and has as such waived confidentiality on any of these investigations.

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

Ms. Wiener – Addressing Ms. Marshall's last point first. We did not waive any confidentiality. I said if the Division was going to put the matter in front of the Board, they would have waived. If so, I needed the refutation of their allegations to appear. Number 2, to even cite a statute relating to criminal history, there is no allegation that any of the principals has a criminal history. There is no allegation of that at all. And I want to be clear for this Board, and I believe that Ms. Simon even read into the record, there is no criminal history associated with this licensing application or with this applicant at all. So, we ask that you approve this application.

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

Ms. Clay – I just would like some clarification in terms of processes. If the Board opts to not act on this while we wait for a disposition on the case, what happens next? Would the applicant's application be placed on hold until that happens? Would

we approve or disapprove the matter? And then if the applicant is found guilty, we go back and reopen. I just need some procedural clarity.

Chair Peeples – Ms. Munson?

Ms. Munson – And I can turn this over to Ms. Simon, what the Department does with it. But normally what would happen based on the pendency of the application, if we can receive a waiver from this applicant, and then that's why I see that Ms. Wiener may not be willing to do so.

Ms. Wiener – Absolutely not.

Ms. Munson – Okay. So that's why I was turning it over to the Department to see. With absent a waiver, the application, after its 90-day period, has the opportunity, it isn't automatically approved, but without any affirmative step on the applicant's part, but we cannot just let it sit out there indefinitely without there being some type of action that could not impact the Department. Ms. Marshall wants to say something.

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

Ms. Marshall – Yes, I'd like to note they have already waived deemer on this application.

Ms. Munson – Oh, okay.

Ms. Wiener – For it to get to this Board agenda and it is at such, and therefore, any further waiver is absolutely not approved. A waiver of the deemer to move it forward to -- that was to move it past its 90-day point to get it to the Board. I do not believe that you will find case authority or a basis in the law that that waiver holds up past today and we will not waive further deemers.

Ms. Munson – Okay. So, this is, again, to clarify. I do not know of any legal history that identifies types of deemers. A deemer is normally considered. I shouldn't use the word deemer. A waiver is normally considered a waiver. It's not a waiver for a specific purpose. It's just a waiver. So, if Ms. Wiener has any case information or legal precedent to say, well, it was waived only for this particular reason, once it's identified as waived, it is normally considered waived, and that will be a question of fact if it were to be argued beyond this point, specifically in a court of law.

Ms. Wiener – Or at DOAH.

Ms. Munson – At DOAH.

Ms. Clay – Madam Chair?

Chair Peeples – Thank you, ladies. I appreciate that. But if we can, I know we're kind of getting some different aspects. Ms. Clay?

Ms. Clay – I just wanted to make sure I understand. So, basically since Ms. Wiener is saying there would not be a waiver, we would deny or approve, and that the possibility of postponing this is off the table. Is that my understanding?

Ms. Munson – Again, if I may, Madam Chair. The statement that there will not be an additional waiver, I don't know if there is such a thing as multiple waivers. I've not ever seen that, but Ms. Wiener may have some history that is not being presented today. So, if there is a waiver that's been made, it tolls the reviewing of this with regard to the time limits that are set by statute. I don't know what stops the tolling of it except the conclusion of the application process. So, when you ask, Ms. Clay, if there is not an additional waiver, I am not familiar with what additional waiver under legal terms means.

Chair Peeples – Ms. Clay, did you have any further comments, ma'am?

Ms. Clay – I do, but I'll listen to others and then I'll come back if my question hasn't been answered. But I do have additional questions regarding how we proceed with an investigation pending, but I'll wait.

Chair Peeples – Okay. Thank you. Board members?

Mr. Williams – Madam Chair?

Chair Peeples – Mr. Jensen?

Mr. Chris Jensen – Yes. To kind of piggyback on what Ms. Clay was saying, I would like to know the answer to that question. I hate for denial to be on these folks' record, but if we refuse to rule on this, based upon what the Department says, what happens?

Chair Peeples – Mr. Jensen, thank you for that question. And Ms. Munson, before you reply, Mr. Williams, I think you had a comment, sir. You're by phone?

Mr. Williams – Yes, ma'am. I was going to tag team on what Mr. Jensen and Ms. Clay was speaking about on what our options are in reference to that. But I'll wait.

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

Ms. Munson – Yes, I don't know if I would recommend to the Board that they refuse to rule. I think there is an option to table the application since noting that there is a waiver already attached to it.

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

Ms. Wiener – I, personally, don't believe that that's a safe option. And if this Board denies or tables, this matter will certainly proceed to DOAH. If it denies based on anything relating to ongoing investigations, then we will certainly pursue attorney's fees because that is an improper basis upon which to deny. If it denies based on inadequate information in the Board packet, which really seems to be the only issue left standing, then we will pursue attorney's fees on those grounds as well. Mr. Jensen, let me allay your concerns. If there are violations by this licensee, at the cemeteries it currently owns or at a cemetery it will own in the future, it will go through the process of this Division and that matter will come to you either for the approval of a settlement agreement and the payment of a fine, or discipline, or whatever. Or if there are facts to challenge, then that matter will proceed to the Division of Administrative Hearings, and it will come back to you. By approving this application for this applicant, which is other than the giant 436-page subterfuge in your file, a good applicant, as good as any other applicant, other than that, there is no basis upon which you can deny this application. These applications are ruled on for licensees who have open investigations every single meeting, and if your position will be you will no longer approve an application for a licensee with an open investigation, then nary a business will be bought in this environment. Because I represent a lot of licensees in the State of Florida and I will tell you there are a lot of open ATNs, there are a lot of open administrative complaints, and sometimes those applicants come before you, and their applications to acquire new locations are approved. By allowing this application to move forward, you simply allow them to acquire another cemetery, which obviously there is no harm to the cemetery-buying public in the State of Florida from the operation of Faithful Heritage Holdings. You have not heard that. You will not hear that. And if they're found to have done something wrong, then it will come before you and you can discipline them when it gets to you.

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

Ms. Munson – Again, only here for clarity. It is important that the Board understands that as with any application that comes before them, it is a fact-by-fact; a case-by-case review. So, any decision you make on this case where it may be given consideration for future deliberations, it is not dispositive. And I do not want the Board to think that by whatever decision you make in moving forward with this today, it definitely controls what you will do with every other case, similar or otherwise that's presented before the Board. I would never want another applicant, licensee, respondent to ever feel that they are under that type of strict review. Every case, depending on those situations, you must review on a fact-by-fact basis. If you feel that you, according to the statute, the Board may refuse to rule, it's the reading of the statute. If you refuse to rule on an

application, which in my understanding is a tabling of the application, if there is a waiver in existence that is already been identified by the Department, may refuse to rule, I think fits into that category. I just wanted to clarify. I don't want you to feel like what you say with any case will be the rule of law for every other similarly situated case. It could impact it, but it is not dispositive and not with any case because all cases are just a little bit different.

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

Mr. Ken Jones – Oh, yes. Ms. Wiener, how many other, or are there any other cemeteries that Family Heritage owns or operates in Florida?

Ms. Wiener – They own three (3) in Florida. A number in North Carolina. Mr. Graciano can probably give that answer better than I. Some in California, some in South Carolina.

Mr. Jones – If we could have him answer that.

Chair Peeples – Well, Mr. Jones, Mr. Graciano will need to be sworn in, sir, by Ms. Simon.

Mr. Quintin Graciano – Yes, ma'am.

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

Mr. Graciano – Yes, ma'am. I swear to tell the truth, nothing but the truth, so help me God.

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

Mr. Graciano – My name is Quintin Graciano. Q-U-I-N-T-I-N G-R-A-C-I-A-N-O.

Ms. Simon – Thank you, sir.

Chair Peeples – Mr. Graciano, if you'd like to answer the question for Mr. Jones, please, of the number of properties you have in other states other than Florida.

Mr. Graciano – We currently own ten (10) cemeteries in the state of South Carolina, four (4) in the state of North Carolina, as well as a funeral home, cemetery, and crematory in the state of California.

Mr. Jones – And how many do you have in Florida?

Mr. Graciano – Florida at the current time is the Royal Palm operation, three (3) cemeteries, one (1) funeral home.

Mr. Jones – Thank you.

Chair Peeples – Mr. Ferreira?

Mr. Todd Ferreira – Mr. Graciano, how are you related to Ms. Ruth?

Mr. Graciano – She is my mother.

Mr. Ferreira – Okay. I wondered how you got connected to her.

Mr. Graciano – Born and raised with her. Stuck with her from the beginning, sir.

Chair Peeples – Mr. Quinn, did you have your hand up, sir?

Mr. Bill Quinn – I did not, but I do have a question now. If the current owner is deceased and this cemetery is currently in a little distress here, is it the desire for it to go into receivership? You know, will the cemetery become further distressed without qualified intervention? Seems to me like, from what I've heard, Faithful Heritage Holdings is looking to make improvements. From what I heard, there are no issues with the trust fund. From what I've heard, the care and maintenance has been addressed and is approving, improving.

MOTION: Mr. Quinn moved to approve the application. Mr. Jones seconded the motion.

Chair Peeples – Is there any discussion on the motion? Ms. Clay, I know you had some questions. Mr. Jensen. Let's go to Mr. Clark.

Mr. Andrew Clark – Thank you, Madam Chair. Mr. Graciano, just a couple questions. And, Ms. Wiener, I was part of the Board with all that we've done previously with Royal Palm and Mr. Work. Some of the pictures, more current pictures are still a little concerning, so I just have a couple questions for Mr. Graciano. I know Royal Palm South, for example, has eight (8) grounds team members. Are those full-time, part-time? What do those eight (8) people do?

Mr. Graciano – We have four (4) full-time maintenance workers as well as two (2) handymen that travel between the cemeteries and pick up more or less inside work, specialty work that general maintenance can't handle. Outside of that staff, we have an administrator at each as well as a salesperson. Currently, Ruth lives in Pinellas Park and oversees the operation and has been doing that personally since we have acquired the properties back in 2021.

Mr. Clark – Okay. The rose garden, I know you filled it in and grew grass. It still is not great. I will say, Ms. Wiener the tree, the debris, you're absolutely right. The hurricane last year and being associated with a number of cemeteries in Florida, I completely get that. I appreciate the updated image. The bulging wall at the mausoleum, what is the plan there, Mr. Graciano?

Mr. Graciano – The plan is to get it fixed as safely as possible, as we've done with everything. We do not only address what our concerns put up before. We paint buildings. We replace windows. We do what we can to make families feel comfortable. We want families to come and visit our cemeteries. We want people to be there and walk amongst the peace, amongst everything we can provide for them. We try to go above and beyond to provide a safe area for our families and our customers. As for the rose garden, we are completely backfilling it. There will be no water there. And we've determined that the water there has been causing a constant problem year over year. There was a plan with the rose garden. I know Wendy's photos from away, but there's thirty (30) tons right now with over ten (10) people in that photo filling it. And the moment it's filled and safe to build, we are moving forward with a columbarium in that area. We're not being told to do this. We are doing everything we can on our own to make these places safe for families, customers, all.

Mr. Clark – I appreciate that. I know the inspection from a month ago said that 75% of the covered markers or memorials have been cleaned. Have the remaining 25% been edged and landscaping removed from those memorials in the last month?

Mr. Graciano – Yes, sir. I have maintenance walk around daily when there's no services. The last time I checked, it's a handful of coverups at all. As well as some of these bigger markers that have toppled over, there are safety concerns for us moving them. So, we haven't done it at that time, but we've reached out to some owners of them. And on the owner's request, we are more than willing to work with them, more than willing to work with anyone who is reasonable and trespass, sir. We are -- as our name states, we are faithful. We are faithful. We are a family. We are earnest. We try our best to do the right thing in all situations.

Mr. Clark – Thank you. That's all, Madam Chair. Thank you.

Chair Peeples – Thank you. Mr. Williams, do you have a question, sir?

Mr. Williams – Yes. I had a question. I was going to make a motion, but I guess we're in the question stage, so I'll wait until the conclusion of this motion to make it, so my apologies.

Chair Peeples – That's okay. Mr. Williams, we already have a motion before us by Mr. Quinn and a second by Mr. Jones for approval. We're in the discussion phase. Did you have anything you'd like to address, sir?

Mr. Williams – Well, I just want to get more clarity and I was going to make a motion off the clarity, but I want to make sure I'm hearing right from Ms. Munson. Since deemer has been waived or since there's no deemer issue, based on what you were saying, could this be held off to time certain as an option? That was my question.

Chair Peeples – Ms. Munson?

Ms. Munson – So based on general understanding of the waiver rule, once it's waived, it's waived. Ms. Wiener may have different information, and she can feel free to make it, but the options that this particular body has is to approve it, deny it and I think you have the option to table it. And I also think if you want to approve it, you also have the option to approve it with conditions. So, all of that laid before you and you can run your deliberation with those considerations in mind. I know that the motion on the table is an outright approval without any condition and that's a perfectly legitimate motion to make.

Mr. Williams – Thank you so much.

Ms. Munson – Yes.

Chair Peeples – Thank you, Ms. Munson. Thank you, Mr. Williams. Any other Board members have any other questions? Mr. Ferreira?

Mr. Ferreira – Yes. Thank you. On the application, it stated that there were no suspensions. The answer, they put no for their suspensions. And it looks like in North Carolina, that there was a license that was suspended. And I'm concerned that the background, I guess, of the issues that have come, and come, and come over time. I didn't understand Bill's comments when he made a comment about all those items. I mean, it's in the packet. There have been issues for years. And I'm not comfortable at all exposing the consumer and the Department with this. Thank you.

Chair Peeples – Thank you, Mr. Ferreira. Ms. Wiener, would you like to address his question?

Ms. Wiener – I would. Let me address Mr. Williams' question first. Mr. Williams, the consideration for today is whether to approve this licensee to acquire a cemetery of which the owner is currently dead. And so, something needs to be done with that one in short order. If there is discipline appropriate for this licensee, then it will come to you. To Mr. Ferreira's point, Mr. Ferreira, you're relying on information provided about ongoing and open investigations. Your disciplinary history form asks you for open investigations as well as things that are closed. The information on the suspension was provided. The application is not wrong. It was provided to you. On the initial application, it was not provided. That's because my paralegal, Liz, has just started with me and she pulled up an old application we had for Faithful Heritage, and she didn't update it. But we updated it and asked that it be replaced in this Board packet. So, it was disclosed. You're talking about they're always, it's always a problem, a problem. How often have you seen Faithful Heritage in front of this Board for discipline?

Mr. Ferreira – How long has Faithful Heritage has been involved, okay? Maybe the LLC hasn't been involved, but what about Ms. Ruth? How much has she been involved?

Ms. Wiener – She only owns Faithful Heritage Holdings, Inc. You have not seen Faithful Heritage Holdings, Inc. in front of this Board for any significant discipline. I'm not positive that a matter has actually made it all the way to the Board. If there was an open investigation, or an ATN, or a question about something, I don't know that it has actually made it to this Board. This licensee is not your problem licensee. They're not in front of you with issues. The reason you perceive that there are so many issues is because the Division cited that we failed to disclose investigations and there were eleven (11) open investigations. Of those eleven (11) open investigations, I believe on the materials we sent to you, the new information, seven (7) of them were closed without any action being taken. Closeout letters were received on seven (7) open investigations. So, they're just not the problem licensee that the Division is purporting to make them out to be. It's not factual. And to Ms. Munson's earlier point about every application comes to you differently, that is true. But what this Board has to do is to apply the law consistently. And I would argue to you that to apply the law differently for this applicant because of 436 pages of mostly inappropriate information would be to apply the law to facts that you cannot take into consideration.

Mr. Ferreira – So they've owned the property, the three (3) cemeteries in Florida, they've owned those for four (4) years?

Ms. Wiener – They owned three (3) other cemeteries and five (5) or six (6) other funeral homes, which were Forest Meadows that was then acquired by Ash Curtis and his group, and was just recently the stock of that entity was acquired by Cornerstone. So, since 2020, over the high point of their Florida ownership, they owned six (6) cemeteries, and eight (8) or nine (9) funeral homes, and a couple of cinerator facilities, preneed licenses, and things of that nature. And I would ask you to harken back in your memory, how often have you seen Faithful Heritage Holdings in front of the Florida Board for actual discipline? Actual discipline, not what's in the Board packet about an open investigation, but actual discipline.

Chair Peeples – Mr. Ferreira, once you finish your discussion, then I need to go to Ms. Marshall and Ms. Clay, and then we need to call a vote, sir.

Mr. Ferreira – The financial statements, I noticed that the total liabilities and net worth for Quintin are right at \$3 million, and for Ruth \$188,000. Explain to me, the last paragraph, it says that they are responsible for \$5 million or more of liabilities. What's that mean?

Mr. Jensen – What page are you on?

Ms. Wiener – Can you tell me what page you're referring to?

Mr. Ferreira – Page 20 and Page 23.

Ms. Wiener – Well, first I would say, when asking for financials. it's not the financials of the owners of the business that are actually relevant to the ownership per se, it is the promise of the owners to maintain at least a \$50,000 net worth of the cemetery. The net worth of each of those two (2) individuals is far in excess of that. And the financial statement for Faithful Heritage Holdings, it's not part of your application because it doesn't actually -- simply not called for in the application so –

Mr. Ferreira – I guess I don't understand the extra \$5 million on each application. Obviously, we're asking for the financial statement, their financial statements, right?

Ms. Wiener – Correct.

Mr. Ferreira – Okay. So, what's the additional \$5 million?

Ms. Wiener – I can't say. Quintin, can you address that issue?

Mr. Graciano – The \$5 million was total company debt at the time of the application, sir. It wasn't debt held by me and Ruth personally. It was the company debt at the time. I thought that's what the question was asking for, company debt, not personal.

Ms. Wiener – So in prompt, that information should probably not actually even be on that.

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

Mr. Ferreira – Yes, ma'am.

Chair Peeples – Ms. Clay, did you get a clarification to your questions you had earlier?

Ms. Clay – Yes. I'm ready to vote.

Chair Peeples – Okay. Is there any other discussion by any Board members? Mr. Jensen?

Mr. Jensen – Yes. Just a quick question for Ms. Marshall or Ms. Simon. Having heard everything that Ms. Wiener had to say, I agree with Mr. Ferreira that I'm a little nervous about this, but I also agree with Ms. Wiener that I would like to know the facts. So, is the Department still maintaining exactly their recommendation?

Ms. Marshall – I would defer to Ms. Simon on that.

Chair Peeples – Thank you. Ms. Simon?

Ms. Simon – Thank you. Mr. Jensen, the Division's position remains the same.

Mr. Jensen – Thank you.

Chair Peeples – Ms. Simon let's do a roll call vote on this, please, ma'am.

Ms. Simon – Yes, ma'am. All of those in favor of the motion to approve, please respond by saying Yay. Mr. Clark?

Mr. Clark – Yes.

Ms. Simon – Mr. Quinn?

Mr. Quinn – Yay.

Ms. Simon – Ms. Clay?

Ms. Clay – No.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Ms. Liotta?

Ms. Janis Liotta – Yes.

Ms. Simon – Mr. Chapman?

Mr. David Chapman – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – No.

Ms. Simon – Madam Chair?

Chair Peeples – No.

Ms. Simon – Madam Chair, that motion fails.

Mr. Williams – Madam Chair?

Chair Peeples – Thank you, ma'am. Yes, Mr. Williams?

MOTION: Mr. Williams moved to table the application time certain. Ms. Clay seconded the motion.

Chair Peeples – Is there any discussion on the motion? Ms. Wiener?

Ms. Wiener – Please let the record reflect that any prior waiver of the deemer has been withdrawn and any deemer applicable at this point going forward is absolutely not approved. We do not approve. We do not waive any deemer. And whether that's valid or not, will be a legal decision for DOAH if this motion passes. But we do not waive any further deemer on this matter.

Chair Peeples – Ms. Munson?

Ms. Munson – I just had a general question. With these open investigations, do we know any general information as to how long it would take to resolve them?

Ms. Wiener – They should have been resolved by now.

Chair Peeples – Ms. Marshall?

Ms. Marshall – I can tell you there are currently a number of pending administrative complaints that have been filed and those cases are public. How long it takes to resolve those really depends on the Respondents at this point; how they want to resolve the case, if it's going to have to go to the Division of administrative hearing. So, it's hard to say exactly how long that will take.

Ms. Wiener – Chair Peeples?

Chair Peeples – Yes, ma'am.

Ms. Wiener – Ms. Marshall, what's the last date that an administrative complaint was filed against Faithful Heritage Holdings?

Ms. Marshall – I don't have that information in front of me.

Ms. Wiener – I think 2021 was the last date that an administrative complaint. Maybe '22?

Ms. Marshall – I believe I -- and again, it was certainly more recently than 2021 because I started in this position in 2022, and I have filed all of these. So, I can't say exactly how long it has been. That's something I would have to look into.

Ms. Munson – Madam Chair, the only reason I mention it because it is not unheard of for approvals with conditions to take place pending the resolution of some open investigations. And some of them even give the liberty of staff to clear it. So, I did not know enough about the history of these pendencies, but I just did not want to present any information that was at least, or in the least bit ambiguous to this Board. So yes, tabling is an option. Like I said, approving with conditions is an option. What those conditions would be is totally up to the Board. I did not know how unreasonable it is to have a condition such as the outcome or the resolution of this even possibly for the staff to clear, depending on what that may be. So, I just like to lay everything on the table and will stand corrected that the earlier statute I referenced did refer to criminal activity in which there is none attached to this, but the discipline history is made evident in the file materials. Thank you.

Chair Peeples – Thank you, Ms. Munson. Mr. Williams, you had a motion. And, Ms. Clay, you had a second to table. Would you like to amend your motion, or would you like to leave it as stated?

Mr. Williams – Well, I would say time certain because we don't know the timeline of the completion of the open cases. So that's why I say time certain. Does that pose any kind of conflict, Ms. Munson or Madam Chair?

Chair Peeples – Ms. Munson?

Ms. Munson – If you table it, I will not recommend an indefinite tabling. I think you would have to put some type of parameters within it so that it would be a reasonable understanding for all parties involved. That's just reasonable, right? So, I would not just say, I'll just vote to table this. You have to give it a little more substance and a little more meat as to what the direction is for staff and for the party's expectations.

Mr. Williams – Understood. Madam Chair, if I may amend my motion to table this case to ninety (90) days.

Chair Peeples – Ms. Clay, do you agree with that amended motion?

Ms. Clay – Yes.

Chair Peeples – Okay. Mr. Quinn?

Mr. Quinn – In an effort to move this forward, could we consider approving with conditions? Conditions being maybe a one-year probation with quarterly reporting?

Chair Peeples – Mr. Quinn, we already have a motion before us to the table for ninety (90) days and a second. So that's the motion that we're discussing now, sir. So, if you'd like to hold your suggestion, let's kind of see where we are on this motion, sir.

Mr. Quinn – Thank you.

Chair Peeples – Ms. Simon let's do a roll call vote, please, ma'am.

Mr. Jensen – Madam Chair, may I have a little clarification?

Chair Peeples – I'm sorry, sir. Yes, sir, Mr. Jensen.

Mr. Jensen – Just a little clarification on the 90-day thing. So, my question is for the Department. Is that enough time for the Department to get back out there? I mean, this investigation was just done less than a month ago. So, is there enough time for the Department to get out there and see everything within ninety (90) days?

Chair Peeples – Ms. Marshall?

Ms. Simon – May I?

Chair Peeples – Or Ms. Simon?

Ms. Marshall – Yes.

Ms. Simon – Mr. Jensen, I'm not sure what you're referring to about us getting out there. We just got out there so I'm not sure what would happen within the ninety (90) days. I don't think that we can take all of the investigations through DOAH within that period of time. I don't know that that would happen, even though it's a rocket docket. I don't know what we would be able to do within the ninety (90) days.

Mr. Jensen – Well, and that was my question, Madam Chair. Are we even going to have a resolution in ninety (90) days? I mean, there's a lot of pictures the Department presented. And Ms. Wiener presented a lot of pictures on the opposite side of that. It is a lot to have been done within the last month, but I do appreciate that these people are looking to make the cemetery better. So, maybe Ms. Munson can give us guidance. I like Mr. Williams' motion, but, you know, he did mention time certain. Is that enough time for us to have the proper information that we need?

Ms. Munson – What that timeframe gives you is an -- I'm sorry, I thought you addressed it to me. I'm sorry, Madam Chair, if I misspoke.

Chair Peeples – No, ma'am.

Ms. Munson – Okay. If the motion to table for ninety (90) days would in fact pass, it would just mean that after that 90-day period is up unless otherwise directed by this body, this information would return, and you would just look at the status of it then. It could look a lot different by then. I don't know if it would be resolved, but it may look materially different enough that it may impact what that next decision from this Board will be. I think extending it on a very extreme parameter, a very lengthy period of time might be considered a little bit unreasonable given the consideration of both parties. So, getting it back to you within three (3) months or at a three-month break might at least give you an opportunity to take a second look at whatever progress or lack thereof is made to see if that at all impacts your decision-making. But you do have the ability to do so.

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

Mr. Jensen – Yes, ma'am.

Chair Peeples – Ms. Marshall, did you have your hand up, ma'am?

Ms. Marshall – No, ma'am.

Chair Peeples – Ms. Wiener?

Ms. Wiener – Just very briefly. The question before you whether Faithful Heritage can acquire Resthaven, the owner of which has died. An elderly man has died. I don't know who's running that cemetery. I don't know how it's going, but that will be a problem for the State if we table this indefinitely. Any discipline related to these open investigations should not impact you holding up them acquiring this other cemetery. Those disciplinary matters, if resolved in ten (10) days, sixty (60) days, ninety (90) days, 180 days will come back to you. You will have your bite at the apple to discipline them for whatever failures of care and maintenance you conclude, existed, for whatever failure to trust on time, you find. Those will all be available. Approving this application does not foreclose your opportunity to take action against this licensee for valid violations that resulted from its actions. So, by approving this application, you are simply allowing them to acquire Resthaven. And I will tell you, I have been in this business for going on, in October, thirty-three (33) years doing death care regulatory work. I have appeared at nearly every meeting of this body, even when it was called something else. And before that the Board of Funeral Directors and Embalmers. I have never seen a licensee snap to and get attention from a regulator like Faithful Heritage has done. The improvements on these cemeteries before this matter and after this matter are so vast that if any of you that were aware of Royal Palm went to Royal Palm, you would say, holy cow, these cemeteries look better than they have looked in a decade. And in fact, Ruth has been told that by a particular Division inspector. So, this is not a problem. And what needs to happen now is this Board needs to clear a path so that there can be a lawful and good acquisition of a cemetery here in the State of Florida so that this little Resthaven Cemetery can get taken over and taken care of and improved like they have improved all of the cemeteries that they own and operate around the country. I would implore you to find a way, put a condition, quarterly reporting; they'll prove to you monthly that they're making trust deposits. They're sending those to me anyway. Every month, they make their trust deposits like ten (10) days after the month closes, even though they're due thirty (30) days after. Put conditions. But for the love of all that is good, move this application forward.

Chair Peeples – Ms. Wiener, respectfully, I think I'm the most senior person on here with forty-four (44) years in the industry as well as being on the 470 Board, and I do have to respectfully state that when I was on the 470 Board, there were a lot of cemeteries and funeral homes that had more notoriety, if I use that term, that they were held to the highest standard, which is what we tried to do. So, I don't think that this particular entity is having any kind of unusual items that we have gone through, but I appreciate your comment. We are on a motion to table for ninety (90) days made by Mr. Williams and a second by Ms. Clay, and we're going to do a roll call vote, please, Ms. Simon.

Ms. Simon – Yes, Madam Chair. All of those that approve the motion, please answer by saying Yay. Mr. Clark?

Mr. Clark – No.

Ms. Simon – Mr. Quinn?

Mr. Quinn – No.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – Yes.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – No.

Ms. Simon – Ms. Liotta?

Ms. Liotta – No.

Ms. Simon – Mr. Chapman?

Mr. Chapman – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – Yes.

Ms. Simon – Madam Chair?

Chair Peeples – Yes.

Ms. Simon – Madam Chair, that motion fails.

Chair Peeples – So where we are, folks, we have two motions that have failed. So, what is your request? What are your thoughts?

Mr. Quinn – Madam Chair?

Chair Peeples – Yes.

Mr. Quinn – May I make a motion?

Chair Peeples – Yes, sir. Please.

MOTION: Mr. Quinn moved to approve the application subject to the conditions of a one-year probation with quarterly reporting. Mr. Jones seconded the motion.

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

Mr. Jensen – Yes. Just a quarterly reporting. Are we reporting -- I know Ms. Wiener mentioned the trust funds and stuff. That is of concern to the general public. However, I do appreciate that Mr. Graciano and family are making improvements to the

cemetery and that's also good for the public. So, you know, I might implore, based on Mr. Quinn to the other Board members, that we give them a chance to make their repairs and do everything and the Department can, you know, actively monitor the situation. Thank you, Madam Chair.

Ms. Wiener – And we would be happy to provide updated photographs, information, Mr. Graciano. We can have a quarterly or monthly meeting with the Division on all of the -- whatever the Division wishes to impose in that regard. We'd be happy to do that so that the Board can see the work that's being done.

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

Ms. Munson – Yes. I was just going to ask for clarity on this particular motion that is on the table. The quarterly reporting, I don't know if you want to be more specific as to what information you want reported on a quarterly basis. That's a very general open-ended statement. And if you want the order to have any type of meaning, you may want to identify what exactly this body would be comfortable having reported, if that is in fact may be the vote of this body.

Chair Peeples – Thank you, Ms. Munson. Mr. Quinn, would you like to amend your motion in any way?

Mr. Quinn – Sure. How about update on the trust and also update on the care and maintenance that's being provided? You know, I think Attorney Wiener volunteered that to get that updated information, whether it's to us as the Board or to the Division.

Chair Peeples – Thank you, Mr. Quinn. Mr. Jones, do you accept the amended motion?

Mr. Jones – Yes, ma'am.

Ms. Munson – And would you please restate it? Only because Chair Peeples, my internet went out.

Chair Peeples – Yes, ma'am. We had an original motion to approve with conditions of one-year probation and quarterly reporting. Then the amended motion by Mr. Quinn and second by Mr. Jones was the conditions of the quarterly reporting reports with updates on the trust and the care and maintenance that's provided there at the cemetery itself.

Ms. Munson – To Division staff?

Chair Peeples – Yes, ma'am.

Ms. Munson – Thank you.

Chair Peeples – Thank you. We have an amended motion. Mr. Williams, did you have any questions, sir, before we go forward?

Mr. Williams – Yes, ma'am. Are we not able to consider or bring it to the conversation about the open cases, the open investigations? I just need clarity; that's all. I don't want that to leave the conversation as we're voting on this up or down.

Chair Peeples – Thank you, Mr. Williams. Ms. Munson, would you like to address that question?

Ms. Munson – Yes, I think that's what the Board has been considering. I think that's already been in play for this particular discussion. I don't know. When you say consider with regard to what outcome. I mean, I indicated that the Board voting to deny solely on ongoing investigations may not be the best recommendation. However, consideration may be given as the statute indicates. So, I don't know if these conditions satisfy the Board's concerns with regard to those open investigations if a conditional approval is given with the quarterly reporting requirement for those two (2) items that have been highlighted as conditions for the particular motion.

Mr. Williams – Madam Chair, may I?

Chair Peeples – Yes, sir.

Mr. Williams – If the maker of the motion and second would accept the friendly amendment of getting some type of confirmation or closeout of the open investigations, I'll be fine with it, from the Division.

Chair Peeples – Mr. Quinn and Mr. Jones, are you willing to make a second amendment to your motion for the request that Mr. Williams had? Mr. Quinn?

Mr. Quinn – Yes, but could I hear you say it, please?

Ms. Munson – I can try.

Chair Peeples – Go ahead. You go, Ms. Munson.

Ms. Munson – Okay. It appears that a motion may be on the table to approve this application with the following conditions: that the applicant be under a one-year probation with the Division; and the applicant be required to make quarterly reports to Division staff with regard to care and maintenance updates and updates regarding their trust fund management and a third condition that they report to the Division, the resolution of all pending investigations that are currently open for this review.

Chair Peeples – Mr. Quinn, do you accept that second amendment to the motion?

Mr. Quinn – I think Mr. Jones has a question before I answer, please.

Chair Peeples – Well, I need your answer first, sir. Then I'll go to Mr. Jones.

Mr. Quinn – Yes, I will approve the amendment to the motion.

Chair Peeples – Thank you, sir. Mr. Jones, do you accept before we have any discussion?

Mr. Jones – I do not.

Chair Peeples – Okay. So that second amendment will not go forward, Mr. Williams, with your comment because Mr. Jones will not give it a second.

Mr. Williams – Okay. No problem.

Chair Peeples – So, we're back to our first amendment of the original motion, which was approval with conditions of one-year probation; quarterly reports. The quarterly reports will include updates on the trust and the care and maintenance provided at the cemetery to the Division staff. That is where we are. Mr. Jensen?

Mr. Jensen – Yes, I'll make a motion based off what Mr. Quinn said that we have quarterly reporting.

Chair Peeples – I can't address another motion, sir. We are in a motion in a second right now.

Mr. Jensen – I thought the second was gone. So, the motion died, correct? No?

Chair Peeples – No, sir. We're back to first amendment.

Mr. Jensen – My apologies.

Ms. Munson – The second amendment died.

Chair Peeples – Right. The second amendment died. We're back to the first amended motion. Any other Board members have any comments before we take a roll call vote? Ms. Wiener, I'm sorry, we've gone a little bit too long on this case. I can't –

Ms. Wiener – I was hoping to be helpful.

Chair Peeples – Yes, ma'am. I appreciate that. Any other Board discussion?

Mr. Jensen – Can you restate the motion?

Chair Peeples – You want me to restate it?

Mr. Jensen – Please.

Chair Peeples – Okay. We have a motion to approve the application with conditions, which will include one-year probation and quarterly reports. And the quarterly report will be updates on the trust and care and maintenance that's provided at the cemetery, that this will all be provided to Division staff.

Ms. Simon – May I take a roll call, Madam Chair?

Chair Peeples – Yes, please.

Mr. Jensen – Did we have discussion on that?

Ms. Simon – All of those in favor of –

Chair Peeples – Ms. Simon? Ms. Simon? Yes, sir, Mr. Jensen. We've been in discussion of that. We were in discussion –

Mr. Jensen – I have a question for Mr. Quinn. I assume that's his motion. If he would be willing to add, I would like to see somebody from the Department there once a quarter. Physically there. I mean, just by reporting, it's just going to be papers. So, somebody physically there to make sure everything is getting done. And how impossible is that for the Department to do? Can that be done or am I barking up the wrong tree here?

Chair Peeples – I think, Mr. Jensen, I'll let Ms. Simon kind of piggyback. I think that's going to be an item because of staff availability because you're asking for a specific staff member, you know, from the other duties that they have. So, Ms. Simon, would you like to make any comment on that question?

Ms. Simon – No, other than to echo your comments.

Chair Peeples – Thank you. So, Mr. Jensen, do we need to go back to our first amendment motion? Do you need me to go back to Mr. Quinn and Mr. Jones or do we need to go forward with our vote, sir?

Mr. Jensen – So what Mr. Quinn is proposing is approval based upon quarterly reporting to the Department and one-year probation. Correct? But the reporting is just papers sent, right? Is that what I'm understanding?

Chair Peeples – Yes, sir.

Mr. Jensen – Okay.

Chair Peeples – Ms. Simon, roll call vote, please.

Ms. Simon – All of those in favor of this motion, please respond by saying Yay. Mr. Clark?

Mr. Clark – Yes.

Ms. Simon – Mr. Quinn?

Mr. Quinn – Yay.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – Yes.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Ms. Liotta?

Ms. Liotta – Yes.

Ms. Simon – Mr. Chapman?

Mr. Chapman – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – No.

Ms. Simon – Madam Chair?

Chair Peebles – No.

Ms. Simon – Madam Chair, that vote passes.

Chair Peebles – Thank you. So, it is 11:33. We're going to take a restroom break and let's come back at 11:43. Thank you.

*****BREAK*****

Chair Peebles – Ms. Bryant, are we ready to proceed?

Ms. LaTonya Bryant – We're good.

Chair Peebles – Thank you. We have all Board members back on the call and it's 11:44. So Ms. Simon, if we'll go to our next agenda item.

Ms. Simon – Thank you, ma'am.

(2) Request for Rehearing (Notice of Intent to Deny dated February 10, 2025)

(a) Application for Funeral Establishment

1. Wright & Young Funeral Home Inc d/b/a Wright & Young Funeral Home North Port

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for funeral establishment licensure was received on August 14, 2024. A completed application was received on October 30, 2024. Applicant previously had adverse licensing history with the Division and failed to disclose that previous history on their

application. When given the opportunity to provide the adverse licensing history form, the Applicant failed to take advantage of the opportunity. This matter was presented to the Board during the December 5, 2024, Board meeting. Based upon the previously cited facts, the Division recommended denial. The Board voted to deny the application. The Notice of Intent to Deny dated February 10, 2025, is included in this Board package.

On February 25, 2025, the Respondent requested a rehearing. The Division recommends that these matters be handled by two separate motions. The first would be to determine if the Board desires to rehear this matter. If the Board votes in the affirmative to rehear this matter, the second vote would be after the rehearing takes place. If the Board denies the request for rehearing, there is no need for a second motion. Again, I will ask, is there a representative of this entity on the call today?

Mr. Ortavia Simon – Yes, Attorney Ortavia Simon is here. I was trying to speak, but for whatever reason, you guys didn't hear me.

Ms. Simon – Thank you, Mr. Simon.

Chair Peebles – Thank you. Mr. Simon, would you like to address the Board, sir?

Mr. Simon – Yes. Very briefly. So as Ms. Simon has mentioned, there was a Notice of Intent to Deny the application, I think, dated February 10, 2025. I just kind of want to bring a couple things to the Board's attention so we can clarify a few things here. Of course, as noted, the application was submitted on August 13, 2024. And apparently, there was some email communications back and forth with an analyst from the Division and my client specifically regarding adverse licensing actions in history. I want to bring to the Board's attention as well that prior to 2018 or 2019, I believe it is, the funeral home was actually owned and run by Ms. Jacqueline Young under the former license number F039941. The current establishment license number is F451459. That license number for the funeral establishment is distinct. Additionally, the funeral establishment does have a preneed license. That was the license number prior to the ownership by Mr. Wright at the time that it was owned by Ms. Jacqueline Young. But apparently, when the funeral home had been acquired by Mr. Wright, Mr. Wright did not change over the preneed licensing number for the funeral establishment. The application was submitted by the current funeral director in charge of the establishment, Mr. Danny Eason. Of course, Mr. Eason is not an attorney. He's, you know, just a funeral director. He was not aware. And just to be clear, this application was not submitted with the assistance of counsel. Mr. Eason, at the time, was not aware of any adverse licensing and neither was Mr. Terry Wright aware of any adverse licensing on behalf of Wright and Young Funeral Home.

I think it's worth noting as well, if you look at the actual application that was provided, the application lists the applicant as Wright and Young Funeral Home North Port, which is the name of the fictitious company that had been established for the purpose of running the North Port Chapel. And I'd also like to point to you point out for you all, when you look at Page 3 of 8 of the actual application, specifically in Section 6, it addresses adverse licensing history questions. And it specifically says, as used in this section, "you" refers to applicant. Like to, you know, I think it works noting, of course, in Question A, have you ever had any death care industry license revoked, suspended, fined, reprimanded, or otherwise disciplined by the regulatory authority in Florida or any other state or jurisdiction? The answer was No. That answer is in fact correct. In fact, the adverse licensing action history that we have what I think the Board will note is that all of those violations, in all of those the consents and stipulations and all the other things, the administrative complaints that were filed, all pertain to the license number F039941, except for one, which is the preneed license of F038683, all of those adverse licensing issues were as it relates to a prior owner of the establishment under a prior license and not "you" as defined by the actual application, to the extent that my client should have made the Division aware adverse licensing or as it relates specifically to the preneed license, which again, is the only license that had not been changed or otherwise amended.

The funeral director, Mr. Danny Eason, at the time, again, was not aware of any preneed licensing, adverse licensing, and neither was Mr. Terry Wright at the funeral home. In fact, if you looked at the particular administrative complaint that had been filed, it refers to DFS Case Number 120946-11-FC. In that particular complaint, what you will notice is that this is an incident back from, I believe, 2008. That is how far back this particular complaint goes. It's clear that the adverse licensing issue, again, the only one that would otherwise apply to this funeral establishment, it is from 2000, well, almost twenty (20) years ago. Of course, Mr. Danny Eason after beginning his employment in 2018 would not be aware of that. And then of course, Mr. Wright, who took over and acquired the funeral home in the end of 2018 to 2019 was not aware of any adverse licensing issues with the preneed license either.

So, I think our position here today is, based off of the basic definition in the term of “you” and what was expected of them to disclose, their failure to disclose any adverse licensing -- there was nothing to disclose for the exception of the preneed issue as it relates to the preneed license. However, they were just unaware of that. So, what we don't have here is any blatant disregard for, you know, an opportunity to make any amendments to the application. Of course, we didn't have an intentional attempt to leave out the information or not disclose the information to the Board in the first place when the application was submitted on August 13, 2024. We just have a simple mistake, and I think, you know, from what I've just pointed out, even the Division was apparently misunderstood with respect to the application of the adverse licensing as to this particular applicant and thought that it applied and apparently does not apply based off of the prior license number. So, I realized that the actual name of the funeral home is the same, but the licensing applicant, who is attempting to obtain licensing is very different from the prior licensee and also very different with respect to the license establishment numbers as well. So, for that reason, we would ask that the Board favorably consider the application for Wright and Young Funeral Home North Port and approve the application. Well, first, also to agree to rehear it and then, of course, to approve the application. Thank you.

Chair Peeples – Thank you, Mr. Simon. Board members, this is one (1) of two (2) motions. First, I need to see what the Board member's pleasure is regarding a motion to rehear this matter.

MOTION: Mr. Jones moved to rehear this matter. Mr. Williams seconded the motion.

Chair Peeples – Is there any discussion on the motion? Ms. Munson?

Ms. Munson – I just wanted to clarify. Technically, I just wanted to note that you were saying rehear, but I'd like for it to be deemed or be termed for this particular meeting, a reconsideration because that's technically what the request was; motion to reconsider. So instead of saying rehear, I'd like you to say we reconsider because that's how we're going to move forward in acting on the Notice of Intent to Deny.

Mr. Jones – I will clarify a motion to rehear.

Mr. Williams – Second.

Chair Peeples – Thank you, Ms. Munson, for that clarification. Is there any discussion on the motion before we take the vote? Hearing none, all in favor of the motion say Yes.

Board members – [unison] Yes.

Chair Peeples – All opposed say No.

Mr. Clark – No.

Chair Peeples – Okay. Please let the record reflect Mr. Clark is a No. So, this motion carries. So next, Ms. Munson, please direct me, this would be a motion to go forward and rehear the matter?

Ms. Munson – Yes. It gives the parties an opportunity to kind of present their case again. And just to help the Board understand procedurally where we are, there's A Notice of Intent to Deny that's on the books. If this Board votes to approve the application, that will mean that an Order will be issued to vacate the Notice of Intent to Deny and approve the application. If there is a motion to not approve the application, the Notice of Intent to Deny will be upheld and it will be a Final Order appealable to the District Court of Appeal.

Chair Peeples – Thank you, Ms. Munson. Board members, what is your pleasure for a motion? Mr. Ferreira?

Mr. Ferreira – So, the adverse effects, and we're talking about for the individual, okay? Are there any adverse effects for the individual?

Mr. Simon – No. There is no adverse licensing for the individual.

Mr. Ferreira – Yes. I'm not talking about that. I'm talking about them individually. Did we do our background checks and all?

Chair Peeples – Mr. Ferreira, let me have Ms. Simon answer your question. Ms. Simon?

Ms. Simon – Mr. Ferreira, I believe that I researched this matter and did not find any adverse history against the individuals. However, I did find those four (4) cases. I'm not absolutely sure that I agree with Mr. Simon regarding their impact on this matter. It is from previous Wright and Young iterations, which is what was relied upon by the Board in the first case. And the duty to have reported past history regardless of one (1) matter, which is a current license, or four (4) matters still was a duty by the applicant. So, our position remains the same in the recommendation for denial.

Chair Peeples – Mr. Ferreira, with your question and Ms. Simon's comment, would you like to make a motion to allow a rehearing and go forward? What's the pleasure of the Board? Ms. Simon?

Ms. Simon – Okay. Just to be sure that we're all on the same page, we've already said that the Board wanted to have a rehearing. I'm just reiterating what you said, and I apologize. So now –

Chair Peeples – It was a consideration per Ms. Munson. We are now at the motion for rehearing.

Ms. Munson – Well, no, no, they are the same. To be clear, they're the same. They're using them interchangeably. So now you are hearing the case unused to some extent, but you do have the information and the materials of preexisting that led to the Notice of Intent to Deny. So, you get to change your mind with this particular discussion or not.

Chair Peeples – Ms. Munson, where we are right now, we don't need a motion to go into an informal hearing, so to speak. We need to just discuss the application and the Notice of Intent to Deny.

Ms. Munson – Correct.

Chair Peeples – Thank you. So, Mr. Ferreira, kind of coming back to you, sir, you had a question. Did that help your question, sir?

Mr. Ferreira – Yes. I was just looking for those -- it does say here that there was adverse licensing history with the Division and failed to disclose. So now I'm trying to find what it was.

Chair Peeples – While Mr. Ferreira is reviewing, Mr. Jensen?

Mr. Jensen – Yes. I'd also like to ask Mr. Simon a question. Mr. Simon, you had mentioned that this particular individual -- this is all brand new, correct?

Mr. Simon – Well, just to clarify, what I'm saying is that the folks that are involved in the funeral home currently are new in the sense that they were not necessarily a part of the prior violations. It's not the same funeral home, same directors. It's different ownership, different funeral director running the establishment. At the time, the individual who was running the establishment as a funeral director who owned it was Ms. Jacqueline Young, a licensed funeral director, but it's different funeral staff, and funeral director, and owner at this time.

Mr. Jensen – So, may I proceed, Madam Chair?

Chair Peeples – Yes, sir.

Mr. Jensen – Yes. So, Mr. Simon, are you saying that this is this individual's first time applying for license?

Mr. Simon – No, I'm not saying it's their first time applying for a licensure. What I'm saying is because they changed the licenses over when they moved to obtain the license through the new licensing establishment is my understanding.

Mr. Jensen – So is the new entity, were they also associated with the old entity? Were they there at that time? Because I see on here, you know, in Section 5 of the application, you're stating there were previous licenses, which is on Page 13 of the packet. I'm just trying to figure out if this is all brand new and this individual had no association with the past, then why did you check yes?

Mr. Simon – Well, just to be clear, the application was completed by Mr. Danny Eason, the current funeral director. Again, it was just, I think, based off of his understanding, not necessarily based off of any understanding of the definition, so to speak, of “you”, other than what he understands you to be as defined by the Section 6 of the adverse licensing history questions. But again, it was not done with the assistance of counsel. Mr. Eason completed the application for Mr. Wright, and again, it was just based off his understanding. And just to remind you all, Mr. Eason's involvement in the funeral home began in 2018, I guess all of this was sort of at the same time that there was this acquisition from the one establishment to the other establishment. I'm not sure when things were changed over, who, at the time, completed the documents to changing everything over. I'm not aware of that, but that is the understanding that he had when he completed the document at that time.

Mr. Jensen – So, what we have here is basically the same players, just different owners.

Mr. Simon – No, it's completely different players. It's a different owner, different funeral director, different players.

Mr. Jensen – Okay.

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

Mr. Jensen – Well, I still would like to know if this is a whole new thing, a new person first applying, why are they checking other licenses?

Mr. Simon – As I mentioned, you know, my understanding of when he checked it, he just checked that, obviously, this was a funeral home that's been a funeral home prior to their ownership. I don't think that, again, my understanding is that they were not aware of any adverse licensing as to the licenses that they had. But they knew that it was a funeral home before they had taken it over. You follow what I'm saying? I think, also we need to make the point that the application here is for Wright and Young Funeral Home North Port, okay? They currently have a funeral home in the South Florida area, okay? When they're answering the question regarding other license, they're answering the question to say that we currently have a license as a funeral establishment, not that there was some prior license, so to speak, with respect to the prior owners before they acquired in 2018. Does that make sense?

Mr. Jensen – Yes, sir. Thank you.

Chair Peeples – Board members, any other discussion? What is the pleasure of the Board?

Mr. Ferreira – Ma'am, may I?

Chair Peeples – Yes, Mr. Ferreira. I'm sorry.

Mr. Ferreira – Kimberly White. Is she still connected to the funeral home?

Mr. Simon – My client was on here, but my understanding is –

Mr. Danny Eason – No, she's not. She's not.

Chair Peeples – Sir, please do not speak until you're sworn in. If you will let Ms. Simon swear you in, please, sir. Ms. Simon.

Ms. Simon – Thank you, ma'am. Please raise your right hand to be sworn in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God.

Mr. Eason – Yes.

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

Mr. Eason – Danny Eason. That's E-A-S-O-N. D-A-N-N-Y, first name.

Ms. Simon – Thank you, sir.

Chair Peeples – So, Mr. Eason, if you would like to answer Mr. Ferreira's question.

Mr. Eason – Kimberly White is not a part of the establishment, no. To my knowledge, she's still not licensed by Wright.

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

Mr. Ferreira – Yes.

Chair Peeples – Board members, any questions for Mr. Eason or Mr. Simon? Hearing none. What is the pleasure of the Board? Mr. Jensen?

Mr. Jensen – Yes, I hate to belabor this point, but just to make sure here. So, I'm also noticing here, this is not a new, a change of ownership, correct? So, it's kind of presented like a change of ownership. We have a new owner that's taken over everything with the existing business. But, you know, under change of ownership, it says no, so.

Chair Peeples – Mr. Simon?

Mr. Simon – Thank you so much. Mr. Jensen, I think to answer your question and clarify, the application that was submitted on August 13, 2024, is an application to license a new establishment because there's a new establishment that's being licensed in North Port, Florida. That's why the application is an application for licensure. It's not an application for change of ownership. It's an application for licensure of a new establishment in a second location.

Mr. Chapman – Madam Chair?

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

Mr. Jensen – I'm good. Thank you.

Chair Peeples – Mr. Chapman?

Mr. Chapman – Mr. Simon, is there not an asset purchase agreement between Wright and Young Funeral Home and Wright and Young Funeral Home North Port?

Mr. Simon – I am not aware of any asset purchase agreement, and I'm not sure if Mr. Eason would know the answer to that as he's not the owner of the funeral home. So, I'm not aware of whether or not there would be one at all.

Mr. Chapman – And the second question that I have for you, I have a problem with you saying that “you” -- that he didn't have help from an attorney, and he didn't understand the question “you”, but what is the problem with the preneed application or the preneed that they were referring to? The preneed application or the preneed license?

Mr. Simon – I'm sorry. Maybe I don't understand your question, but to clarify, perhaps I can help. As it relates to the preneed application, specifically with respect to License #F038683, what I was saying is that that is a preneed licensing dispute that pertained to, I believe at the time, according to my notes here and the records you all should have, is that on May 9, 2018, Ms. Jacqueline Young, on behalf of Wright and Young Funeral, Inc., sold preneed merchandise on services and entered into a preneed contract with Arthur L. Glover without being licensed to sell preneed. That was specifically an action taken by Ms. Jacqueline Young, who was a funeral director and embalmer at the time for the establishment and who owned the

establishment. So, what I'm saying is the plain language of the application defines who "you" is when they're asking or at least otherwise answering the questions in the application. Section 6 specifically says adverse licensing history questions. And then it says, as used in this section, "you" refers to the application. I mean, that's just, you know, what everybody's understanding of who "you" is when answering a question about whether you have done something. So, what I'm saying to you all is at the time when Mr. Eason was answering the questions, I'm not saying that there needs to be some lawyer, you know, answering these questions in order for him to understand basic level definition. I think what I'm saying is the basic level definition of what the word "you" means to all of us, and of course, based off of this document here, he answered the question truthfully because, he was not aware of any adverse licensing history as it relates to Wright and Young Funeral Home North Port, for one, and also no adverse licensing history as it relates to Wright and Young Funeral Home while the current owners owned the establishment under this establishment's license.

Again, just because the name of the funeral home is the same doesn't mean that they're going to be privy to prior adverse licensing history. I mean, for instance, if Simon Law Group allows for the corporation or the company to dissolve administratively, anybody could go and use Simon Law Group's name again. Doesn't necessarily mean that Simon Law Group that was -- you know, predates the administratively dissolved corporation is the same Simon Law Group that's current using the legal entity's name today. So, I think what I'm just making sure that it's clear here is the entities are separate, the establishment license was separate, the articles, everything was separate. It was a completely different entity, it's not the same business. So, when they answer the question regarding "you", they answered it based off of their understanding of whether their establishment with their establishment license had any prior adverse licensing history. And the answer to that question was No. Now, again, you know, candidly, there was the preneed license under Ms. Jacqueline Young, which apparently had not been changed. So, if there was a duty to disclose anything, that would be the adverse licensing history that would otherwise need to have been disclosed. What I'm saying is this was nearly twenty (20) years ago. The fact that they were not aware of this licensing issue from nearly twenty (20) years ago related to another funeral director who was under the prior ownership, what I'm saying shows that this is not some intentional act of not, you know, having disclosure or giving disclosure. This was an unintentional mistake here, not something that was some intentional lack of candor or failure to disclose. So that is essentially the position that we're taking.

Mr. Chapman – All right. Thank you for that. Ms. Simon, can I ask another question? Chair Peeples, may I ask another question?

Chair Peeples – Yes, sir.

Mr. Chapman – Ms. Simons, I don't understand what we're trying to do here, because if we're trying to grant another license to another company, but we don't have an asset purchase agreement and we don't show anything of a stock transfer or anything like that, so how can we -- what are we trying to do here? Why are we trying to give somebody another license when primarily it's the same -- it's different people, but there haven't been any assets haven't been transferred or any stock has been transferred to the other entity?

Ms. Simon – May I, Madam Chairman?

Chair Peeples – Ms. Simon?

Ms. Simon – If I may?

Chair Peeples – Yes.

Ms. Simon – The Division recommended denial based upon previous history in that stance. However, with regards to your question, sir, I believe that the applicant is purchasing a new funeral home. So, there isn't a funeral home with which to have an asset purchase agreement. I don't think that is an issue. It's simply creating a new funeral home. I hope I'm saying that correctly and I hope that answers your question, sir.

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

Mr. Chapman – Thank you.

Chair Peeples – Thank you. Mr. Ferreira, you had your hand up?

Mr. Ferreira – So what we're saying, Ms. Simon, is that he is purchasing a new building, and within that building, he's going to put a funeral home in it.

Ms. Simon – That's my understanding. Mr. Simon can confirm that, but that is my understanding.

Mr. Ferreira – Okay. It's a little different than buying a funeral home, which goes back to what Chris was saying, the transfer and ownership. Is this property, in Sarasota, is it ready to go? It's off Bobcat Village Center. I mean, if we had an inspection soon, is it ready?

Chair Peeples – Ms. Simon?

Ms. Simon – Okay. If the Board is inclined to grant this licensure, now that we've had a reconsideration, if the Board's incline to grant this, the Division would request that there be a condition that the applicant pass inspection within six (6) months of the Board order approving this application.

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

Mr. Ferreira – No. I mean, it helps me, but I'd like to know, is this building ready to go?

Mr. Eason – No.

Mr. Ferreira – Okay.

Mr. Eason – To answer your question, no, it's not ready to go at this time. The inspection hasn't been completed as well.

Mr. Ferreira – Right. The state inspection hasn't been, but –

Mr. Eason – You're correct.

Mr. Ferreira – Are you talking about the local inspections? Are you talking about the state?

Mr. Eason – The state Board inspection has not been completed as far as I know.

Chair Peeples – So, Mr. Eason, to kind of piggyback on Mr. Ferreira, what is your time frame for opening?

Mr. Eason – Time frame for opening? If you can give us a few months, six (6) months or so, it would be ready for operation.

Chair Peeples – So, when you presented your application originally to the Board, you were not ready to open up then?

Mr. Eason – To my knowledge at that time, yes, we were ready for opening. Since the delay with the application, things have changed with us being ready for operation now, currently.

Chair Peeples – What things have changed, sir?

Mr. Eason – What has changed?

Chair Peeples – Yes, sir.

Mr. Eason – In regards to the location of the building, things of that sort.

Chair Peeples – I need a little bit more clarification, sir. I don't need broad answers.

Mr. Eason – Okay. At the time of the application, that location was supposed to have been the operating funeral home. Since then, things have come about that that location is no longer satisfactory. It's under the covenants of HOA, which is not allowing us to be an establishment at that particular address. So, we had to find a new location.

Chair Peeples – So, we're at a different address than what this application denotes?

Mr. Eason – Amendments will need to be made, correct.

Chair Peeples – So when you use the broad term things, which is plural, you mentioned that the original location did not meet HOA requirements. What are the additional things or was that the only thing?

Mr. Eason – That was the only thing that prevented us from being operational.

Chair Peeples – Okay. Mr. Ferreira?

Mr. Ferreira – Is there an address today that you have determined that's going to supply the funeral service?

Mr. Eason – One moment, I'm going to get you the address. No, sir. At this time, there's not a new address.

Mr. Ferreira – So there's no reason for us to approve you from the original Notice of Intent to Deny because you don't have anything established to be ready for an inspection and to operate as soon as you get inspected, correct?

Mr. Eason – The reason for coming before the Board is to dispute the notice for denial of the application. We want it for once we have the location established that this wouldn't be against us.

Mr. Simon – Right. And if I may add very quickly as well, I think the issue is making sure that there is not a denial of their application on the basis that they failed to disclose because what we don't want to happen is that the decision by the Board to deny on the basis of failure to disclose is used against them in any subsequent application in the future. So I mean, I think that, again, based off of the location issue, if the Board is going to deny, it would make sense to deny on the basis that there's some issues with respect to the current location regarding the covenants and restrictions or whatnot with the association, but not on the basis that there was this failure to disclose the adverse licensing history.

Chair Peeples – Thank you, Mr. Simon. Ms. Simon, you had your hand up?

Ms. Simon – Yes, Madam Chair. It appears that if the address in the application is not the address of the planned establishment, if the Board approves, there would be no inspection that could take place at this address, and we would ask for a new application anyway. I would recommend that the Board either deny or give the applicant the opportunity at this point to withdraw his application. Ms. Munson, do you have anything to say in that regard?

Ms. Munson – No, except those options are appropriate.

Chair Peeples – Thank you, Ms. Simon and Ms. Munson, and with the discussion that we've had going on, I concur with Ms. Simon. Mr. Simon, attorney representing Mr. Eason and the entity, I'm not sure if they want to withdraw their application, and then when they get all of their items ready and completed, they want to make a new application with a new address, or we can go forward if it's the Board's pleasure for a Notice of Intent to Deny based on location. What would you suggest to your client, sir?

Mr. Simon – I would suggest a withdrawal, but I guess what I would want to make sure of as well is when they resubmit the application, is it the Board and Division's expectation that they disclose the adverse licensing history from the prior licensee that had a completely different establishment? We don't want to be here again. So, if the Board and the Division is going to use the same records that we're saying applies to a completely different entity, with a completely different license number, with completely different owners, then I want to make sure we get this right the first time.

Chair Peeples – Ms. Simon?

Ms. Simon – I cannot definitively state right now that all four (4) prior orders would be included. I would think they would be, but most definitely the order that would be included is the one (1) referring to the preneed license that is currently held that the applicant should have been aware of and should have disclosed on this application. So, I can tell you that that will be a part of any future application.

Chair Peeples – Ms. Munson?

Ms. Munson – Yes, I would just suggest that any discussion regarding any future application take place off the record between the applicant and the Department so that it does not in any way interfere with any judgment that this Board may have to make in the future. If there is going to be a request for withdrawal on the record, that that in fact be presented to the Board so that the Board can move forward.

Chair Peeples – Thank you, Ms. Munson. And Mr. Simon, if you'll notice on Page 19 of our packet for the 2024 Florida Profit Corporation Annual Report, the entity name just has Wright and Young Funeral Home, Inc. It doesn't have a DBA listed on there. So that may need to be amended, which is a suggestion going forward, Mr. Simon. Yes, sir?

Mr. Simon – There was a fictitious name filing done. So, I think that was supplemented with the application back in the end of 2024 when the analyst had asked for the updated fictitious name file.

Chair Peeples – Thank you, sir. And I'm just going off, because my family and our firm is a corporation, we have two (2) DBAs that we listed on our annual report every year. So just a point of information for you, sir, going forward. So, Mr. Simon, just to clarify for the record, it is your request on behalf of your client applicant to withdraw this application?

Mr. Simon – Yes.

Chair Peeples – Ms. Munson, do you need any other further clarification?

Ms. Munson – No, except I don't know if I saw any Notice of Appearance information from Mr. Simon. So, if he can make sure and share that information with staff so we can properly include him in the Order. Maybe Ms. Simon has it.

Chair Peeples – Ms. Simon?

Ms. Simon – Yes, we received a Notice of Appearance from Mr. Simon two (2) days ago, I believe it was two (2) days ago, and it was too late to include in the Board package. But in any future application, I'm sure Mr. Simon will file a Notice of Appearance along with the application if he is still representing the entity.

Ms. Munson – That's fine. I'll get it from you, and we'll just include it in the Order because it needs to be properly included. Thank you.

Chair Peeples – Thank you, Mr. Simon, and thank you, Mr. Eason.

Mr. Simon – Thank you. May I be excused?

Chair Peeples – Yes, sir. Thank you.

Mr. Simon – Thank you.

Ms. Munson – Did we do the withdrawal? I'm sorry, I missed it.

Ms. Simon – Did we need a motion?

Ms. Munson – I would like to just to say that an order approving the withdrawal be on the books.

Chair Peeples – Okay. Normally, we haven't in the past. I apologize for that. So, Board members?

MOTION: Mr. Ferreira moved to accept the withdrawal of the application. Ms. Clay seconded the motion, which passed unanimously.

Chair Peeples – Thank you, gentlemen.

Ms. Munson – Madam Chair, for the benefit of the body, the order will read that it was a Notice to Vacate the Notice of Intent to Deny and accept withdrawal of the application, to be clean. Thank you.

Chair Peeples – Are you okay with that, Mr. Simon?

Mr. Simon – No objection.

Ms. Munson – Thank you, gentlemen, for participating. Ms. Simon let's go on to the next agenda item, please.

Ms. Simon – Thank you, ma'am.

D. Disciplinary Proceeding(s)

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

(a) Integrity Funeral Services of Tampa FL, Inc: DFS Case Nos. 333146-24-FC and 333149-24-FC; Division Nos. ATN-43247 and ATN-43387 (F090836)

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

(b) Related Cases - Division No. ATN-41328

1. Boyd, Clayton A.: DFS Case No. 334866-24-FC; Division No. ATN-41328 (F046641)

Ms. Simon – Is Mr. Boyd or a representative of Mr. Boyd on the call today? Hearing no response. Presenting for the Department is Ms. Marshall.

Mr. Clayton Boyd – Yes.

Ms. Simon – Thank you, Mr. Boyd. Ms. Marshall?

Ms. Marshall – Thank you. Kimberly Marshall, on behalf of the Division. The above-referenced matter is presented to the Board for consideration of the Department's Motion for an Order Dismissing Petition Without Prejudice ("Motion"). On or about February 24, 2025, the Department filed an administrative complaint against Clayton A. Boyd ("Respondent") alleging violations of chapter 497, Florida Statutes. On or about March 14, 2025, Respondent timely submitted a petition requesting a formal hearing pursuant to section 120.57(1), Florida Statutes; however, the petition failed to identify any disputed issues of material fact. As such Respondent's petition failed to meet the requirements for a formal hearing as outlined in Rule 28-106.2015, *Florida Administrative Code*. Accordingly, this Motion requests that the Board dismiss Respondent's petition without prejudice and enter an order providing Respondent with an additional twenty-one (21) days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter.

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

MOTION: Mr. Jensen moved to dismiss Respondent's petition without prejudice and enter an order providing Respondent with an additional twenty-one (21) days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter. Mr. Clark seconded the motion.

Chair Peeples – Ms. Simon?

Ms. Simon – It may be appropriate to ask Mr. Boyd if he has any comments before we move forward.

Mr. Boyd – Yes.

Chair Peeples – Thank you, Ms. Simon. Mr. Boyd, if you'll let Ms. Simon swear you in, please, sir.

Mr. Boyd – Yes, I do have a question.

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

Mr. Boyd – Yes, ma'am.

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

Mr. Boyd – I do.

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

Mr. Boyd – Okay. Boyd, B-O-Y-D, Clayton, C-L-A-Y-T-O-N.

Ms. Simon – Thank you, sir.

Chair Peeples – Mr. Boyd, would you like to address the Board, sir?

Mr. Boyd – Yes, I would. You know, I heard what you were putting the motion on, and I don't completely understand what's missing in that application for a hearing. If somebody can clarify, then I can address it. Or is that permissible?

Chair Peeples – Yes, sir. Ms. Marshall?

Ms. Marshall – Yes. So, Mr. Boyd, pursuant to Rule 28-106.2015 Florida Administrative Code, if you are seeking to dispute allegations and request a hearing, you have to specifically identify what it is in the administrative complaint that you are disputing. And in this case, you simply checked that box on the Election Proceeding form but didn't elaborate further.

Mr. Boyd – Yes, ma'am. Then I understand. I also have a question concerning any witnesses. Am I allowed to present witnesses to clarify my case on my behalf?

Ms. Marshall – So we can discuss this later on, but essentially it depends on which route you'd like to go, if you'd like to have a formal administrative hearing or if you'd like to have an informal hearing before the Board. But either way, if you're looking to have witnesses testify. That can be arranged.

Mr. Boyd – Okay. And I have 21 days in order to complete this?

Ms. Marshall – Yes, sir. That's correct.

Mr. Boyd – Thank you very much. I appreciate your time.

Chair Peeples – Thank you, Mr. Boyd. We have a motion and a second. Is there any discussion on the motion? Hearing none, all in favor of the motion, say Yes.

Board members – [union] Yes.

Chair Peeples – All opposed, say No. Motion carries. Mr. Boyd, you can be in touch with the staff or the Department, and they can give you guidance, sir.

Mr. Boyd – Thank you very much.

Chair Peeples – Thank you.

2. *People's Choice Mortuary & Cremation Service LLC: DFS Case No. 334865-24-FC; Division No. ATN-41328 (F544883)*

Ms. Simon – Again, Mr. Boyd is present as a representative of this entity. Ms. Marshall, for the Department.

Ms. Marshall – Thank you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Department's Motion for an Order Dismissing Petition Without Prejudice ("Motion"). On or about February 24, 2025, the Department filed an administrative complaint against People's Choice Mortuary & Cremation Service LLC ("Respondent") alleging violations of chapter 497, Florida Statutes. On or about March 14, 2025, Respondent timely submitted a petition requesting a formal hearing pursuant to section 120.57(1), Florida Statutes; however, the petition failed to identify any disputed issues of material fact. As such Respondent's petition failed to meet the requirements for a formal hearing as outlined in Rule 28-106.2015, *Florida Administrative Code*. Accordingly, this Motion requests that the Board dismiss Respondent's petition without prejudice and enter an order providing Respondent with an additional twenty-one (21) days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter, and I'm unable to answer any questions. Thank you.

Chair Peeples – Mr. Boyd, you're still connected to the meeting, correct?

Mr. Boyd –Yes, ma'am.

Chair Peeples – Okay. This is regarding the entity or the business, this particular item. Do you have any items you'd like to address to the Board, or can we proceed, sir?

Mr. Boyd –You can proceed.

Chair Peeples – Thank you.

Mr. Boyd – In other words, the first thing you were doing was against my license, and the second is against establishment. Is that what you're telling me?

Chair Peeples – Yes, sir.

Mr. Boyd –I also have the CEO here with me, Mr. Alfred Graham. Is he allowed to participate in this?

Chair Peeples – Right now, it is kind of a formality for us right now. We need to establish an informal hearing today, if that's what you choose. Is that not correct, Ms. Marshall?

Ms. Marshall – I'm sorry, you cut out there for a second.

Chair Peeples – Mr. Boyd asked, he said the CEO of the company was there, and he wanted to know if he could talk, and I mentioned to him that we were just doing a formality right now to give him the twenty-one (21) days for election, and then we would go forward later for an informal hearing, if that's what he chose.

Ms. Marshall – I mean, in the interest of fairness, if he has anything to say pertaining to specifically this motion, certainly we can hear him out. As far as anything relating to the substance of the case, that's not up for discussion at this point.

Mr. Boyd –I understand, and I decline to say anything further until I get everything straight.

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

MOTION: Mr. Jensen moved to dismiss Respondent's petition without prejudice and enter an order providing Respondent with an additional twenty-one (21) days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter. Mr. Clark seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Mr. Boyd.

Mr. Boyd – You're welcome. You all have a good day.

Chair Peeples – Thank you. You, too. Ms. Simon?

(2) Settlement Stipulations (Probable Cause Panel B)
(a) Trappberger, Carlos Enrique: DFS Case No. 306758-23-FC; Division No. ATN-40163 (F045285)

Ms. Simon – Is Mr. Trappberger or a representative of Mr. Trappberger present today?

Mr. Williams – Madam Chair?

Chair Peeples – Mr. Williams?

Mr. Williams – I served on the Probable Cause Panel B, so I would need to recuse myself.

Chair Peeples – Thank you, Mr. Williams.

Mr. Williams – As we have no response from Mr. Trappberger or anybody on the call representing Mr. Trappberger, at this point Ms. Marshall representing the Department.

Ms. Marshall – Thank you, Ms. Simon. Carlos Enrique Trappberger ("Respondent") is a funeral director and embalmer, licensed under chapter 497, Florida Statutes, license number F045285. The Department conducted an inspection of Respondent and found as follows: Respondent acted as the funeral director in charge of an establishment which failed to timely pay medical examiner fees and misrepresented the amount of a cash advance. Respondent has entered into a proposed settlement stipulation. The proposed stipulation provides that Respondent's license shall be permanently revoked. Respondent agrees to never become a principal of an entity licensed under Chapter 497. The Department requests that the Board accept this settlement stipulation in resolution of this matter and I'm available to answer any questions. Thank you.

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

Mr. Ferreira – So I know that this is a settlement stipulation, right?

Chair Peeples – Right.

Mr. Ferreira – Is this gentleman practicing in service?

Ms. Marshall – No, sir. And I would not have recommended revocation of the license, given that the charges that are outstanding, but he contacted me and said he just wanted to give up his license because he's in his 70s and has serious health problems and doesn't ever plan on practicing again.

Mr. Ferreira – Okay. Are we setting a precedence by doing this? Because this is very minor and what's you're feeling on it?

Ms. Marshall – Again, every case is different. You know, one case doesn't set precedent for every one going forward, but in this instance, in any case, certainly this would not be something that the Board would impose, but because the Respondent has specifically requested it, the Department, you know, in lieu of perhaps, you know, imposing a fine that maybe he's not able to pay because he is retired, you know, if he wants to give up his license, it's our position that it's, you know, his right to do so.

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

Mr. Ferreira – It does complete my question. This establishment is not open. It's no longer around. This was a gentleman who was the FDIC over an establishment, okay? So, most FDICs in anything over maybe two (2) funeral homes, and in many cases where an owner is not an LFD or funeral director, the FDIC is not holding the checkbook, okay? They don't write checks. They don't know if the electricity bill is being paid in many cases, right? So, in a case where we have this situation where we're holding this licensee accountable for a bill that wasn't paid, I don't think we ought to be the debt collector for Dade County to start with, and to present it on a contract that was \$5 different, that's a hard thing to swallow for me as an owner and operator of a funeral home. I could easily make a mistake by misinterpreting what an obituary would cost the family, okay, and that is a cash advance. So, I think we have to be careful, you know, here. You could misrepresent a charge very easily. Now, we have to go back and fix that, right? But to hold this fella accountable for this action, I don't see it. I don't see it, and maybe this is a good time to start a conversation, you know, about the FDIC and the importance of that or lack of importance. And maybe more needs to be put on the establishment and less on them because they don't have the control that you think they have in a business. Just an idea. Thank you.

Chair Peeples – Mr. Ferreira, respectfully, my comment is I'm FDIC at our location, and I do write checks, so I do know kind of what does and what doesn't. So, I guess it just depends on each entity how they are, but also Mr. Trappberger did sign the settlement stipulation on March 14th. Is that correct, Ms. Marshall?

Ms. Marshall – Yes, ma'am, that's correct. And I'd also like to note, I mean, he has had every opportunity to, you know, dispute the charges. If he was so inclined, he could have made the same arguments that Mr. Ferreira just did, and he declined to. He simply wanted to be out of the business.

Mr. Ferreira – Okay.

Chair Peeples – Thank you, Ms. Marshall. Mr. Ferreira, I think you posed some good comments that may be going forward with the Rules Committee, we can kind of talk about that. I notice, Mr. Quinn, you have your hand up, sir.

Mr. Quinn – Yes, just following up on Mr. Ferreira's comments. Rather than accepting the revocation, wouldn't we be maybe in a better place if the Board accepts the relinquishment of the license, rather than revoking his license?

Chair Peeples – Respectfully, Mr. Quinn, I have a comment, but I see Ms. Munson and Ms. Marshall do. So, ladies, please.

Ms. Munson – I'm sure the Board is familiar with procedure of any changes to the settlement agreement. Since the Respondent is not here, and it is a disciplinary measure, so, with this stipulation, it will be on his license as discipline history. It appears he has agreed to it, he's signed off on it, but if you want to make any changes to it, you're going to have to not accept, you have to reject this stipulation, and then she's going to, Ms. Marshall is going to have to go back and present a counteroffer, of which she would then come back to the Board to present, just procedurally. But I'm sure everyone remembers that, but I just wanted clarification.

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

Ms. Marshall – Yes, just sort of piggybacking off what Ms. Munson said, at this point, revocation versus relinquishment is immaterial, ultimately. I mean, because it was being done in a consent order, it's noted that it's voluntary, but as far as the ultimate outcome, it's disciplinary. He doesn't have a license anymore as a result, and, either way, the result is the same at the end.

Chair Peeples – Mr. Quinn, any follow-up, sir?

Mr. Quinn – So, if I'm understanding correctly, there's no difference between us revoking his license and him relinquishing his license, because he doesn't want it anymore.

Ms. Munson – If I may, Madam Chair?

Chair Peeples – Yes, ma'am.

Ms. Munson – Okay. There are two (2) types of relinquishments. There are administrative relinquishments and disciplinary relinquishments. Administrative relinquishments, they're both called voluntary relinquishments, but administrative would be like, for example, if any of the licensees on this particular Board were to just say, "I just don't want to practice anymore, I'm just going to relinquish my license," then there's no record of it except that we know you are no longer an active licensee. But because this relinquishment is coming from the Office of General Counsel, it is a disciplinary relinquishment, and because of that, whoever looks this license up or looks this individual up in the future will see that there is discipline. He no longer has a license, but he has a discipline history which resulted in relinquishment, and at the same time that his license was relinquished. So, there is a difference. But this is coming from the Office of General Counsel, and I believe it's coming from them, only Ms. Marshall can speak to that. It's because there was discipline on the table that they were thinking about pursuing, and this settlement was just one way to clean it off, but not wanting to overlook the discipline that may have been before them. But only she can speak to that because it's her office.

Chair Peeples – Ms. Marshall?

Ms. Marshall – Yes, that is correct. And again, this was his idea. I had gotten with him to see if he wanted to go for an informal hearing or perhaps a settlement, and he straight up said, "I just want to give up my license." So that, you know, this was his wishes. This did not come from us.

Chair Peeples – Mr. Quinn, any further comments?

Mr. Quinn – Which was my point. Couldn't we just accept him relinquishing his license as the discipline?

Chair Peeples – Ms. Marshall, I think, kind of as Ms. Munson respectfully stated, Mr. Quinn, if we reject this settlement stipulation, then the Department has to come back, go back to Mr. Trappberger and get a new settlement stipulation. Is that correct, Ms. Marshall?

Ms. Marshall – That is. And truthfully, I don't know what would be any difference. I mean, I guess the Board was looking for something, a different nature of discipline, but he was not wanting to, you know, deal with a fine or probation or anything like that. He just came immediately out and said, "I don't want my license anymore." So, whether you put a label of revocation or relinquishment on that is really a matter of semantics, but, you know, ultimately, he had a disciplinary case. We resolved it by him voluntarily signing away his license, and that's how it's resolved.

Chair Peeples – Ms. Munson?

Ms. Munson – I think to Mr. Quinn's concern, the only way, because I think there seems to be a feeling that if we cannot have this gentleman have any discipline on his record and just let him relinquish his license, it would require the Department to say, we know we do not want to pursue any discipline, and then allow him to separately just voluntarily relinquish his license. But because that office is involved, there will be discipline attached to it, even if they don't include the word revocation. They're just going to -- it can just say relinquishment, but it's coming from their office, and it's going to say that he chooses never to reapply.

Chair Peeples – Mr. Ferreira, you had your hand up, then Mr. Jensen.

Mr. Ferreira – For the man's dignity, I like what Mr. Quinn is saying. You know, he's been around forever probably, and he's an older gentleman. And I don't know, I just feel like what Mr. Quinn is saying is correct.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes, I'm along the same thought lines. I hate to have this on the gentleman's record. Is it possible that Ms. Marshall can say -- I mean, the guy will probably not renew his license, so then it goes inactive status, or, you know, I know there's a retiree clause on licenses that you could put on there and say retired. Is it possible you could just contact him, Ms.

Marshall, and say, "Hey, can you put your license in inactive or retiree status," just so he doesn't have -- you know, I agree with Mr. Ferreira that it is, you know, the FDIC a lot of times just don't have a clue about some of that stuff, so.

Chair Peebles – Ms. Marshall?

Ms. Marshall – Really, at this point, the Board's only option is to either accept or reject this, and if you want to reject it, make a counteroffer, but in terms of resolving this case, it has to be resolved one way or another, and if you reject this and we go back and simply ask him. And I'm not saying that he wouldn't, but I mean, first of all, it wouldn't be disciplinary, which it sounds like maybe perhaps is what the Board wants. But also, we would have no way to compel him to do that. It would just be him, you know, on his honor to do so if this case were not to go forward.

Chair Peebles – Ms. Munson?

Ms. Munson – I just want to clarify, if we reject this, and you don't want him to have any discipline on this record, it will require Ms. Marshall and her office to make an independent decision to say, we decided not to pursue your case at all, and hopefully you may choose to do this, and then the discipline lane is closed. But it would require them to remove themselves. I don't know if they want to do that, but that's what it would require them to do.

Chair Peebles – Mr. Jones.

Mr. Jones – I agree with Ms. Marshall. Again, the concern here is, I can understand what we're looking at for the FDIC, but the precedent you may be setting for future cases is a concern to me, and how you would treat future similar cases. That's all I'm going to say.

MOTION: Chair Peebles moved to accept the stipulation which provides that Respondent's license shall be permanently revoked, and Respondent agrees to never become a principal of an entity licensed under Chapter 497. Ms. Clay seconded the motion, which passed unanimously.

Chair Peebles – Is there any other discussion on the motion? Hearing none, Ms. Simon, will you do a roll call vote, please?

Ms. Simon – Those wishing to approve the motion, respond by saying Yay. Mr. Clark?

Mr. Clark – Yes.

Ms. Simon – Mr. Quinn?

Mr. Quinn – No.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Ms. Liotta?

Ms. Liotta – Yes.

Ms. Simon – Mr. Chapman?

Mr. Chapman – Yes.

Ms. Simon – Mr. Williams?

Ms. Marshall – He's recused.

Ms. Simon – Thank you. Mr. Williams is recused, excuse me. Madam Chair.

Chair Peeples – Yes.

Ms. Simon – And that vote passes.

Chair Peeples – Thank you, Ms. Marshall.

Ms. Marshall – Thank you.

Ms. Simon – Thank you, Ms. Marshall. Moving on to the next item. May I, Madam Chair?

Chair Peeples – Yes, ma'am.

E. 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.

F. Application(s) for Continuing Education

(1) Course Approval - Recommended for Approval without Conditions – Addendum B

- (a) Continuing Vision LLC (52610)**
- (b) Education Workers Group (11208)**
- (c) Florida Cemetery, Cremation & Funeral Association (75)**
- (d) Florida Morticians Association (23208)**
- (e) In-Sight Books (10008)**
- (f) International Cemetery, Crematory and Funeral Association (51609)**
- (g) Kavod - Independent Jewish Funeral Chapels (51808)**
- (h) National Funeral Directors Association (49609)**
- (i) SCI Management - Dignity University (99)**

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.

Ms. Simon – Thank you ma 'am.

(2) Provider Approval – Recommended for Approval without Conditions – Addendum C

(a) The Independent Funeral Group (55808)

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

G. Application(s) for Embalmer Apprentice

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

- (a) Flagg, Kandyce N F844673*
- (b) Kazi, Elisa J F841477*
- (c) Wright Sr., Jarvis F F844696*

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 D.

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

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

- (a) Direct Disposer*
 - 1. Graham, Scott F*
- (b) Funeral Director (Internship)*
 - 1. Esther, Trina M*
 - 2. Lewis, Cassandra S*
- (c) Funeral Director and Embalmer (Endorsement)*
 - 1. Jorgensen, Christian G*
 - 2. Kinley, Jerry W*
 - 3. Pauley, Daniel O*
 - 4. Schaffer Jr., Marvin G*
- (d) Funeral Director and Embalmer (Internship and Exam)*
 - 1. Barker, Erin M*
 - 2. Chamness, Sarah N*
 - 3. Llaguno, Gina M*
 - 4. Moore, Thomas L*
 - 5. O’Keefe, Samantha K*
 - 6. Sloan, Brandon C*

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

I. Application(s) for Internship

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

- (a) Funeral Director Intern*
 - 1. Gurrola, Astrid A F738634*
- (b) Funeral Director & Embalmer (Concurrent)*
 - 1. Caine, Sara M F843309*
 - 2. Callard, Amanda N F638772*
 - 3. Gaudette, Hope A F714863*
 - 4. Gustave, Cristina S F844946*
 - 5. Hilbert, Keirra S F841177*
 - 6. Mello, Maximilian M F646531*
 - 7. Miller, Sandra L F834904*
 - 8. Suarez, Maria F F842215*
 - 9. Yanicak, Katrina M F629110*

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.

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

- (1) *Informational Item (Licenses Issued without Conditions) – Addendum G*
 - (a) *Hubbell Funeral Home (Belleair Bluffs)*
 - (b) *Ocala Funeral and Cremation Care (Ocala)*

Ms. Simon – This is an informational item. The Division has reviewed the applications on addendum G and have found them to be complete and that the applicants have met the requirements to be a training agency. Pursuant to Rule 69K-1.005, Florida Administrative Code, the Division has previously approved these applications.

K. Notification(s) of Change in Location

- (1) *Informational Item (Licenses Issued without Conditions) – Addendum H*
 - (a) *Cremation Services of America, LLC DBA West Florida Cremation and Burial Center (Pensacola)*
 - (b) *The Firm Mortuary Group (Miami)*

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

L. Application(s) for Cinerator Facility

- (1) *Recommended for Approval with Conditions*
 - (a) *Shane Obert Funeral Home, Inc d/b/a Whispering Pines Crematory (Chipley)*

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. An application for a cinerator facility license was received on January 28, 2025. The application was incomplete when submitted. A completed application was received on March 21, 2025. The funeral director in charge will be Shannon Obert (F045180). A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the facility passes an inspection by a member of Division Staff.

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

- (b) *Waldon Professional Funeral and Cremation Services (Apopka)*

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

Ms. Kristy Waldon-Mitchell – Yes.

Chair Peeples – Who is representing Waldon Professional Funeral and Cremation Services?

Ms. Waldon-Mitchell – It's Kristy Waldon-Mitchell.

Ms. Simon – Thank you, ma'am. An application for a cinerator facility license was received on March 7, 2025. The application was incomplete when submitted. A completed application was received on March 21, 2025. The funeral director in charge will be Kristy Waldon-Mitchell (F045354). A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the facility passes an inspection by a member of Division Staff within six (6) months of the order being filed in this matter.

Chair Peeples – Ms. Waldon-Mitchell, are you just participating, or would you like to speak to the Board? If you do, we will need to swear you in, ma'am.

Ms. Waldon-Mitchell – No, I don't need to say anything.

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

MOTION: Mr. Ferreira moved to approve the application subject to condition that the facility passes an inspection by a member of Division Staff within six (6) months of the order being filed in this matter. Mr. Clark seconded the motion, which passed unanimously.

Chair Peeples – Good luck, ma'am.

Ms. Waldon-Mitchell – Thank you.

M. Application(s) for Direct Disposal Establishment

(1) Recommended for Approval with Conditions

(a) All About Cremations, Inc. (Jacksonville)

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. An application for direct disposal establishment licensure was received on January 27, 2025. The application was complete when submitted. The direct disposer in charge will be Victor E Solomon Jr. (F085405). 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 within six (6) months of the order being filed in this matter.

MOTION: Ms. Clay moved to approve the application subject to condition that the establishment passes an inspection by a member of Division Staff within six (6) months of the order being filed in this matter. Ms. Liotta seconded the motion, which passed unanimously.

N. Application(s) for Funeral Establishment

(1) Recommended for Approval with Conditions

(a) Stone Funeral Home (Cocoa)

Ms. Simon – Is there a representative of Stone Funeral Home on the call today? Hearing no response. An application funeral establishment licensure was received on March 3, 2025. The application was incomplete when submitted. A completed application was received on March 11, 2025. This is a Change of Ownership application. Ms. Janorise Green Stone passed away on October 7, 2024. Mr. Rujaie Enoch Stone has assumed 100% ownership. The funeral director in charge will be Ronald Clayton Mitchell II (F045588). 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 within six (6) months of the order being filed in this matter.

MOTION: Mr. Clark moved to approve the application subject to condition that the establishment passes an inspection by a member of Division Staff within six (6) months of the order being filed in this matter. Ms. Liotta seconded the motion.

Chair Peeples – Is there any discussion on the motion?

Mr. Ferreira – Madam Chair.

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – On Page 6 under Cremation, now we're talking about Orlando. They've just got no checked and it's just hard for me to understand anymore a funeral home not offering cremation services. I guess it happens, but I'm just pointing it out.

Chair Peeples – Ms. Simon, do you have any reply for Mr. Ferreira's question?

Ms. Simon – No, I don't, other than what's on the face of the application.

Chair Peeples – Mr. Ferreira, we have a motion and a second. Would you like to present maybe an amendment to Mr. Clark and Ms. Liotta?

Mr. Ferreira – Well, I'm not quite sure outside of looking at their burial transit permits on a quarterly basis to make sure cremation is not on it. I mean, how else do you handle this?

Chair Peeples – Ms. Simon?

Ms. Simon – Mr. Ferreira raises a good point, as in most licensed funeral establishments offer cremation services in this day and age. However, it does not appear that this entity is going to be offering cremation services. And in terms of how to identify if they are, that would be done on the next inspection. However, candidly, even if on the next inspection it is found that they are offering cremation services, the only way to take action against that is to say that they intentionally misled the Board. So that is the only answer I have.

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – So there's got to be a way, because it is so common, most folks that come in and investigate, they're going to look at that transmittal report or that burial transit report and say, "Okay." So, whatever their iPad, when they walk into a firm, it needs to say in big red letters, you know, or something to identify that this funeral home does not offer cremation. You know, somehow the inspector has got to know, in big letters.

Ms. Simon – Madam Chair?

Chair Peeples – Yes, ma'am.

Ms. Simon – Mr. Ferreira, I understand your concern. I certainly do. However, as I said, even if an inspector goes in for -- this is a new inspection, I'm not sure if an inspection has already occurred, but at any time, if an inspector goes in and finds that they are indeed offering cremation services, there's nothing that can be done unless it is found that they intentionally misled the Board. Ms. Munson, do you have anything to say on this?

Ms. Munson – Perhaps can add the language to the order that the application is approved with the condition of whatever that on-site inspection is and identify that the funeral home does not indicate or does not offer cremation services. That sentence could be included.

Ms. Simon – We can do that. I'm sorry, Madam Chair.

Chair Peeples – Yes, ma'am.

Ms. Simon – If we do that, and we can, if they are not offering -- if they are offering cremation services, then what they're going to need to do is come back with a new application and pay the cost of a new application before the Board because the inspection will have failed. I'm sorry to put the Board in this pickle, but that is what the case is.

Chair Peeples – Ms. Munson.

Ms. Munson – I only made the statement about including it in the order because Ms. Simon indicated that you'll have to show intentionality, and I don't know how you'll show that unless you document that that's the information that they receive regarding their approval, and once they accept that and they don't dispute it, then it would kind of give greater credence to them accepting the intentionality of knowing that they do not offer. Because they could say was an oversight in the future or something like that, with it in the order, it would be more difficult to justify that.

Chair Peeples – Thank you, Ms. Munson. Mr. Jones was your hand up?

Mr. Jones – Yes. As far as Stone Funeral Home and Cocoa on their website, they offer cremation.

Chair Peeples – Good point, Mr. Ferreira. So, we have a motion before us by Mr. Clark to accept with conditions and a second by Ms. Liotta. So, Mr. Clark or Ms. Liotta, would you like to amend your motion or withdraw your motion?

Mr. Clark – I'm okay to amend it. I mean, can we approve it subject to the condition of passing an on-site inspection and the Division following up with the applicant to ensure that it's filled out properly or updated accordingly? I mean, it may just be an honest mistake. I mean, and if they are offering it through their website and they were licensed -- I guess part of that is how were they licensed before? She passed away; he's taken it over. I don't think their intention was to change the service offerings, so.

Chair Peeples – Ms. Munson, I see you're deliberating.

Ms. Munson – I'm just waiting to hear the pleasure of the Board as to how they want the order to read.

Chair Peeples – Thanks, ma'am. Mr. Jensen?

Mr. Jensen – Yes, also, should we put anything in there in reference to him honoring the preneeds from the previous licensee?

Chair Peeples – Ms. Ferreira, you and Mr. Jensen bring up good comments. And Ms. Clay, I see your hand; I'll be right to you. Ms. Munson or Ms. Simon, would it be better if we withdraw this motion and this second and table this till next month, and have team kind of get back with the firm?

Ms. Munson – I'll defer to Ms. Simon.

Ms. Simon – Two (2) items. First, I'm not sure that it is necessary to go back to table this motion. I think what Mr. Clark suggested may be a good idea. If there is a motion to approve, conditioned upon the applicant either correcting or confirming what is on the application and passing an inspection within six (6) months, I think that would be sufficient. If we table, again, we're looking at the possibility of deemer issues and whatnot, and I don't like that, personally.

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

Mr. Ferreira – I think what Chris said is probably more important than what I said. I feel like the acceptance of the preneed policies, that's probably more detrimental, right, than anything to our consumer, so.

Ms. Simon – And we can add that as a condition.

Ms. Munson – What's the language?

Ms. Simon – To ensure that any unfulfilled preneed contracts are fulfilled by this applicant. Is that what you were requesting, Mr. Ferreira?

Mr. Ferreira – Yes, ma'am. I got a question for you. Let's say that someone says they're not going to honor the arrangements. What do we do? I'm just curious. Maybe that's a conversation for later.

Ms. Simon – Then it would be a violation of a Board order. Ms. Munson?

Mr. Ferreira – What I mean on a new application, new change of ownership, if someone says, "No, I'm not going to honor these contracts." I'm just curious how that works.

Chair Peeples – Okay, Mr. Ferreira, I'm sorry that I put you ahead of Ms. Clay. Ms. Clay, and then Mr. Clark.

Ms. Clay – Thank you, Madam Chair. I am concerned because we have been instructed not to do research during this meeting, and to solely base our decisions on what we have been presented. That being the case, I would like to offer an amendment to the motion that we approve with conditions, and the conditions are that the staff is directed to go back and research these things that we discussed in this meeting that I was instructed during my orientation was not admissible to do. So, I would like to make it right by having staff go back and determine if those preneed agreements will be honored, as well as if the establishment does do cremations.

Chair Peeples – Thank you, Ms. Clay. Mr. Clark?

Mr. Clark – On Page 8, the applicant indicates that they do not have a preneed license, and there are no unfulfilled preneeds. That's what I'm reading on Page 8.

Mr. Jensen – But the prior discipline is for not honoring a preneed, so that's what I was concerned about when I said that.

Mr. Clark – I pointed out to say it may be another error in the application, and Ms. Clay, I do agree. I'm very comfortable approving, subject to the condition of passing an on-site inspection, and allowing Division staff to follow up with the applicant to ensure that this is filled out properly.

Chair Peeples – Ms. Simon?

Ms. Simon – If we were to do that, that they pass an inspection within six (6) months, please.

Mr. Jensen – Six (6) months?

Mr. Clark – Yes.

Chair Peeples – Okay, that was Mr. Clark. Ms. Liotta, do you accept that maybe amended motion?

Ms. Liotta – I do.

Chair Peeples – Thank you. Ms. Munson?

Ms. Munson – My only question is, if staff should find any discrepancy, I mean, are you giving staff authority to clear it and move forward, or if they find discrepancy, then what? Because we've not done this really before so much, so when you say, allow staff to research, are you then leaving everything with staff to do whatever they feel they want to do with this, or are you bringing it back to you?

Ms. Clay – Madam Chair, may I suggest staff to clear?

Chair Peeples – Thank you. Mr. Clark, on our third amendment.

Mr. Clark – I didn't hear Ms. Clay. It cut out for me. I'm sorry, what did she say?

Chair Peeples – She stated that if you would consider adding this to your motion, that staff can do the information gathering, and if they find out that they don't have prearranged agreements, if they find out they're not offering cremation, that they can approve or handle this internally. But as Ms. Munson asked, if they don't pass an on-site inspection, these questions are not answered as they are denoted on the application, then it will come back before the Board. Correct, Ms. Munson?

Ms. Munson – No, staff to clear, they would just have it. When you say staff to clear, they would just keep it and have to figure it out and it not come back before the Board. I just want to make sure that's what you intended.

Ms. Simon – Thank you, Madam Chair. I've looked at the date of the application, and I do not think that there would be a deemer problem should we continue this until the May 1st meeting.

Mr. Clark – That sounds like a fantastic idea. I withdraw.

Chair Peeples – Thank you. Ms. Liotta, do you withdraw your second?

Ms. Liotta – Yes

Chair Peeples – Thank you. We'll table this to the next meeting, correct?

Ms. Munson – Yes.

Chair Peeples – Okay, thank you. We're all good. So, Ms. Simon, next item, please.

Ms. Simon – Thank you, ma'am.

O. Application(s) for Preneed Main

(1) Recommended for Approval without Conditions

(a) Smart Cremations of Florida LLC (Davie)

Ms. Simon – The Department received an application for preneed licensure on March 13, 2025, and no deficiencies were noted on the application. The members of the LLC are John Renfro, Vincent Faccinto, Sam Upton, and Timothy Birch. A completed background check of all principals was returned to the Division without criminal history. Applicant held a preneed license and qualifying funeral establishment license under license # F459300 at the location: 11005-A US Highway 301, Thonotosassa, FL. Due to closure of the funeral establishment location, Applicant is submitting a new application for preneed licensure, and the qualifying direct disposal establishment license (# F845104) is also located at the above address. If approved, Applicant will continue to sell trust-funded preneed and utilize their approved pre-arranged funeral agreement forms. Applicant will also continue to honor any existing preneed contracts that were written under the former preneed license # (F459300). The Division is recommending approval. And is there a representative of this entity on the call today?

Ms. Wiener – It is me, Wendy Wiener, and you are so happy to hear I am only here for questions.

Chair Peeples – We appreciate it, Wiener. Thank you. Board members?

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

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you, Board.

P. Application(s) for Removal Service

(1) Recommended for Approval with Conditions

(a) DCS Removal Services, LLC (Miami Gardens)

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 29, 2025. A completed application was received on March 6, 2025. 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 within six (6) months of the order being filed in this matter.

MOTION: Ms. Clay moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff within six (6) months of the order being filed in this matter. Mr. Chapman seconded the motion.

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – Yes, I was just asking, or just thinking, I've heard six (6) months a lot in our meeting. Is that just a common practice for us? I mean, if these guys are ready to rock and roll, I mean, typically when you turn in an application, you're ready to go.

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you, Madam Chair. Well, as we heard from another applicant here, sometimes they're not ready to rock and roll, and we have never had a deadline imposed by the Board before. So, they could eighteen (18) months from now be ready. So, the Division is recommending that there be a deadline, and six (6) months seem to be the appropriate time. And if

less time is needed in the future, or more time, we will change that. But for now, the Division plans on recommending six (6) months for an inspection for every establishment application.

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Ferreira – So, they can't operate, obviously, until the inspection, but you're giving them six months to get ready, basically. Okay, I got you.

Chair Peeples – Ms. Munson?

Ms. Munson – I just wanted the Board also to be clear, and to clarify, if for any reason it's a Division that does not meet that term, if they take longer than six months, it still impacts the licensee. So, it would just be understood that the Division will get everything done within six (6) months. I know the intention is for the licensee not to take longer, but it has the same impact as the Division.

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

Mr. Ferreira – Yes, ma'am. Well, one other questions, I'm sorry, is it the applicant's responsibility to call the Division in within that six (6) months to request the inspection?

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you, Madam Chair. Typically, Mr. Ferreira, what occurs is, either the inspection occurs before the Board meeting or shortly thereafter, an inspector will call, because it's a new application, and see if they are ready. And it is up to them, if they are not ready at that time, that they have the onus of getting back to the Division within that six-month period.

Mr. Ferreira – Okay. Thank you.

Chair Peeples – Does that complete your question, sir?

Mr. Ferreira – Yes, ma'am.

Chair Peeples – Okay, thank you. We have a motion, and a second. Is there any other discussion? Hearing none, all in favor of the motion say Yes.

Board members – [unison] Yes.

Chair Peeples – All opposed say no. Motion carries.

(b) J.W. Unlimited LLC d/b/a Divinity Non-Emergency Transportation Services (Minneola)

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. An application for removal service licensure was received on December 18, 2024. A completed application was received February 25, 2025. 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 within six (6) months of the order filed in this matter.

MOTION: Mr. Ferreira moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff within six (6) months of the order filed in this matter. Ms. Liotta seconded the motion, which passed unanimously.

(c) JMS Florida Holdings, LLC (Pensacola)

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

Ms. Wiener – Wendy Wiener.

Ms. Simon – Thank you, Ms. Wiener. An application for removal service licensure was received on February 20, 2025. The application was complete when submitted. This application is based upon a change of ownership. JMS Florida Holdings, LLC is acquiring 100% of the ownership interest in Journey Mortuary Services. 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 within six (6) months of the order filed in this matter.

MOTION: Mr. Ferreira moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff within six (6) months of the order filed in this matter. Mr. Quinn seconded the motion.

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

Mr. Jensen – Yes, question for Ms. Wiener. So, this location was just licensed as a funeral place not even two months ago, are they giving up that license? Are they just transferring it? What's going on there?

Ms. Wiener – The removal company license has been sold off into a separate subsidiary owned by Ms. Hollister.

Mr. Jensen – So, I noticed Ms. Hollister's email address is the same as a subsidiary that's getting sold off. Is that right?

Ms. Wiener – Yes, they're business partners, but this is her company separately.

Mr. Jensen – Okay, thank you.

Chair Peeples – Any other discussion? Hearing none. All in favor of the motion, say Yes.

Board members – [unison] Yes.

Chair Peeples – All opposed, say No. Motion carries. Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

(d) Olani Removal Services (Jacksonville)

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

Ms. Oslin Layne – Oslin Layne.

Ms. Simon – I'm sorry, can you state your name again, ma'am?

Ms. Layne – Oslin Layne.

Ms. Simon – Thank you, Ms. Layne. An application for removal service licensure was received on January 27, 2025. A completed application was received on March 13, 2025. 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 within six (6) months of the order filed in this matter.

Chair Peeples – Thank you, Ms. Simon. I noticed you had on our agenda under P (1) (d) that this was in Jacksonville. Actually, physical address is Plantation, the mailing address is Jacksonville, so just for the record. And Ms. Layne, do you need to address the Board or are you just here to participate, ma'am?

Ms. Layne – I'm just here to participate.

Chair Peeples – Okay, thank you. Yes, Mr. Jensen?

Mr. Jensen – I'd also like to note for the record that the email address for the contact of the applicant is the same as the last case.

Chair Peeples – Ms. Layne, will you allow Ms. Simon to swear you in so we can ask you a couple of questions, please?

Ms. Layne – Yes.

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

Ms. Layne – I do.

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

Ms. Layne – Oslay Layne, L-A-Y-N-E.

Ms. Simon – And Madam Chair, Ms. Wiener is on the call. Perhaps she is representing the entity.

Ms. Wiener – No, I was simply going to say that I suspect that that's just a typo from using a cover sheet again and again.

Ms. Munson – It is.

Mr. Jensen – Okay.

Chair Peeples – Thank you, Ms. Wiener. Ms. Layne, I know you were trying to connect with your camera. Are you still attached by phone?

Ms. Layne – Yes, I am.

Chair Peeples – Can you confirm with us what your current email address is, please?

Ms. Layne – My business address or my personal address?

Chair Peeples – Whatever you would utilize for the Department to get in touch with you, ma'am.

Ms. Layne – Okay. It would be olane@olaniremovalservices.com.

Chair Peeples – Okay, O-L-A-N-E?

Ms. Layne – O-L-A-N-E.

Ms. Munson – So the name oslynlayne@yahoo.com on the application is not the best email?

Ms. Layne – I'm sorry. Yes, it is. I apologize.

Ms. Munson – Oslaylayne@yahoo.com, Page 2 of the application, that's the best email?

Ms. Layne – Yes, ma'am.

Ms. Munson – All right then.

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

Mr. Jensen – Yes, ma'am. I was just noting that it probably was a scrivener's error.

Chair Peeples – Okay. Thank you.

Mr. Jensen – Thank you.

Chair Peeples – Okay. What's the Board's pleasure?

MOTION: Mr. Jensen moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff within six (6) months of the order filed in this matter. Mr. William seconded the motion.

Chair Peeples – Mr. Ferreira, do you have a question?

Mr. Ferreira – So, to go back to Mr. Jensen's question, are these cases related?

Ms. Munson – They're not.

Mr. Jensen – No.

Mr. Ferreira – Okay.

Ms. Munson – They're not.

Mr. Ferreira – That's all I got to say. That's all.

Chair Peeples – Who said they're not?

Mr. Jensen – Ms. Wiener had said, and Ms. Munson said.

Ms. Simon – And I would say.

Chair Peeples – Okay. Thank you, Ms. Simon. And Ms. Wiener, we don't have any connection or correlation, correct?

Ms. Wiener – Correct. This has nothing to do with us. This is literally a typo on the Board's cover sheet.

Chair Peeples – Thank you, ma'am. So, we have a motion and second. No further discussion on the motion? Hearing none, all in favor of the motion, say Yes.

Board members – [unison] Yes.

Chair Peeples – All opposed, say No. Motion carried. I'm sorry, but I have got to have a five-minute restroom break. So, it's 1:31. Let's come back at 1:36, please. Thank you.

*****BREAK*****

Q. Executive Director's Report
(1) Operational Report (Verbal)

Chair Peeples – Ms. Schwantes?

Ms. Mary Schwantes – Thank you, ma'am. I want to give you as brief an executive director's report as possible today. I know it's been a long meeting, and, again, thank you, Board members and everyone else for your attendance and patience with everything.

I want to give you a legislative update. This is information as of yesterday. We're halfway through session with this being the last week of regular committee meetings. There may be committee meetings going forward, some here or there, whatever, but this is the last week of regular committee meetings. And bills that are not already processing through committee review by this time are much less likely to pass. If you remember last meeting, I gave you a long list of different kinds of bills, and we went through them, some that directly impact Chapter 497, some that don't, but we know are of interest. The majority of those bills have not even made it to the first committee for review. There's been no hearing on them. I'm not going to cover those bills today. I'm only going to cover the ones that we have talked about before that appear to have some movement on them.

The first of those, this is involving Historical Cemeteries or Abandoned Cemeteries, is SB1524 and HB1011. This bill is titled, Duties of the Department of State 2025. Again, these bills are showing some movement. The Senate Bill just passed the first of its committees on April 1st, with no date set for the second committee review. And it adopted amendments that are unrelated to the death care issues. The House Bill just passed the first of its committees on April 1st. Amendments that were approved revise the Historic Preservation Grant Program and related councils, mandating comprehensive evaluations and recommendations for state-provided grants. This includes grants of state funds to assist abandoned African American cemeteries, and it proposes additional changes to the reporting structure for the Historic Cemeteries Program Advisory Council. No date is set for the second committee review. And again, it's unclear how many more committee meetings there will be at this point.

The next bill, again, that does not directly impact Chapter 497, is SB998, HB647. This is the Physician Assistant and Advanced Practice Registered Nurse Services of 2025, is the title of the bill. The Senate Bill just passed the first of its committees, with no hearing date set for the second committee. And the House Bill just passed its first committee. It's now in the second committee, but no hearing date set. This, if you recall, is a bill that allows in the absence of an assigned funeral director, it allows Physician Assistants and Advanced Practice Registered Nurses to electronically file death and fetal death certificates, provide medical certification of the cause of death, and sign permanent certificates, with noted corrections.

Bills that directly impact Chapter 497, or the licensing processes, there are two (2) bills that have had some movement on them. The first is SB1570, HB301, that is Suits Against the Government. And again, this is almost an annual bill that we see coming forward that sets limits on the liabilities of the state. The only impact that it would have on our chapter is if it's passed, it will reenact Section 497.167 on administrative matters, which references the statute that they're trying to make changes to. There has been movement on this in that the House Bill is before the third of its three committees, and no hearing date set yet for that third committee review.

SB108, HB433, on Administrative Procedures for 2025, is likely to pass at this point. The Senate Bill passed on the floor on 3/19/25 with amendments and is now in messages to the House. The House Bill passed the second of its committees, and it's now before its third committee, with no hearing date set. This bill, I know I talked about it before, it primarily deals with rulemaking issues that are addressed in Chapter 120, and changes to those processes. However, the House Bill, in particular, requires extremely detailed annual reports on licensing practices. And if it passes that version, then the Division systems would certainly not accommodate those kinds of reports. We'll have to be separately maintaining those, tracking it differently, et cetera. It's going to lead to many more reporting requirements and other responsibilities for the Division's licensing team. So, we're keeping a close eye on that one.

And then, finally, I want to tell you about the Department bill. The Department bill has not made it to any of its committees. I am refereeing to the DFS Agency Bill that included Chapter 497 language, there are other bills the Department sponsored. I'm only talking about the DFS Agency Bill. And it has not made it to any of the committee meetings, through any hearings with these committees. It's doubtful that it will move further. If it does, it will still need revisions to the Chapter 497 language that we covered last meeting.

So that's the end of the legislative report from me at this time. Any questions from anybody? Okay.

Mr. Jones – Mary, just to add one for you to look at is HB 883, addressing APRN practice also just so you're aware of it, being you're looking at physician assistants and APRN.

Ms. Schwantes – Got it. Thank you, sir. Okay. Next Board meeting, there's going to be two Board meetings in May. The first will be held by video conference on Thursday, May 1st at 10:00 AM. And the second May meeting will be in person, held in

conjunction with the annual conference of the Independent Funeral Directors of Florida. That meeting will be held in Palm Coast, Florida on Thursday, May 29th at 10:00 AM. As always, additional details are found on our website. Before ending this portion or these portions of the Executive Director's Report, I want to move on to the Proposed Meeting Schedule for the next year and a half.

(2) Proposed Meeting Schedule (Action)

Ms. Schwantes – We took it beyond just the fiscal year this time and went to the end of the calendar year for 2026. This Board previously determined that it only wanted to meet twice a year, once, usually, anyway, in the past, it's been in conjunction with the legislative session in Tallahassee and once in conjunction with one of the association annual conferences. The proposed calendar has, as we've already agreed to, no meetings in July, one in-person meeting in February of '26, which would be in Tallahassee, one in-person meeting in July of '26, which would be in conjunction with the FCCFA conference, that's the next conference on the rotation, and no meetings in August of '26. If there are no questions on that proposed calendar, then action is definitely needed by the Board.

Chair Peeples – Folks?

Ms. Clay – Madam Chair, we're requesting a motion to accept that proposed calendar for '26?

Ms. Schwantes – Yes, ma'am.

MOTION: Ms. Clay moved to approve the Proposed Meeting Schedule, as presented. Mr. Clark seconded the motion.

Chair Peeples – Any discussion on the motion? Mr. Ferreira?

Mr. Ferreira – Maybe in '27 we can meet four (4) or six (6) times. I kind of like to have face-to-face meetings. Just an idea.

Chair Peeples – Thank you, sir. Ms. Schwantes, I'm writing notes, so I'll write that down for future discussion.

Ms. Schwantes – Thank you, ma'am.

Chair Peeples – So we got a motion and a second. Is there any discussion on the motion? Hearing none, all in favor of the motion say Yes.

Board members – [unison] Yes.

Chair Peeples – All opposed say No. Motion carries.

Ms. Schwantes – Thank you, Board members. That ends my portions of the Executive Director's Report. I do see Mr. Jensen's hand up.

Mr. Jensen – Yes, just a quick question. On this year, on the next couple of months meeting schedule, you said May 1st, I'm aware of the May 29th one. What is the date of the June? Is that June when? Or is there one in June of this year? There's none in July.

Ms. Schwantes – None in July. There should be one at the end of June.

Chair Peeples – It's the last Thursday for June, Mr. Jensen.

Mr. Jensen – June what day, 30?

Chair Peeples – The 26th.

Mr. Jensen – Twenty- sixth. Got it. Thank you. I apologize, for some reason, I didn't have that on my calendar.

Ms. Schwantes – Just for information for all, particularly the newer Board members, our June meetings are always towards the end of the month because of the preneed annual renewals. So that's why they're towards the end of the month.

Chair Peeples – Thank you, ma'am. Is Ms. Simon still on or did she depart?

Ms. Simon – I'm still here.

Chair Peeples – There you are. So, we'll go to the next agenda item, Ms. Simon.

Ms. Simon – Thank you.

2025 Board Meeting Schedule (Tentative) (August - December)

July	August	September
NO MEETING	Thursday, August 7, 2025 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-august2025	Thursday, September 4, 2025 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-september2025
October	November	December
Thursday, October 9, 2025 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-october2025	Thursday, November 6, 2025 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-november2025	Thursday, December 4, 2025 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-december2025

2026 Board Meeting Schedule (Tentative)

January	February	March
Thursday, January 8, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-january2026	Thursday, February 5, 2026 Tallahassee FL LOCATION: TBD	Thursday, March 5, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-march2026
April	May	June
Thursday, April 2, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-april2026	Thursday, May 7, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-may2026	Thursday, June 25, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-june2026
July	August	September
Thursday, July 23, 2026 FCCFA Annual Conference Turnberry Isle in Aventura FL	NO MEETING	Thursday, September 3, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-september2026
October	November	December
Thursday, October 8, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-october2026	Thursday, November 5, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-november2026	Thursday, December 3, 2026 Videoconference https://meet.goto.com/LaTonyaBryant/board-videoconference-december2026

(3) Report on Payment of Disciplinary Fines and Costs (Informational)

Ms. Simon – This is informational only.

Mr. Ferreira – I have a question.

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – I'm sorry. So, there's a vendor that owes you guys, right? There's a vendor that I have that I use sometimes that owes you. Is it okay for me to mention it slightly or just shut up about it? I mean, I like the old guy, and he may not even know he's on here, you know.

Chair Peeples – Ms. Simon?

Ms. Simon – I'm not sure how to answer that, Mr. Ferreira, except to say that this is public. This Disciplinary Fines and Costs Report is public.

Mr. Ferreira – Okay.

Chair Peeples – Ms. Munson?

Ms. Munson – I was going to say, I wasn't sure if you're talking about mentioning it, disclosing that to the Board or mentioning it to the vendor.

Mr. Ferreira – No, tell them to get it paid.

Ms. Munson – Like Ms. Simon said, its public information, so.

Mr. Ferreira – Thank you.

Ms. Simon – We would encourage.

Ms. Munson – Of course, we'll encourage.

Monthly Report of Fines and Costs Assessed and Paid
Division of Funeral, Cemetery and Consumer Services
Date of Board meeting: April 3, 2025
Date report was prepared: March 24, 2025

	Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
	Ruben Rojas	6-Mar-25	320710-23-FC	\$2,000			
	Nadine Ingrid Maignan	6-Mar-25	325323-24-FC	\$1,250			
	Geronimo Mena Jr.	2/6/2025	311851-23-FC	\$2,000	3/31/2025		
	Amex LLC d/b/a Apollo Cremations	2/6/2025	325320-24-FC	\$1,750	4-Apr-25		
	Resthaven Memorial Gardens	2/6/2025	325289-24-FC	\$2,000	4-Apr-25	Paid in Full	
	Ronald Dolinar	1/2/2025	325255-24-FC	\$1,500	17-Mar-25		
	Erinn Day	1/2/2025	305799-23-FC	\$1,000	17-Mar-25	Paid in Full	
	Stonemor Florida Subsidiary d/b/a MacDonald Funeral Home and Cremation Services	1/2/2025	305795-23-FC	\$1,000	17-Mar-25	Paid in Full	

NFH Services LLC d/b/a David Russell Funeral Home	5-Dec-24	325295-24-FC	\$1,500	13-Mar-25	Paid in Full	
Integrity Funeral Home and Cremations, Inc.	5-Dec-24	325251-24-FC	\$1,500	13-Mar-25	Paid in Full	
Oaklawn Park, Inc., d/b/a Greenwood Cemetery	5-Dec-24	333169-24-FC	\$1,750	13-Mar-25	Paid in Full	
Scott Norris	5-Dec-24	325296-24-FC	\$1,500	13-Mar-25	Paid in Full	
Tim White's Vault Company of Crestview	7-Nov-24	315262-23-FC	\$1,500	20-Jan-25		
Camel Funeral Services, Inc. d/b/a Camel Funeral H	11/7/2024	315262-23-FC	\$1,000		Paid in Full	
D.M. Baker Mortuary, LLC	7-Nov-24	315262-23-FC	\$1,000	20-Jan-25	Sent to OGC	
Donna Mullins-Prince	11/7/2024	315262-23-FC	\$1,000	20-Jan-25	Sent to OGC	
The Caisson Team	11/7/2024	315262-23-FC	\$2,500		Paid in Full	
Andre Eady	Sep-24	310195-23-FC 315299-23-FC 310197-23-FC	\$2,000	20-Jan-25	Paid in Full	
Leon White Transport Service	18-Jun-24	315262-23-FC	\$500	2-Sep-24		
Holmes Funeral Directors	1-Jan-24	307465-23-FC	\$8,250	March 10, 2045-extended FOR six monthly payments-monthly payments never made	Paid in Full	

ES 3-25-25

R. Chair's Report (Verbal)

Ms. Simon – Madam Chair?

Chair Peebles – Yes, I just want to say how much I appreciate everybody, and everybody's due diligence, and always participating. And the team at the office and Ms. Munson, you all do phenomenal. So, thank you for keeping us straight. And that ends my report.

S. Office of Attorney General's Report

(1) Attorney General's Rules Report (Informational)

Ms. Simon – Ms. Munson?

Ms. Munson – Informational. Thank you all.

BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT MARCH 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	01/21/2025	02/10/2025

T. 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.

U. Administrative Report as March 21, 2025

A.	New Cemetery Applications	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications	0
	Recommended for Approval	0
	Pending	0
C.	Preneed License Applications	2
	Active Preneed Licenses	330
	Presented to the Board at this Meeting	1
	Pending	1
D.	Preneed License Branch Applications	0
	Active Preneed License Branches	386
	Recommended for Approval	0
	Pending	0
E.	Preneed Sales Agent Applications	42
	Active Sales Agents	3452
	Recommended for Approval	37
	Temporary Licenses Issued Pending Permanent	14
F.	Monument Establishment Applications	0
	Active Monument Establishments	87
	Pending	0
G.	Broker of Burial Rights Applications	0
	Active Brokers of Burial Rights	20
	Pending	0
H.	Exempt Cemetery Reports	0
	Active Exempt Cemeteries	47
	Pending	0
I.	New Establishment Applications	2
	Pending	0
	Completed	2
J.	New Individual Applications	29
	Pending	12
	Completed	17
K.	Request for Training Facility Applications	2
	Pending	1
	Completed	2
L.	Request for Continuing Education Providers and Courses	56

	Pending	0
	Completed	56
M.	Initial Inspections	18
	Pending	0
	Completed	18
N.	Inspections	314
	Pending	0
	Completed	314
O.	Initial Licenses Issued	31
	Renewal Licenses	45

V. Disciplinary Report

Notices of Non-Compliance Issued Since Last Meeting (March 6, 2025)	0
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W. Upcoming Meeting(s)

- (1) May 1st (Videoconference)
- (2) May 29th (In-Person: Hammock Beach Golf Resort, Palm Coast – IFDF Annual Conference)
- (3) June 26th (Videoconference)

X. Adjournment

Chair Peeples – Thank you, folks. It is 1:49 and we are going to adjourn this meeting. You all have a great day and a great rest of your week. Thank you.

Ms. Simon – Thank you, Board members.

The meeting was adjourned at 1:49.