

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES**  
**VIDEOCONFERENCE MEETING**  
**MAY 1, 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 10:02 A.M. on May 1, 2025. I'd like to call this meeting to order and turn it over to Ms. Simon.

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 May 1, 2025, and it is approximately 10:02 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 S 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 Crystal Grant. She is monitoring the chat feature and, as necessary, will forward your inquiry to someone who can assist in resolution of the problem. At this point I will call the roll:

Jill Peeples, Chair

Andrew Clark, Vice Chair **{EXCUSED}**

David Chapman

Sanjena Clay

Vincent "Todd" Ferreira

Christian "Chris" Jensen

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

**Also noted as present:**

Rachelle Munson, Board Legal Advisor  
Marshawn Griffin, Department Legal Counsel  
Kimberly Marshall, Department Legal Counsel  
Greg Caracci, Department Legal Counsel  
Nicole Eldeb, Department Legal Counsel  
LaTonya Bryant, Department Staff

Chair Peeples – Mr. Clark is excused from this meeting, if the record will so reflect.

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

Chair Peeples – Thank you, Ms. Simon.

**B. Action on the Minutes**

*(1) April 3, 2025*

Ms. Simon – This may be a good opportunity for a Board member to move that the minutes be accepted.

**MOTION:** Mr. Todd Ferreira moved to adopt the minutes. Mr. Bill Quinn seconded the motion, which passed unanimously.

Ms. Simon – Madam Chair, if I may use this time for one statement?

Chair Peeples – Yes, ma’am.

Ms. Simon – The following supplemental materials have been added to the agenda for good cause shown, as stipulated by the Board Chair: Settlement Stipulations for Paradise Funeral Chapel, Forest Hills, Manasota Memorial Park, and Palm City Chapel, all under disciplinary items.

Chair Peeples – Thank you, ma’am.

Ms. Simon – And if I may go into Old Business?

Chair Peeples – Yes, please.

Mr. Quinn – Madam Chair, may I add something to the record, please?

Chair Peeples – Yes, Mr. Quinn?

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

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

Ms. Simon – Yes, ma’am.

**C. Old Business**

*(1) Application(s) for Funeral Establishment*

*(a) Recommended for Approval with Conditions*

*1. 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 application is based upon a change of ownership. Ms. Janorise Green Stone passed away on October 7, 2024. Mr. Rujaie 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. This application was originally heard at the April 3, 2025, Board meeting. Verbiage on the application indicated that cremation would not be offered as a service at the establishment. The Board questioned this and asked that the matter be tabled until the May meeting. After the Division contacted the applicant, it was discovered that cremation *was* to be offered as a service at the establishment. Toward that end, the applicant provided an updated Pages 4 & 5 of the application indicating that it would provide cremation services with assistance by Orlando Crematory, and that refrigeration would be provided by the same entity. This documentation is included in your Board packages. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of Division Staff.

Chair Peeples – Board members?

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

*(2) Application for Removal Service*

*(a) Recommended for Approval with Conditions*

*1. Journey Mortuary Services (Pensacola)*

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

Ms. Wendy Wiener – Yes. Wendy Wiener.

Ms. Simon – Good morning, Ms. Wiener. An application for removal service licensure was received on February 20, 2025. The application was complete when submitted. This application is for a change of ownership is based upon JMS Florida Holdings, LLC acquiring 100% of the ownership interest in Journey Mortuary Services. A background check of the principals revealed no relevant criminal history. This application was originally before the Board during the April meeting. However, at that time, the names were reversed on all documentation. The Applicant is actually Journey Mortuary Services LLC. JMS Florida Holding LLC, who was listed as the applicant during the April Board meeting, is actually a proposed principal of Journey Mortuary Services, as reflected on the form included in your Board packages – List of Principals form. This is being done as a stock purchase agreement, wherein JMS Florida Holding LLC will wholly own and operate the applicant, Journey Mortuary Services. The Board approved the application presented during the April Board meeting. An amended application with the appropriate information, as previously cited, is included within your Board package. The Division recommends that the Board make and vote on two (2) motions: one to reconsider the application that was presented during the April Board meeting, and then another motion to approve the application included within your Board packages for this meeting, subject to the condition that the removal service passes an inspection by a member of Division Staff.

Chair Peeples – Thank you, Ms. Simon. Ms. Wiener, would you like to address the Board?

Ms. Wiener – No, ma'am. I'm just here to answer any questions.

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

**MOTION:** Mr. Ferreira moved to reconsider the application that was presented during the April Board meeting. Mr. Darrin Williams seconded the motion, which passed unanimously.

Chair Peeples – Mr. Ferreira?

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

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

**D. Disciplinary Proceeding(s)**

***(1) Department's Motion for Qualified Representation***

Ms. Simon – Presenting for the Department is Ms. Marshall.

Chair Peeples – Ms. Marshall?

Ms. Kimberly Marshall – Thank you, Ms. Simon. Thank you, Madam Chair. Good morning, Board members. So today we have this Motion for Qualified Representation, Ms. Nicole Eldeb, as you've seen before you before. She is a graduate of FSU Law School and is currently preparing to take the bar exam. She works under my supervision. We are asking that you all allow her to appear before you today as a qualified representative.

Mr. Williams – Madam Chair?

Chair Peeples – Yes, Mr. Williams?

**MOTION:** Mr. Williams moved to approve the request to allow Ms. Eldeb to appear before the Board today as a qualified representative. Ms. Liotta seconded the motion, which passed unanimously.

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

***(a) Benn, Trina: DFS Case No. 325253-24-FC; Division No. ATN-42134 (F043382)***

Ms. Simon – Presenting for the Department is Ms. Eldeb.

Ms. Nicole Eldeb – 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 October 17, 2025, the Department filed an Administrative Complaint against Trina Benn ("Respondent") alleging violations of Chapter 497, Florida Statutes. On or about November 14, 2024, Respondent timely submitted a petition requesting a formal hearing pursuant to section 120.57(1), Florida Statutes; however, the petition failed to identify any disputed issues of material fact. As such Respondent's petition failed to meet the requirements for a formal hearing as outlined in Rule 28-106.2015, Florida Administrative Code. Accordingly, this Motion requests that the Board dismiss Respondent's petition without prejudice and enter an order providing Respondent with an additional twenty-one (21) days in which to file a facially sufficient petition for formal hearing or to request an informal hearing. Furthermore, the Department requests that the order provide that if Respondent fails to provide a timely response that Respondent will have waived its right to a hearing in this matter. Thank you.

Chair Peeples – Board members?

**MOTION:** Mr. Ken Jones 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. Ferreira seconded the motion.

Mr. Chapman – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Chapman – In the first paragraph she said it was October 17, 2025. We're not quite in October 2025. So, you might want to change the date on that when she first started reading her report to us.

Chair Peeples – Thank you, sir. We have a motion, and we have a second. Is there any other 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.

- (3) Motion for Determination of Waiver and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)*  
*(a) Paradise Funeral Chapel, LLC: DFS Case No. 292042-22-FC; Division No. ATN-37692 (F451486)*

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

Ms. Wiener – Good morning again. From ICCFA, Wendy Wiener.

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

Mr. Marshawn Griffin – Marshawn Griffin for the Department. This matter was previously submitted to the Board for a Hearing not Involving Disputed Issues of Material Fact. Based on an allegation, the Department's investigation determined that Respondent stored human remains in an unlicensed facility. Prior to the hearing, the parties were able to reach a settlement in this matter which calls for a \$2,000 fine and twelve (12) months of probation. The Department requests the Board approve the Settlement Stipulation.

Chair Peeples – Mr. Jones?

Mr. Jones – Yes. I was on Probable Cause Panel A, so I'll recuse myself for (3)(a), (4)(a), (b), and (c).

Chair Peeples – Thank you, sir.

**MOTION:** Ms. Liotta moved to approve the Settlement Stipulation, which provides that Respondent shall pay a \$2,000 fine and have its license place on probation for twelve (12) months. Mr. Ferreira seconded the motion, which passed unanimously.

Ms. Wiener – Thank you.

Chair Peeples – Ms. Simon?

Ms. Simon – Yes, ma'am.

- (4) Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)*  
*(a) Chestnut, Charles Sumner IV: DFS Case No. 334936-24-FC; Division No. ATN-42161 (F043410)*  
*(b) Holmes Funeral Directors: DFS Case No.: 333538-24-FC; Division No. ATN-43870 (F041651)*  
*(c) Stevens Brothers Funeral Home: DFS Case No.: 325432-24-FC; Division No. ATN-40737 (F041634)*

Ms. Simon – These matters have been withdrawn from the agenda.

- (5) Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)*  
*(a) Jackson, Melinda Mezeline: DFS Case Nos. 316674-23-FC and 316677-23-FC; Division Nos. ATN-40848 and ATN-41563 (F042470)*

Ms. Simon – Is Ms. Jackson or a representative of Ms. Jackson on the call today? Hearing no response. Ms. Marshall?

Mr. Williams – Madam Chair?

Chair Peeples – Yes, sir, Mr. Williams?

Mr. Williams – I need to recuse myself as I served on Probable Cause Panel B for the cases under (5).

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

Ms. Marshall – Thank you, Madam Chair. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Melinda Mezeline Jackson (“Respondent”). The Department conducted an inspection of Respondent and found that at all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. Respondent was assessed a fine of \$1,250.00 in a Final Order in DFS case number 287709-21-FC, due on March 2, 2023. Respondent was assessed a fine of \$3,000.00 in DFS Case Number 289708-21-FC, due on July 14, 2023. The Department has only received payment of \$250 of the outstanding \$4,250 owed, and \$4,000 remains outstanding. The disciplinary guidelines for these violations are as follows:

- *Counts I-II: violating a lawful order of the Board, first offense: Reprimand, fine of \$250 to \$2500 plus costs. In addition, probation for 6 months to 1 year, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.*

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

**MOTION:** Mr. Ferreira moved that Respondent was properly served with the Administrative Complaint and has failed to timely respond, thus waiving the right to elective method of resolution in this matter. Mr. Jones seconded the motion, which passed unanimously.

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

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this case. Mr. Jones seconded the motion, which passed unanimously.

Ms. Marshall – Now that the Board has determined that there are no material facts in dispute in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

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

Ms. Marshall – The Department offers into evidence the investigative report with exhibits, a copy of which has previously been furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes, as set forth in the Administrative Complaint.

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

Ms. Marshall – Now concerning a penalty recommendation in this case, our recommendation is that Ms. Jackson’s license be suspended until the outstanding fines are paid.

**MOTION:** Mr. Jones moved that Respondent's license be suspended until the outstanding fines are paid. Ms. Liotta seconded the motion.

Chair Peeples – Is there any discussion on the motion?

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, Mr. Ferreira?

Mr. Ferreira – I'd like to add \$2,500 to it.

Chair Peeples – Mr. Jones, do you feel good in amending your motion?

Mr. Jones – I will.

Chair Peeples – Ms. Liotta, do you accept that amended motion?

Ms. Liotta – Sure.

Chair Peeples – So we have Ms. Jackson's license suspended and then we have an amended adding additional \$2,500 amount. Is that correct?

Ms. Clay – Madam Chair?

Chair Peeples – Yes, ma'am?

Ms. Clay – Can we find out how that amount was determined, the \$2,500?

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – Yes, ma'am. It was determined because it's the highest we can go. And I don't take too kind to people who we work with, and they basically give us the middle finger.

Ms. Clay – Thank you.

Mr. Ferreira – That's where I got it.

Ms. Clay – Thank you.

Chair Peeples – Do we have any further discussion on the amended motion? Hearing none. All in favor of the motion, say Yes.

Board members {unison} – Yes.

Chair Peeples – All opposed, say No. Motion carries.

*(b) Rahming-Poitier Funeral Directors Corp: DFS Case No.: 307080-23-FC; Division No. ATN-40362 (F079857)*

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

Ms. Lauren Pettine – Yes. Lauren Pettine.

Ms. Simon – Thank you, Ms. Pettine. Presenting for the Department is Mr. Caracci.



Ms. Greg Caracci – Thank you. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Rahming-Poitier Funeral Directors Corp (“Respondent”). The Department conducted an inspection of Respondent and found that at all times material to the allegations herein, Respondent was licensed as a funeral establishment. Respondent failed to have a funeral director in charge from September 19, 2022, to January 24, 2023, filed a report with the Department with false information with regards to the funeral director in charge to renew its funeral establishment license, failed to promptly report changes in the funeral director in charge, and failed to record monthly reports on cases embalmed and bodies handled that were signed by the funeral director in charge during the months of September 2022 through December 2022. The disciplinary guidelines for these violations are as follows:

- *Count I: Failing to have appropriately licensed personnel at a funeral establishment: Reprimand, fine of \$1,000-\$2,500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.*
- *Count II: Obtaining or attempting to get license by bribery, false or forged evidence, or misrepresentation: Reprimand, fine of \$1,000-\$2,500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.*
- *Count III: Failing to promptly report the following changes to a funeral establishment: change of funeral director in charge: Notice of non-compliance.*
- *Count IV: Failure to properly complete, retain, and make available for review the monthly reports of cases embalmed or bodies handled: Notice of non-compliance.*

The Motion demonstrates that Respondent failed to timely file a responsive pleading contesting the factual allegations in the Administrative Complaint, requests that the Board adopt the factual allegations in the Administrative Complaint, and requests that the Board issue an appropriate penalty in this matter.

Chair Peeples – Mr. Caracci, if you will please state the motions as we get each one, please, sir.

Mr. Caracci – Sorry?

Chair Peeples – As Ms. Marshall did with the previous case, if you will state what motions we need to consider please, sir.

Mr. Caracci – Okay. The Department asks the Chair to entertain a motion determining that there are no material facts in dispute in this case.

**MOTION:** Mr. Ferreira moved that that there are no material facts in dispute in this case. Mr. Jensen seconded the motion.

Chair Peeples – And before we take a vote, Ms. Pettine, did you need to address the Board?

Ms. Pettine – I would like to address the Board. I have two points really in regards to the response which was not received in time. This has to do in part because the Rahming-Poitier location in the November renewal cycle actually closed the location, notified the Division, and did not finalize that meaning that some of the email addresses in the locations which are undergoing renovations did not consistently have a person there at the time. However, we do recognize that given the nature of this matter that may not have an impact on the motion regarding the material facts in dispute. And I would like to make later presentation after that motion regarding mitigating factors associated with the discipline.

Chair Peeples – Thank you, Ms. Pettine. Mr. Ferreira, you had made your motion and Mr. Jensen, you had second. Do you need to do any amendment or are you going to stay with your motion and second?

Mr. Ferreira – I’m confused.

Chair Peeples – Well, sir, Ms. Pettine presented her information. I just want to give you an opportunity if anything needed to be amended, sir.

Mr. Ferreira – I’ll stick with my motion.



Chair Peeples – Thank you. Mr. Jensen?

Mr. Jensen – I’m good as well.

Chair Peeples – Thank you. 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 {unison} – Yes.

Chair Peeples – All opposed, say No. Motion carries.

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

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

Mr. Caracci – The Department offers into evidence the investigative report with exhibits a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks that the Chair entertain a motion finding that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint.

Mr. Ferreira – Madam Chair?

Chair Peeples – Hold on one second, Mr. Ferreira, Ms. Pettine needs to address the Board, please.

Ms. Pettine – I believe that this motion may be an appropriate place to discuss mitigating factors as they impact the Board’s consideration of this case, if that is all right, Chair Peeples.

Chair Peeples – Yes, ma’am.

Ms. Pettine – I have one point to make regarding the mitigating factors that really demands the Board’s ultimate dismissal of this case. The Rahming-Poitier Funeral Directors is actually a victim, not a licensee, which failed to do its duty. The Rahming-Poitier Funeral Directors was a victim of fraud by Mr. Anthony Siders, the FDIC so which surrounds most in the Administrative Complaint and the mitigating factors require you to dismiss this complaint without discipline. The factual background is this. Rahming-Poitier made Anthony Siders the FDIC in August of 2022 taking over from Tavaris Walker. Unbeknownst to Rahming-Poitier in September 2022, Mr. Siders sent the Division a resignation letter via fax but did not communicate this to Rahming-Poitier at any time. In fact, Mr. Siders continued to take payment for services as FDIC and performed funerals with Rahming-Poitier from September 2022 until January 2023. The investigator came by the location in November of 2022 when the renewal paperwork had been sent it. Mr. Times, the owner of Rahming-Poitier, did not know until that time that Mr. Siders had sent in this resignation letter and Mr. Times has multiple voicemails from Mr. Siders dating from November and December in 2022, in which Mr. Siders discussed working for the location, stated that the investigator was mistaken, and that Mr. Siders had handled the matter. Based on, you know, the payments and the voicemails Rahming-Poitier honestly believed that they had an FDIC in charge during this time. Mr. Siders lied to both my client and the Division. This is also not the first time that Mr. Siders, Anthony Siders, has engaged in this exact behavior. We do have knowledge that he committed a very similar or this exact same scheme against another one of our clients, Stevens Brothers Funeral Home along with other funeral homes in the area. We’re unclear on what, if any discipline that Mr. Siders has faced due to him no longer being listed in the Division’s directory. But Rahming-Poitier should not be punished for Mr. Siders’ malfeasance. Mr. Times when he became aware of this secret resignation, which was provided to only the Division, he filed the change of FDIC form to put Maurice Dixon, a funeral director who had worked at the location during this entire timeframe as FDIC. While the funeral establishment may not have officially been under Maurice Dixon’s supervision due exclusively to the willful and fraudulent actions of Mr. Siders, it was effectively supervised and there is no allegation in this Administrative Complaint that the licensee was engaged in unlicensed practice.

You must consider mitigating factors when applying discipline. The mitigating factors relevant to this are first, the actual knowledge of the licensee about the issues, the attempts by licensee to correct or stop any violations, and the efforts for rehabilitation by the licensee. The Division's duty, as well as this Board's duty, is to look out for the best interests and the protection of the consumer. You impose discipline on the individuals and establishments that pose a risk to consumers. The facts of this matter are clear that the individual who poses a risk to the consumer is not Rahming-Poitier, but Mr. Siders, who has habitually defrauded funeral homes, leaving them without an official supervisor while still taking payment for same. My client had an experienced funeral director working at the location during the entire time when Mr. Siders' fraudulent activities occurred and corrected the error as soon as they were able to do so and had the actual knowledge of what Mr. Siders was doing. Ultimately, Rahming-Poitier did not have actual knowledge of Mr. Siders' resignation, which is a mitigating factor. Rahming-Poitier replaced Mr. Siders as FDIC as soon as it became aware of Mr. Siders' resignation to correct the error and debilitate. And lastly, there cannot possibly be any ongoing harm to the consumer at this point because as I mentioned earlier, the Rahming-Poitier Funeral Directors is currently closed, and they have not performed the renewal and notified the Division. Ultimately, Rahming-Poitier was a victim of Mr. Siders' fraud, and therefore, this matter should be dismissed without discipline. Thank you.

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

Mr. Ferreira – So, when an FDIC retires or resigns, is there any signature required by the establishment or owner? Do you know that Ms. Pettine?

Ms. Pettine – I believe that in this matter what occurred is Mr. Siders sent a fax and then a follow-up email directly to the Division stating his resignation had been effective on September 1, 2022, which was one (1) month after the location had submitted the change of FDIC form from Tavaris Walker to Mr. Siders. So that form had been signed I believe by both relevant funeral directors, the new one and the old funeral director in charge. And so that is the form that allegedly was not completed or sent in for when Mr. Siders sent in the secret resignation.

Mr. Ferreira – Okay. That's it for me.

Chair Peeples – Thank you, sir. Board members? Mr. Jensen?

Mr. Jensen – Yes, question for the Department. Ms. Simon, what do you think of this? I mean, was there a violation or were there extenuating circumstances?

Ms. Simon – Unfortunately, I can't give my opinion as relates to that, but I know that when an Administrative Complaint is filed by this Department it's filed after probable cause is found. And Probable Cause looks at each file to make a determination. And you could ask Mr. Caracci about any facts that are in the Administrative Complaint to determine how the Office of the General Counsel handled this matter.

Mr. Jensen – So, may I follow up, Madam Chair?

Chair Peeples – Yes, sir.

Mr. Jensen – So keeping with our Board packet the gentleman that resigned is not part of this case, so we shouldn't consider that. Is that correct?

Chair Peeples – Mr. Jensen, you need to present that to Mr. Caracci, please.

Mr. Caracci – I would agree, Mr. Jensen.

Chair Peeples – Ms. Munson?

Ms. Rachelle Munson – Yes, I just wanted to note. I think it's a follow-up to the question that Mr. Jensen asked initially about the information where Ms. Simon can't give any opinion about this and where probable cause was established from this particular case resulting in the Administrative Complaint. I think that the individual representing the Respondent in this case,

this information is considered new information as being presented on the record. Then that new information is not just dismissible on its face and definitely something that the Board may consider and give it merit or if the investigation based in the absence of this information may not be accurate or may be incomplete. I just wanted the Board to understand that any information that's brought before you, that's current information, not information you find outside on your own, brought before you on the record as current information is subject to consideration. That's my only comment. Thank you.

Chair Peeples – Thank you, Ms. Munson. And Ms. Clay, you had your hand up, then Ms. Pettine.

Ms. Clay – My statement is that the information that Ms. Pettine has given us is something that was not included in our Board package. And so, I'm wondering how we would even deal with that without having it, and if the resolution to being able to consider the information she's presenting could be resolved by our receiving that by next month's Board meeting and tabling it for this time.

Chair Peeples – Thank you, Ms. Clay. Ms. Pettine, I'm going to put you on hold, please, and have Mr. Griffin reply. Mr. Griffin?

Mr. Griffin – If I may, Marshawn Griffin for the Department. I think that that's the correct thing to do because in a hearing you have to make your decision based off of evidence. What the attorneys say is not evidence, it is argument. So, everything that she said you cannot consider unless she has somebody here to testify to those facts or they include that as part of their petition for hearing.

Chair Peeples – Thank you, Mr. Griffin. Going back to Ms. Clay.

Ms. Clay – Is there a motion on the floor?

Chair Peeples – No, ma'am.

Ms. Clay – May I make a motion?

Chair Peeples – Yes, ma'am.

**MOTION:** Ms. Clay moved to table the matter until the next meeting giving the attorneys an opportunity to provide the information being presented in this meeting by Ms. Pettine to the Board. Mr. Quinn seconded the motion.

Chair Peeples – Now we're in discussion. Ms. Pettine?

Ms. Pettine – I'm afraid that I do believe that I have Theo Times, the owner of Rahming-Poitier Funeral Directors on the meeting today who may be able to provide that testimony as to the voicemails that were received, the payment that was sent, and the actual knowledge of the licensee. If he's available, we can have him testify to these facts in order to allow the Board to consider it at this month's meeting. Of course, if you would like us to table this in order to do the back-and-forth and provide the documentary evidence, we can do that as well. But I did want to alert you to the fact that we do have Mr. Theo Times available.

Chair Peeples – Thank you, Ms. Pettine. We have a motion, and we have a second. Is there any other discussion on the motion? Ms. Simon, do you have your hand up?

Ms. Simon – I do, Madam Chair. This is a motion for determination of waiver and request for informal hearing. So, in that respect, the facts have already been decided. We're not at the stage where the facts can be argued. That happened beforehand, but now we're not at that stage to provide new evidence or items of that nature. This was a determination for waiver matter and Mr. Caracci can speak to that.

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

Mr. Caracci – I would agree with everything Ms. Simon said, but also like to add that only the first two (2) Counts of the Administrative Complaint involve Mr. Siders so regardless of however the Board goes on the first two (2) counts, there's still discipline to be discussed here.

Chair Peeples – Thank you, sir. Ms. Munson, what would be your comment to the Board members regarding the motion that we have before us to table this?

Ms. Munson – I'm going to take a second seat and let the Office of General Counsel handle it if you don't mind terribly. For the record, if there's information that's being presented that affects the substantial outcome of this case and substantial interest of the Respondent, I do understand why tabling the matter to get all of the evidence before them, I understand that it is a waiver and I'm not going to cross that. So, I will leave it with Mr. Griffin and Mr. Caracci to procedurally determine how they want to proceed given this information on the record.

Chair Peeples – Thank you. Mr. Caracci, do you, or Mr. Griffin, do you have any comment regarding the question of Ms. Munson?

Mr. Caracci – I would like to go forth with the matter now.

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

Ms. Pettine – I believe there's a slight misunderstanding. We're not looking to challenge the facts here. What we're offering is mitigating factors under Rule 69K-30.001(6). So, we're offering mitigating factors which should be considered by the Board in order to determine discipline in this case. Regarding Count 3, the Tavaris Walker issue which does not involve Mr. Siders, I believe there may actually be an error in the investigative file which is in your Board packet. If you go to Page 48 of the Board packet on this one, a letter from Tavaris Walker shows that Mr. Walker was signing up to be, not resigning from the position of FDIC in 2021. Then from Tavaris Walker, we get to Mr. Siders. The last matter, the last count is a body's handled report. The discipline for that one is a notice of noncompliance or a citation of \$200. It is not a substantial count in any way shape or form. And so, you're right, mitigating factors would not necessarily apply to those counts. But what we're looking to add to the record now is the mitigating factors of the actual knowledge and not anything regarding the facts in this complaint as we understand [audio cuts out] this matter.

Chair Peeples – Thank you, ma'am. Mr. Caracci, did you have your hand up, sir?

Mr. Caracci – Yes. I'd also like to bring to the Board's attention that there is the aggravating factor of prior discipline in this case.

Chair Peeples – Thank you, sir. We have a motion, and we have a second. Is there any more discussion? What is the Board's pleasure?

Ms. Munson – Could you restate the motion? Could we make sure the Board members are clear on what this motion is?

Chair Peeples – Ms. Clay?

Ms. Clay – You want me to restate?

Chair Peeples – Yes, ma'am.

Ms. Clay – I am moving that we table this matter until the next meeting so that we can receive the additional information and have an opportunity to review the information that Ms. Pettine has brought to our attention.

Chair Peeples – And Mr. Quinn that is your second. You concur, correct?

Mr. Quinn – That's correct, yes.

Chair Peeples – So, we have a motion, and we have a second. Ms. Simon, will you do a roll call vote on this, please, ma'am?

Ms. Simon – Yes, ma'am. Could I have one moment, please?

Chair Peeples – Yes, ma'am.

Ms. Simon – All of those agreeing to table the matter answer Yay. Mr. Quinn?

Mr. Quinn – Yay.

Ms. Simon – Ms. Clay?

Ms. Clay – Yay.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – Yes.

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?

Chair Peeples – Mr. Williams is recused.

Ms. Simon – I apologize. Madam Chair?

Chair Peeples – Yes.

Ms. Simon – That motion passes.

Chair Peeples – Thank you.

Ms. Simon – May I move on, on the agenda, ma'am?

Chair Peeples – Yes, please.

*(c) SE Combined Services (Caballero Rivero Woodlawn South): DFS Case No.: 306483-23-FC; Division No. ATN-40036 (F078955)*

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

Ms. Wiener – Yes. Wendy Wiener.

Ms. Simon – Thank you. Mr. Caracci for the Department.

Mr. Caracci – Thank you. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of SE Combined Services (Caballero Rivero Woodlawn South) (“Respondent”). The Department conducted an inspection of Respondent and found that at all times material to the allegations herein, Respondent was licensed as a funeral establishment. Respondent failed to provide a consumer with a promised-for fingerprint from her deceased husband. The disciplinary guidelines for these violations are as follows:

- *Count I: Failing without reasonable justification to timely honor contracts entered into by the licensee or under the licensee’s license for funeral or burial merchandise or services: Reprimand, fine of \$500-\$1,000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.*

The Motion demonstrates that Respondent failed to timely file a responsive pleading contesting the factual allegations in the Administrative Complaint, requests that the Board adopt the factual allegations in the Administrative Complaint, and requests that the Board issue an appropriate penalty in this matter. The Department asks the Chair to entertain a motion determining that there are no material facts dispute in this case.

Chair Peeples – Board members?

**MOTION:** Mr. Jones moved that there are no material facts dispute in this case. Mr. Ferreira seconded the motion, which passed unanimously.

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

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

Mr. Caracci – The Department offers into evidence the investigative report with exhibits a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint.

Ms. Wiener – Madam Chair?

Chair Peeples – Board members? Ms. Wiener?

Ms. Wiener – Thank you, Madam Chair. This is another situation where there is not an actual factual dispute regarding what is set forth in the Administrative Complaint. But again, we find ourselves at an informal hearing where it is completely appropriate for you to take into consideration the mitigating factors associated with this matter. In this particular case, of course, as you can see from the timeframe, this was the very height of COVID and the fingerprint that was requested and was taken was done so as a courtesy after the fact after the family had had an opportunity to make that request, after they had an opportunity to arrange for that, to pay for that service and had neglected or had failed to do so, had opted not to do so, but then at the last moment decided that they did want that and as a courtesy, the fingerprint was actually collected. What is actually the crux of the matter as you face here in your disciplinary proceeding is that the document itself was lost, the paper copy of that document was lost. Now this matter as you know, or as I believe you know because of the way that this matter came to the attention of the Board went to a litigation, went on into litigation. The complaint that was filed we believe was probably filed as a part of the litigation and as another stick, if you will, in order to pursue the licensee. The matter has actually long, long since settled. This was an incident that occurred back during, as I said, during the pandemic, years ago and it was simply a failure to retain records situation that is actually what you should be considering when contemplating discipline. This Board is faced with or full of rather licensees who know exactly what it was like to interact with families during the extremely busy crush of time during the pandemic. And you can take that into consideration that the fact that there

is no harm to the consumer, any harm that would have been done is long since over. You can take all of that into consideration when considering your potential discipline against this licensee for this failure to retain this document.

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

Mr. Jensen – Yes, a couple of questions here. One is Ms. Wiener has stated the fingerprint was done as a courtesy. I would like to ask Mr. Caracci, I don't know of anything where we're required to do a fingerprint unless a consumer is on the contract and the consumer actually paid to get a fingerprint done. So, what violation do we have here?

Chair Peeples – Mr. Caracci?

Mr. Caracci – I have to review the matter and see if there was a contract involved for the fingerprint.

Ms. Wiener – It's in your file and it's not on the contract.

Mr. Jensen – Yes. So that was kind of my point. So, is there really a violation? Because I know some funeral homes do, some don't, you know, but I've never seen where it's required.

Mr. Caracci – I still think it can be considered an oral contract and if it's a promise for a service that it would constitute some violation.

Mr. Jensen – Yes, if it's on the contract but it's not on the contract. It's just like telling them, "Okay, I'll give you a free bottle of water at the service," and you run out of water. It's not on the contract, you know? I mean, I'm just wondering what violation are we looking at here? What statute covers this?

Chair Peeples – Mr. Caracci?

Mr. Caracci – I have no response.

Chair Peeples – Mr. Ferreira?

**MOTION:** Mr. Ferreira moved that dismiss the case. Mr. Jensen seconded the motion.

Chair Peeples – Is there any discussion on the motion? Ms. Simon, will you do a roll call vote for me, please?

Ms. Simon – Yes, ma'am. All those in favor of this motion please respond by saying Yay. Mr. Quinn?

Mr. Quinn – Yay.

Ms. Simon – Ms. Clay?

Ms. Clay – Yay.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – Yay.

Ms. Simon – Mr. Jensen?

Mr. Jensen – Yay.

Ms. Simon – Mr. Jones?

Mr. Jones – Yay.



Ms. Simon – Ms. Liotta?

Ms. Liotta – Yay.

Ms. Simon – Mr. Chapman?

Mr. Chapman – Yay.

Ms. Simon – Mr. Williams was on probable cause in this matter. And Madam Chair?

Chair Peeples – Yay.

Ms. Simon – That motion passes.

Ms. Wiener – Thank you, Board.

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

Ms. Simon – Madam Chair, if I may call (6)(a) later on in the agenda and move on the (6)(b), I would appreciate that courtesy.

Chair Peeples – Yes, ma'am.

**(6) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)**  
**(b) McRae, Donna Summerour: DFS Case No. 325260-24-FC; Division No. ATN-40737 (F595484)**

Ms. Simon – Presenting for the Department is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order Donna Summerour McRae (Respondent). The Division alleges conducted an investigation of Respondent and alleges as follows: Respondent is a licensed funeral director and embalmer, holding license number F595484. At all times material to the allegations in this case, Respondent was designated as the funeral director in charge of Stevens Brothers Funeral Home, a licensed funeral establishment holding license number F041634. This establishment permitted an unlicensed employee to engage in the practice of funeral directing and provided a consumer with an unsigned contract. As FDIC of MacDonald Funeral Home, Respondent is responsible for this violation. The disciplinary guideline for this violation is as follows:

- *Counts I-II: Committing fraud, deceit, negligence, incompetence, or misconduct in the practice of a regulated profession: Reprimand, fine of \$1,000 to \$2,500 plus costs. In addition, probation for 6 months to 1 year, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.*

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. At this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing.

Chair Peeples – Ms. Marshall, if we may, can we confirm if Ms. McRae is on the call today or her representative? Hearing none. Board members, you heard the motion request for Ms. Marshall.

**MOTION:** Mr. Williams moved that Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing. Ms. Liotta seconded the motion, which passed unanimously.

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

**MOTION:** Mr. Williams moved that there are no material facts in dispute in this case. Ms. Clay seconded the motion, which passed unanimously.

Ms. Marshall – Now that the Board has determined that there are no material facts in dispute in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

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

Ms. Marshall – The Department offers into evidence the investigative report with exhibits, a copy of which has previously been furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes, as set forth motion in the Administrative Complaint.

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

Ms. Marshall – Now as to penalty in this case, the Department’s recommendation is a fine of \$2,000 and one year of probation.

**MOTION:** Mr. Ferreira moved for a fine of \$2,000 and Respondent’s license shall be placed on a one-year probation. Mr. Jensen seconded the motion, which passed unanimously.

Chair Peebles – It’s 11:01, if we can take a, excuse me, a 10-minute restroom break we’ll come back and continue with the agenda. Thank you.

\*\*\*\*\*BREAK\*\*\*\*\*

Chair Peebles – Ms. Simon, it is 11:13, so we are good to resume, please.

Ms. Simon – Yes, ma’am.

*(c) Related Cases - Division No. ATN-37322 and ATN-39307*

- 1. Stonemor Florida Subsidiary, LLC d/b/a Forrest Hills – Palm City Chapel; DFS Case No.: 300643-22-FC; Division No. ATN-39307 (F079859)*

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

Ms. Wiener – Wendy Wiener. Yes.

Ms. Simon – Thank you, Ms. Wiener. Presenting for the Department is Mr. Griffin.

Mr. Griffin – Marshawn Griffin for the Department. The above-referenced matter is presented to the Board for consideration for the Motion of Determination of Waiver and for Final Order by Hearing not Involving Disputed Issues of Material Fact in the matter of Stonemor Florida Subsidiary, LLC d/b/a Forest Hills-Palm City Chapel. The Department conducted an investigation of Stonemor Florida Subsidiary, LLC d/b/a Forest Hills-Palm City Chapel and determined that Respondent or that the entity permitted an unlicensed individual to enter into preneed contract and failed to timely provide a refund. Prior to this matter going to hearing, the parties were able to come to a settlement in this matter, that the establishment agrees to pay a \$24,000 fine. The Department requests that the Board accept the Settlement Stipulation.

Chair Peebles – Ms. Wiener, do you need to address or here for questions?

Ms. Wiener – The latter.

Chair Peeples – Thank you, ma’am.

**MOTION:** Mr. Ferreira moved to accept the Settlement Stipulation, which provides that the Respondent agrees to pay a \$24,000 fine. Mr. Quinn seconded the motion, which passed unanimously.

Chair Peeples – Ms. Simon?

Ms. Simon – Yes, ma’am.

**2. *Stonemor Florida Subsidiary, LLC d/b/a Forrest Hills – Palm City Chapel: DFS Case Nos. 293062-22-FC and 300644-22-FC; Division Nos. ATN- 37322 and ATN-39307 (F079848)***

Ms. Simon – Ms. Wiener is still on the line representing the subject and Mr. Griffin is representing the Department.

Chair Peeples – Mr. Griffin?

Mr. Griffin – The above-referenced matter was previously presented to the Board for consideration of the motion for determination of waiver and for final order by hearing not involving disputed issues of material fact for the matter of Stonemor Florida Subsidiary, LLC doing business as Forest Hills Memorial Park. Subsequent to filing the Motion, the Department and the Respondent were able to reach an agreement in this matter. The agreement provides that the Respondent will pay a \$750 fine and have its license placed on probation for one (1) year. The Department requests that you accept this Settlement Stipulation.

Chair Peeples – Please let the record reflect Mr. Jones was on Probable Cause on D(6)(c) 1 and 2.

**MOTION:** Mr. Ferreira moved to approve the Settlement Stipulation which provides that the Respondent will pay a \$750 fine and have its license placed on probation for one (1) year. Ms. Liotta seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you, Board.

Ms. Simon – Madam Chair, if I may recall out of order now, (6)(a), which is Victor Hankins which we skipped over before as DFS Case No. 309070-23-FC.

**(6) *Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)*  
(a) *Hankins, Victor: DFS Case No.: 309070-23-FC; Division No. ATN-37322 (F044373)***

Ms. Simon – Ms. Wiener is on representing Mr. Hankins and Mr. Griffin is on for the Department.

Mr. Griffin – Marshawn Griffin for the Department. At this time the Department will issue a Notice of Voluntary Dismissal with Prejudice against Mr. Hankins, a hardcopy to be routed out shortly.

**MOTION:** Mr. Ferreira moved to accept the Notice of Voluntary Dismissal with Prejudice. Mr. Quinn seconded the motion, which passed unanimously.

Chair Peeples – Please let the record reflect Mr. Jones was on Probable Cause on D(6)(a) also.

Ms. Munson – Madam Chair?

Chair Peeples – Yes, Ms. Munson?

Ms. Munson – My internet blanked again. I did not quite hear what Marshawn’s statement was. I think it was a Notice of Voluntary Dismissal, but I need that clarified on my end, please.

Mr. Griffin – Yes, ma'am.

Ms. Wiener – It was a Voluntary Dismissal with Prejudice, Ms. Munson.

Ms. Munson – So the AC is dismissed?

Chair Peeples – Yes, ma'am.

Mr. Griffin – Yes, ma'am.

Ms. Munson – All right. Thank you all.

Ms. Wiener – Thank you.

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

Ms. Simon – Yes, ma'am. If I could have one moment.

Chair Peeples – Yes, ma'am.

***(7) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)***  
***(a) Hasley, Douglas Eric: DFS Case No. 330950-24-FC; Division No. ATN-42729 (F063975)***

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

Mr. Caracci – Thank you.

Mr. Williams – Madam Chair?

Chair Peeples – Yes?

Mr. Williams – I would like to recuse myself as I sat on Probable Cause Panel B for (7)(a), (b), (c), and (d).

Chair Peeples – Thank you, Mr. Williams. Mr. Caracci?

Mr. Caracci – Thank you. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Douglas Eric Hasley (Respondent). The Division conducted an investigation of Respondent and alleges as follows: Respondent is a licensed funeral director and embalmer, holding license number F063975. At all times material to the allegations in this case, Respondent was designated as the funeral director in charge of Ganderson Brothers Mortuary, a licensed funeral establishment holding license number F715733. Respondent aided and abetted unlicensed activity. The disciplinary guideline for this violation is as follows:

- *Count I: Aiding, assisting, procuring, employing, or advising any person to practice a profession or occupation regulated by this chapter without required licensure: Reprimand, fine of \$1,000-\$2,500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.*

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. And at this time, it would be appropriate for the Chair to entertain a motion determining that Mr. Hasley was properly served with the Administrative Complaint and had submitted a timely request for an informal hearing.

Chair Peeples – Thank you, Mr. Caracci. Is Mr. Hasley, is he on the call or a representative? Hearing no response. Board members?

**MOTION:** Mr. Jensen moved that Respondent was properly served with the Administrative Complaint and had submitted a timely request for an informal hearing. Ms. Liotta seconded the motion, which passed unanimously.

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

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

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

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

Mr. Caracci – The Department offers into evidence the investigative report with exhibits a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint.

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

Mr. Caracci – As far as a penalty the Department would be proposing a \$1,750 fine and one (1) year of probation.

**MOTION:** Mr. Ferreira moved that Respondent shall a \$1,750 fine and have its license place on one (1) year of probation. Mr. Jones seconded the motion, which passed unanimously.

***(b) SCI Funeral Services of Florida, LLC – Manasota d/b/a Manasota Memorial Park: DFS Case No. 303160-22-FC; Division No. ATN-39696 (F039508)***

Is there a representative of this entity on the call today? Hearing no response. Presenting for the Department is Mr. Griffin.

Mr. Griffin – Wendy Wiener is present.

Ms. Wiener – Wendy Wiener. Yes. Sorry. Took a minute to get the camera going.

Mr. Griffin – Marshawn Griffin for the Department. The above-referenced matter was previously presented to the Board for consideration of the Motion for Determination of Waiver and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of SCI Funeral Services of Florida, LLC – Manasota, d/b/a Manasota Memorial Park (Respondent). The Division alleges Respondent failed to engage in adequate care and maintenance of its cemetery grounds. The parties were able to reach settlement in this matter prior to hearing. Settlement provides that the Respondent will pay a \$2,000 fine. Department requests that the Board accept the Settlement Stipulation.

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

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

***(c) Related Cases - Division Nos. ATN-40474 and ATN-41079***

- 1. Carnegie, Al Jr.: DFS Case Nos. 312544-23-FC and 312546-23-FC; Division Nos. ATN-40474 and ATN-41079 (F069178)***

Ms. Simon – Is Mr. Carnegie or a representative of Mr. Carnegie on the phone today? Hearing no response. Presenting for the Department is Mr. Griffin.

Mr. Al Carnegie –Present.

Chair Peeples – Is Mr. Carnegie on the phone or on the call?

Mr. Griffin – Yes, there’s a Carnegie Funeral Home listed in the “People”. They’re the second entry on the list after LaTonya.

Mr. Carnegie – Can you hear me? I’m here.

Chair Peeples – Yes, sir. Who is participating on behalf of this entity?

Mr. Carnegie – This is Al Carnegie Jr.

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

Ms. Simon – We’re on the individual right now I believe.

Chair Peeples – Okay. Thank you, Ms. Simon. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Al Carnegie (Respondent). Respondent is the FDIC of Carnegie Funeral Home (Carnegie Funeral) a funeral establishment, license number F040948. The Division alleges Carnegie Funeral engaged in the following:

- Failed to disclose all fees and costs to a consumer
- Failed to provide a written agreement that listed, in detail, all charges assessed
- Advertised pre-need sales without the benefit of licensure

Respondent as FDIC of Carnegie Funeral is subject to discipline based on Carnegie Funeral’s violations of chapter 497, Florida Statutes. The Motion demonstrates Respondent has determined there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. At this time, it would be appropriate for the Chair to entertain a motion determining whether the Respondent has requested a hearing pursuant to Section 120.57(2) based on Respondent’s response to the Administrative Complaint.

Chair Peeples – Mr. Ferreira?

**MOTION:** Mr. Ferreira moved that Respondent has requested a hearing pursuant to Section 120.57(2) based on Respondent’s response to the Administrative Complaint. Mr. Jones seconded the motion.

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

Mr. Jensen – Yes, a quick question for Mr. Griffin. He mentioned that this motion is for if the gentleman wants an informal hearing. Is that correct?

Mr. Griffin – Yes.

Mr. Jensen – Do we need to hear from him or no?

Mr. Griffin – There’s a petition for hearing and the motion indicates that the Department is basically saying that he’s met the requirements to have an informal hearing.

Mr. Jensen – Okay.

Mr. Griffin – You can find in opposite of that, Department is requesting you don't.

Mr. Jensen – Thank you for the clarity. Thank you, Madam Chair.

Chair Peeples – You're welcome, Mr. Jensen. We have a motion and a second. Any other 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.

Mr. Griffin – Now that the Board has determined that the Respondent has requested an informal hearing in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

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

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

Chair Peeples – Ms. Munson? Ms. Munson, we have you on mute, ma'am.

Ms. Munson – I apologize for that. I'm so sorry. And Mr. Griffin, I'm just wanting to just rewind a little bit because when Mr. Jensen, or was it Mr. Jones, I don't remember who, asked if we needed to hear from the Respondent, the motion that you presented was whether or not there were findings in dispute I believe.

Mr. Griffin – I think he was asking a question about the motion as to whether or not they were requesting a 120.57(2) versus a 120.57(1).

Ms. Munson – Okay. And the Election of Rights Form references on Page 20 something else?

Mr. Griffin – No basically I think it was one of those where he was requesting whether or not we needed to ask from the Respondent whether they were requesting a 120.57(2) hearing. But I was pointing out to them that there's no need to inquire with them because the Department is already kind of asserting, he's asked for it.

Ms. Munson – He's asked for it, but the Election of Rights may say something different?

Mr. Griffin – No, it doesn't.

Ms. Munson – Okay. What does the Election of Rights say on Page 20? That is what I'm trying to clarify. I know this Election of Rights Form is a little bit different, I didn't realize there were two (2) versions of them, but yes, just wanted to make sure.

Mr. Griffin – Oh. I included the wrong EOP. I'm sorry.

Ms. Munson – Okay. Thank you.

Mr. Griffin – Sorry.

Ms. Munson – No need to apologize.

Mr. Griffin – You're right, you're right. If you want, I can pull these matters and resubmit them with the correct Elections of Proceedings, but there is one that states that he is not.



Ms. Munson – Okay. Well, just because those are the materials that the Board members have, if Mr. Carnegie stipulates to that or if you feel that there may not be necessary. I just needed that clarification because what was being said didn't match what I was looking at. So yes.

Mr. Griffin – I apologize.

Ms. Munson – However you proceed, but I needed to at least advise the Board of what the material said as opposed to what the record may reflect. Okay. I'm quiet.

Chair Peeples – Thank you, Ms. Munson.

Ms. Munson – So did the Board understand what I just said? On Page 20 of your materials for this particular Respondent, the Election of Rights form indicates that he was disputing the facts but the motion by the Department was that he was not disputing the facts. And Mr. Griffin has just identified that that Election of Rights form that you have in your materials is not the correct one, because he has subsequently submitted a second Election of Rights Form where he indicates he does not dispute material facts. So that's just where we were with it, and I just wanted that clarification. I don't know if anyone else was looking at the documents I was looking at, so yes.

Mr. Carnegie – [Inaudible] I don't know if I'll get a chance to speak so I can clarify.

Chair Peeples – Ms. Munson or Mr. Griffin, before we do a motion here at this third item, would it be appropriate to swear in Mr. Carnegie and see if he has any items, he'd like to address the Board with, or should we wait after this motion?

Mr. Griffin – You know, I think what we could do is honestly I can just pull it. I'll just pull both of these matters and then resubmit them to the June meeting of the Board with appropriate documentation if there's no objections from Mr. Carnegie. Because there is an email and a subsequent Election Of Proceeding, and I want them to be in the record that way it's very clear in case there's an appeal.

Chair Peeples – Thank you, Mr. Griffin. Mr. Carnegie, did you hear Mr. Griffin's comment about pulling both of these cases from this meeting so that the Board members can have the subsequent documents that you presented to them? Are you okay with that, sir?

Mr. Carnegie – Yes. Yes, ma'am. Yes, ma'am.

Chair Peeples – And Ms. Munson, do we need to swear him in to get that comment?

Ms. Munson – No, ma'am, that's fine. I mean, it's on the record. Yes, it's fine. Thank you.

Chair Peeples – Okay. Thank you. Mr. Carnegie, thank you for participating today, but these two (2) cases are going to be pulled from the agenda today. Okay, sir?

Mr. Carnegie – Okay. So, when do we come back before the Board?

Chair Peeples – The Board Office or General Counsel's Office will be in touch with you, sir.

Mr. Carnegie – Okay.

Mr. Griffin – Mr. Carnegie, I intend to have them on the June Board meeting. And I apologize to the Board and Mr. Carnegie for the mistake.

Mr. Carnegie – Ok, because we had sent the paperwork in stating what went wrong with the preneed situation and I don't know if you ever got it when we changed over and that's what has got us puzzled.

Chair Peeples – Mr. Carnegie, if you would, sir, if you'll just kind of speak with Mr. Griffin in the Office of General Counsel they can kind of discuss this with you. Okay, sir?

Mr. Carnegie – All right. Thank you.

Chair Peeples – Yes, thank you. Ms. Simon?

Ms. Simon – Yes, ma'am.

**2. Carnegie Funeral Home: DFS Case Nos. 312543-23-FC and 312545-23-FC; Division Nos. ATN-40474 and ATN-41079 (F069178)**

Ms. Simon – This matter has been withdrawn.

**(d) Related Cases - Division No. ATN-41365**

**1. River City Crematory Inc.: DFS Case No.: 316194-23-FC; Division No. ATN-41365 (F186222)**

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. Presenting for the Department is Ms. Marshall.

Ms. Marshall – Think you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of River City Crematory Inc. (Respondent). The Division alleges conducted an investigation of Respondent and alleges as follows: Respondent is a licensed cinerator facility, holding license number F186222. Respondent failed to maintain one of its retorts in a good working condition and failed to maintain logs of temperature measurements and continuous monitoring. The disciplinary guideline for this violation is as follows:

- *Counts I and II: failing to perform any statutory or legal obligation placed upon a licensee, first offense: Reprimand, fine of \$250 to \$2,500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.*

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. At this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and timely submitted a request for an informal hearing.

**MOTION:** Ms. Clay moved that Respondent was properly served with the Administrative Complaint and timely submitted a request for an informal hearing. Mr. Ferreira seconded the motion, which passed unanimously.

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

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

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

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

Ms. Marshall – The Department offers into evidence the investigative report with exhibits a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of the fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint.

**MOTION:** Mr. Ferreira moved to find that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint. Mr. Jones seconded the motion, which passed unanimously.

Ms. Marshall – And as to penalty recommendation in this case, the Department’s recommendation is a \$3,000 fine and one (1) year of probation.

**MOTION:** Mr. Ferreira moved that the Respondent shall pay a \$3,000 fine and have its license placed on a one-year probation. Mr. Jensen seconded the motion, which passed unanimously.

Chair Peebles – Thank you, Ms. Marshall.

## **2. Williams, Joyce Wynelle: DFS Case No. 316197-23-FC; Division No. ATN-41365 (F311941)**

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

Ms. Marshall – Thank you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Joyce Wynelle Williams (Respondent). The Division alleges conducted an investigation of Respondent and alleges as follows: Respondent is a licensed direct disposer, holding license number F311941. At all times material to the allegations in this case, Respondent was designated as the direct disposer in charge of River City Crematory, a licensed cinerator facility holding license number F186222. This facility failed to maintain its retort in proper working order and failed to maintain records of temperature measurements and continuous monitoring in its retorts. As direct disposer in charge, Respondent failed to ensure that the facility and all persons employed therein complied with all applicable laws and rules. The disciplinary guideline for this violation is as follows:

- *Counts I-II: engaging in fraud, deceit, negligence, incompetency, or misconduct in the practice of a regulated activity: Reprimand, fine of \$1,000 to \$2,500 plus costs. In addition, probation for 6 months to 1 year, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.*

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. At this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing.

**MOTION:** Mr. Jones moved that Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing. Mr. Ferreira seconded the motion, which passed unanimously.

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

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

Ms. Marshall – Department offers into evidence the investigative report with exhibits a copy of which has previously been furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint.

**MOTION:** Mr. Ferreira moved to find that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint. Ms. Clay seconded the motion, which passed unanimously.

Ms. Marshall – Now as to penalty, we are recommending a fine of \$3,000 and one year of probation.

**MOTION:** Mr. Ferreira moved that Respondent shall pay a fine of \$3,000 and have its license placed on a one-year probation. Mr. Jensen seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Marshall.

Ms. Marshall – Thank you, Madam Chair.

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

**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) Education Workers Group (11208)**
- (b) Independent Education Institute (135)**
- (c) SCI Management – Dignity University (99)**
- (d) The Independent Funeral Group (55808)**
- (e) WebCE (43)**
- (f) Wilbert Funeral Services (39408)**

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

**MOTION:** Mr. Jensen moved to approve the applications. Mr. Quinn seconded the motion, which passed unanimously.

**G. Consumer Protection Trust Fund Claims**

**(1) Recommended for Approval without Conditions – Addendum C**

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

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

**H. Application(s) for Embalmer Apprentice**

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

- (a) Amaker Jr., Woodrow F512018**
- (b) Lane, Allyson D F847952**

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.

**I. Application(s) for Florida Laws and Rules Examination**

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

- (a) Funeral Director (Internship)**
  - 1. Neree, Kirstyn G**
- (b) Funeral Director and Embalmer (Endorsement)**
  - 1. Fluker, Jasmine H**

2. *McGriff, Justin L*
3. *Messer, Kelsey L*
- (c) *Funeral Director and Embalmer (Internship and Exam)*
  1. *Barthe, Jennifer D*
  2. *Cook, Lyndon L*
  3. *McDonald, Aubrey K*

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

- (2) *Recommended for Approval with Conditions (Criminal History)*
  - (a) *Davis, Kecia L*

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

Ms. Kecia Davis – Yes, I am.

Ms. Simon – Thank you, Ms. Davis. An application for combination funeral director and embalmer license endorsement license was received on February 24, 2025. The application was deemed complete once reviewed and processed. However, there was a delay in processing the payment in the finance and accounting section because the payment was not initially found when the application was received and distributed by the Department’s mail room, which was later corrected and receipted on 4/2/25. In review of the application, Ms. Davis answered “Yes” to the criminal history question and submitted the criminal history form and court documentation along with her application. On or around February 18, 2025, Ms. Davis was charged with and plead guilty to driving under the influence unlawful blood alcohol level (*DUI*), a misdemeanor. Ms. Davis was sentenced to 12 months’ probation with possibility of early termination after 6 months if in full compliance, driver’s license suspended for six (6) months, required to enroll and complete DUI school, fifty (50) hours community service with a buyout option, fines and court costs assessed. The Division recommends approval with the condition of one (1) year probation due to the recency of the criminal violation.

Chair Peeples – Thank you. Ms. Davis, if you would like to address the Board, we need to swear you in, please ma’am. Ms. Simon?

Ms. Simon – Please raise your right hand.

Ms. Davis – I don’t have any.

Ms. Simon – Okay. She has no comments, Madam Chair.

Chair Peeples – Okay. Thank you. Board members?

**MOTION:** Mr. Williams moved to approve the application with the condition of one (1) year probation due to the recency of the criminal violation. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Davis. Good luck.

Ms. Davis – Thank you.

- J. **Application(s) for Internship**
  - (1) *Informational Item (Licenses Issued without Conditions) – Addendum F*
    - (a) *Funeral Director Intern*
      1. *Andrews, Santrel M F850822*
    - (b) *Funeral Director & Embalmer (Concurrent)*
      1. *Cook, Inga S F850777*
      2. *Flowers, Austin P F555633*

3. *Lewis, Emma A*
4. *Towriss, Lauren B F850778*

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

- (2) *Request to Renew Internship*
  - (a) *Recommended for Approval without Conditions*
    1. *Funeral Director & Embalmer (Concurrent)*
      - a. *Rahn, Susan G F758433*

Ms. Simon – Is Susan Rahn here today or a representative of Ms. Rahn’s? Hearing no response. An application to renew the concurrent internship license due to illness, hardship, or awaiting results was received by the Division on March 12, 2025. Once received, the application was deemed complete and processed. The applicant was licensed as a concurrent intern pursuant to 69K-18.003 (6), Florida Administrative Code, which only permits one (1) internship in a lifetime. Ms. Rahn’s concurrent intern license expired on March 18, 2025, and the application to renew was received timely. The Division recommends the approval.

Mr. Williams – I have a question.

Chair Peeples – Mr. Williams?

Mr. Williams – Ms. Simon, in reference to cases like this because they come often to renew. What is the justification to approve this one when some other times we have had a lot of debate about not approving applications such as this coming back before the Board?

Ms. Simon – That is an excellent question, Mr. Williams. Oftentimes when we receive requests of this nature, they are beyond the time limit of the period of an internship. So, the request is made after the internship has expired. In this matter, the internship has not expired. Therefore, the Division is recommending approval.

Mr. Williams – And Madam Chair, may I have a follow-up.

Chair Peeples – Yes, sir.

Mr. Williams – So is the applicant aware of this with coming before the Board? Because I think it show good cause, a good effort at least, coming before the Board to share and see what was written and what was forgotten but at least having the Board the opportunity to have more discussion, conversations about what took place and let them know the severity of it because it’s something that we don’t offer often. And I’m just in that state of mind maybe. And I may be the only one that see it like that but that’s just my comment. I didn’t know if the applicant was aware was on the Board agenda or not.

Ms. Simon – Again, an excellent question. If you’ll notice in the item, there are two (2) responses from – well, there’s a response and somebody speaking on behalf of the requester. I believe that the requester did know that this was going to be on the agenda as each applicant is notified.

Mr. Williams – Okay. Thank you.

Chair Peeples – Board members, any other discussion or what is your pleasure?

**MOTION:** Mr. Jones moved to approve the application. Mr. Ferreira seconded the motion, which passed with one (1) dissenting vote.

- K. *Applications(s) for Registration as a Training Agency*
  - (1) *Informational Item (Licenses Issued without Conditions) – Addendum G*
    - (a) *Foundation Partners of Florida, LLC dba Baldwin Brothers (Fort Myers)*

- (b) Foundation Partners of Florida, LLC dba Baldwin Brothers (New Smyrna Beach)*
- (c) Paradise Funeral Home and Chapel (Oakland Park)*

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.

**L. Application(s) for Funeral Establishment**  
**(1) Recommended for Approval with Conditions**  
**(a) Gates Funeral Home, LLC (Clermont)**

Ms. Simon – Is there a representative of Gates Funeral Home on the call today? Hearing no response. A new application funeral establishment licensure was received on March 26, 2025. The applicant Gates Funeral Home, LLC has met all the requirements for the application process by providing a completed application. The funeral director in charge will be Everett E. Gates (F335119). A background check of the principal, Everett E. Gates, did not reveal any relevant criminal history. The page on the application that questions a visitation chapel on your packet, the response is Yes. However, after discussions with Mr. Gates, Mr. Gates submitted another Page 5, which indicates that they do not have a visitation chapel. The Division recommends approval subject to the condition that the establishment pass an onsite inspection by a member of Division staff.

**MOTION:** Mr. Ferreira moved to approve the application subject to the condition that the establishment passes an inspection by a member of Division Staff. Ms. Liotta seconded the motion.

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

Mr. Jensen – Yes. Is it possible Mr. Ferreira would add that we verify during the initial inspection that there's no embalming room onsite because the FDIC is just a funeral director only?

Chair Peeples – Ms. Simon?

Ms. Simon – Upon discussions with Mr. Gates I determined that there is no preparation room onsite. However, if that's part of the condition of this we will check that out during the inspection, as the inspection has not yet been conducted.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes, my question was to Mr. Ferreira if he's willing to possibly make his motion dependent upon that. I just got a little bit of a problem with just a funeral director being FDIC and they do offer embalming, but they say there's no prep room onsite. So technically they can get away with that. I'm not exactly in agreement with that but I would like it verified.

Chair Peeples – Mr. Ferreira, will you amend your motion, sir?

Mr. Ferreira – Yes, I'll amend my motion.

Chair Peeples – Ms. Liotta, do you accept that amendment?

Ms. Liotta – Yes, I do.

Chair Peeples – Okay. We have a motion to approve the application with condition of inspection and to confirm there's no embalming onsite. 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.

- (b) Lotus Cremation LLC, d/b/a Lotus Funeral Service (Palm Coast)*



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

Ms. Nina Guiglotto – Yes. I am here, Nina Guiglotto.

Ms. Simon – Thank you, Ms. Guiglotto. An application for funeral establishment licensure was received on February 26, 2025. The applicant Lotus Cremation LLC has met all the requirements for the application process by providing a completed application. The funeral director in charge will be Beth Ann McCutchen Canney (F342845). A background check of the principal, Nina Guiglotto, did not reveal any relevant criminal history. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of Division Staff.

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

Chair Peeples – Thank you, ma’am, for attending.

Ms. Guiglotto – I have a question. Can I ask a question?

Chair Peeples – If it is something regarding the inspection or the process, would you be able to talk with the Board Office after the meeting?

Ms. Guiglotto – Okay. Just that I had the inspection, so that was my question. Do I need another one? That was it.

Chair Peeples – The Board Office will be able to direct you, ma’am, if that’s okay to continue that question after the meeting.

Ms. Guiglotto – Okay.

Chair Peeples – Thank you.

**M. Application(s) for Refrigeration Facility**  
**(1) *Recommended for Approval with Conditions***  
**(a) *Island Bird LDT LLC (Miami)***

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for refrigeration facility licensure was received on December 11, 2024. The applicant Island Bird LDT LLC has met all the requirements for the application process with a completed application on 03/28/2025. A background check of the principal, Randy Hicks, did not reveal any 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. Ferreira moved to approve the application subject to the condition that the facility passes an inspection by a member of Division Staff. Ms. Liotta seconded the motion.

Chair Peeples – Is there any discussion on the motion?

Mr. Ferreira – I’ve got a question.

Chair Peeples – Yes, Mr. Ferreira?

Mr. Ferreira – Is this refrigeration facility connected to a crematory or do we know?

Chair Peeples – Ms. Simon?

Ms. Simon – I don’t have that answer for you right now, Mr. Ferreira, but if you call me after the Board meeting, I’ll be able to let you know.

Mr. Ferreira – Okay.

Chair Peebles – Mr. Jensen?

Mr. Jensen – Yes, just a question. In the Board packet, it states that this person has had a license revoked or suspended before. They checked, yes. Do we have any information on that?

Ms. Simon – I’m not sure which matter you’re speaking of sir. With the one we just took a vote on, or which one?

Mr. Jensen – No, Island Bird.

Ms. Simon – Okay.

Mr. Jensen – That’s where we’re at, right?

Ms. Simon – That is adverse licensing history, and I don’t see criminal history on the application.

Mr. Jensen – Hang on. I’ll tell you what page. It’s Page 5. “Have you ever had a death care industry license revoked, suspended, fined?” And they answered, yes.

Ms. Simon – Yes, sir. And that was mentioned on the Adverse Licensing Action History Form on Page 15 of your Board package that there was a fine.

Mr. Jensen – Okay. Did not see that, so let me look. Oh, yes, I see it now. Thank you.

Ms. Simon – Yes, sir.

Chair Peebles – We have a motion, and we have a second. Is there any further discussion on the motion? Hearing none. All in favor of the motion, say Yes.

Board members [unison] – Yes.

Chair Peebles – All opposed, say No. Motion carries.

Ms. Simon – Could I just have one moment, ma’am?

Chair Peebles – Yes, ma’am.

Ms. Simon – Mr. Ferreira, in response to your question, it does not appear that they own a cinerator license. And on Page 13 of the application, it states the only other type of licensure they have is a removal service.

Mr. Ferreira – Thank you.

Ms. Simon – I hope that responds adequately to your question.

- N.      **Application(s) for Removal Service**  
          **(1) Recommended for Approval with Conditions**  
          **(a) Bay to Bay Mortuary Transport LLC (Tampa)**

Ms. Simon – Is there a representative of Bay to Bay Mortuary Transport LLC on the call today?

Ms. Laura Spaulding – Yes, ma’am. Laura Spaulding present.

Ms. Simon – Thank you, Ms. Spaulding. A new completed application for removal service licensure was received on April 1, 2025. The applicant Bay to Bay Mortuary Transport LLC has met all the requirements for the application process. A background check of the principal, Laura Spaulding, did not reveal any relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff.

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

*(b) Parkway Global LLC, d/b/a Serenity Transit Care (Boca Raton)*

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

Mr. Gary Badgett – Yes. Gary Badgett here.

Ms. Simon – I’m sorry. Can you state your name, please, again, sir?

Mr. Badgett – Gary Badgett.

Ms. Simon – Thank you, Mr. Badgett. The application for removal service licensure was received on or about March 13, 2025. While deficient when originally received, the application was complete as of April 13, 2025. A background check of the principal Mr. Gary Badgett did not reveal any relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff.

**MOTION:** Ms. Liotta moved to approve the application subject to the condition that the removal service passes an inspection by a member of Division Staff. Ms. Clay seconded the motion.

Chair Peeples – Is there any discussion on the motion? Hearing none. Mr. Jensen?

Mr. Jensen – Yes, quick question. It says that his services will be offered to the general public. As a removal service can they do that?

Chair Peeples – Ms. Simon?

Ms. Simon – It’s a very good question. I am afraid I do not know the answer to that. If you had asked me about any other type of licensure at this moment, I could’ve answered you. But when it comes to removal service – if I could just –

Mr. Jensen – It’s on Page 5 under Miscellaneous Matters.

Ms. Simon – Okay. If I could just have one moment.

Chair Peeples – Yes, ma’am.

Ms. Simon – What question is that Mr. Jensen?

Mr. Jensen – Well, under Miscellaneous Matters it says, “If this application is approved the removal service offer its services to the general public” the answer checked is Yes. My understanding of removal service is they’re a contractor for facilities, licensed facility.

Ms. Simon – If I could have just one more, ma’am.

Chair Peeples – Yes, ma’am.

Ms. Lisa Coney – I may be able to help. Check 497.385, Removal Services.

Chair Peeples – Who is speaking, please?

Ms. Coney – I’m sorry. This is Lisa Coney.

Ms. Simon – If I may provide that to the Board, I’d appreciate it.

Ms. Coney – Okay.

Ms. Simon – Under 497.385, according to the application it is under (1)(i) and (i) states that this entity cannot contract with the general public. Mr. Jensen raises a point, a valid point. We have a couple of options here. You can table, but we would recommend not tabling this matter. However, here I would recommend either you deny based on that or you approve with subject to the condition that the Division contacts the applicant and ensures that they will not offer their services to the general public.

Chair Peeples – Ms. Munson, do you have any comment for the Board members?

Ms. Simon – You’re on mute, Ms. Munson.

Chair Peeples – Ms. Munson, we have you on mute, ma’am.

Ms. Munson – I couldn’t get back to my own screen, my computer was buffering. I apologize for that. I heard the question if I had any comments regarding what the Board’s options were. Ms. Simon is correct, a denial because of that may – having a denial on this individual record for what may be a misstatement, the approval with a condition will be preferable to avoid such a history created for this particular applicant.

Chair Peeples – Thank you, Ms. Munson.

Ms. Munson – Yes.

Chair Peeples – We have a motion by Ms. Liotta and a second by Ms. Clay to approve with a condition of inspection. Ms. Liotta, would you like to amend your motion in any way?

Ms. Liotta – Yes, I’d like to amend it to be with the second option so that we approve conditional on verification.

Ms. Clay – I agree.

Chair Peeples – So we have an amended motion by Ms. Liotta and a second by Ms. Clay. Is there any other 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.

*(2) Recommended for Approval without Conditions*  
*(a) Walt Mortuary Transport Service, LLC (Auburndale)*

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

Ms. Brittany Porn – Yes. Brittany Porn.

Ms. Simon – Thank you, ma’am. A completed application for removal service licensure was received on March 31, 2025. The applicant Walt Mortuary Transport Service, LLC has met all the requirements for the application process. A background check of the principal Ms. Brittany M. Porn did not reveal any relevant criminal history. Inspection of business completed on April 14, 2025. The Division recommends approval without conditions.

**MOTION:** Mr. Ferreira moved to approve the application. Mr. Chapman seconded the motion, which passed unanimously.

Chair Peeples – Thank you, ma’am.

Ms. Porn – Thank you.

**O. Contract(s) or Other Related Form(s)**

**(1) Recommended for Approval without Conditions**

**(a) Preconstruction Performance Bond**

**1. SCI Funeral Services of Florida, LLC d/b/a Hillsboro Memorial Gardens (Brandon)**

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

Ms. Coney – Yes, ma’am. Lisa Coney. I’m not able to get my camera on.

Ms. Simon – Thank you, ma’am. This entity intends to add an additional 336 niches to the remainder of the site crypt and walls and will be increasing the curve bond in the amount of \$159,000. The cemetery agrees to complete the construction in accordance with the terms of Ingram Construction Company terms of the agreement. The Division recommends approval of the aforementioned preconstruction performance bond without condition.

**MOTION:** Mr. Ferreira moved to approve the preconstruction performance bond. Mr. Chapman seconded the motion, which passed unanimously.

Ms. Coney – Thank you.

Chair Peeples – Thank you, Ms. Coney.

**(2) Recommended for Approval with Conditions**

**(a) Preneed Sales Agreement**

**1. Independent Funeral Directors of Florida Inc (IFDF) (Tallahassee)**

Ms. Simon – Is there a representative of that entity on the call today? IFDF submits a revised preneed cemetery sales agreement for approval: Cemetery Interment Rights, Merchandise and Services Purchase Agreement. If approved, this agreement will be used for the sale of preneed by various licensed preneed locations. The Division recommends approval subject to the condition that two (2) full-sized print-ready copies of the revised preneed sales agreement are received by the Department within sixty (60) days of this Board meeting.

**MOTION:** Mr. Jones moved to approve the agreement subject to the condition that two (2) full-sized print-ready copies of the revised preneed sales agreement are received by the Department within sixty (60) days of this Board meeting. Mr. Ferreira seconded the motion, which passed unanimously.

**(b) Request for Transfer(s) of Trust**

**1. Live Oak Memorial Park LLC d/b/a Resthaven Memorial Gardens LLC (F069162 and F077769)  
(Crestview and Pensacola)**

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

Mr. Chapman – Yes. Madam Chair, I need to recuse myself from this. These are my two (2) properties.

Chair Peeples – Thank you, Mr. Chapman.

Ms. Simon – Is there any other representative on the call? Live Oak and Resthaven seek approval of the proposed trust asset transfers that are mentioned within your packets in that Live Oak and Resthaven seek approval of the transfer of the following trust accounts: the FSI 1993 Trust Agreement (dated 7/14/93) (70/30 trust) to the First Amended and Restated Agreement and

Declaration of Trust of IFDF Master Trust Fund Agreement (dated 2/1/19); and the FSI Master Care and Maintenance Trust Agreement (dated 5/5/94) to the Agreement and Declaration of Trust of IFDF Inc Master Cemetery Care and Maintenance Trust Fund agreement (dated 2/6/25), under Argent Trust Company Argent. If approved, Argent will continue to be the trustee, all as more specifically set out in attached correspondence. The Division recommends approval subject to the following conditions:

- 1) That the representations of Live Oak, as set forth in the representative's correspondence dated 3/13/25, be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board Meeting Argent provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
  - ⦿ A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b)), to act as trustee of the trust to be transferred pursuant to the representative's correspondence, dated 3/13/25.
  - ⦿ A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in the representative's attached correspondence, dated 3/13/25.
  - ⦿ Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in the representative's attached correspondence, dated 3/13/25.
- 3) That the Board's Executive Director, for good cause shown, may extend the compliance time frame for the above specified conditions, an additional ninety (90) days.

**MOTION:** Mr. Ferreira moved to approve the agreement subject to the conditions recommended by the Division. Mr. Jensen seconded the motion, which passed unanimously.

## ***2. Rose Hill Cemetery Company LLC (F039451) (Tampa)***

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. Rose Hill seeks approval of the transfer of the FSI Master Care and Maintenance Trust Agreement (dated 11/7/24) to the FSI Master Care and Maintenance Trust Agreement Participation and Servicing Agency Agreement (dated 2/11/25), under Argent Trust Company (Argent). If approved, Argent is or will continue to be the trustee, all as more specifically set out in attached correspondence. The Division recommends approval subject to the following conditions:

- 1) That the representations of Rose Hill, as set forth in the representative's correspondence dated 3/14/25, be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board Meeting Argent provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
  - A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b)), to act as trustee of the trust to be transferred pursuant to the representative's correspondence, dated 9/25/2024.
  - A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in the representative's attached correspondence, dated 3/14/25.
  - Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in the representative's attached correspondence, dated 3/14/25.
- 3) That the Board's Executive Director, for good cause shown, may extend the compliance time frame for the above specified conditions, an additional ninety (90) days.

**MOTION:** Mr. Ferreira moved to approve the agreement subject to the conditions recommended by the Division. Mr. Williams seconded the motion, which passed unanimously.

Mr. Williams – Madam Chair?

Chair Peoples – Yes, Mr. Williams.

Mr. Williams – I don't have no issue, just a grammatical error on the last two (2). I think it should say that of Division's Executive Director and not the Board's.

Chair Peebles – Ms. Simon?

Mr. Williams – On Number 3 –

Ms. Simon – Yes, sir.

Mr. Williams – – it just should say Division’s Executive Director.

Ms. Simon – Actually in this matter I think that – I’m not sure if the statute says differently but I think in this matter it is the Board’s Executive Director.

Mr. Williams – Okay.

Ms. Simon – And that is Ms. Schwantes.

Ms. Munson – Technically, the Board itself doesn’t have an Executive Director.

Mr. Williams – Right.

Ms. Munson – I know what you’re saying, Mr. Williams. [inaudible] double-check to see what the statute says.

Ms. Simon – I apologize. I thought that the Board has an Executive Director, and the Division has a director [multiple speakers] the same person.

Ms. Munson – I would not know who the Board’s Executive Director is if the Board has one is what I will say.

Ms. Simon – May I continue with the rest of the agenda?

Chair Peebles – Yes, ma’am.

**P. Executive Director’s Report**  
**(1) Operational Report (Verbal)**

Ms. Simon – Ms. Schwantes was unable to attend this meeting today.

**(2) FCCS Financial Statements (Informational)**

Ms. Simon – The financials have been presented to the Board for independent review. If you have any questions regarding those financials, please contact Ms. Schwantes.



**DIVISION OF FUNERAL, CEMETERY, AND CONSUMER SERVICES**  
**Regulatory Trust Fund (RTF) Balance Sheet**  
**Fiscal Years 2017-2018 through 2023-2024**

	Actual FY 2017-2018	Actual FY 2018-2019	Actual FY 2019-2020	Actual FY 2020-2021	Actual FY 2021-2022	Actual FY 2022-2023	Actual FY 2023-2024	Projected FY 2024-2025
<b>Beginning Balance</b>	\$ 5,084,820	\$ 5,093,900	\$ 5,242,194	\$ 5,041,671	\$ 5,335,594	\$ 5,662,033	\$ 6,202,967	\$ 6,166,675
<b>Revenues<sup>1</sup></b>								
Premised Fees	648,991	679,846	660,768	676,680	891,540	662,918	738,598	870,016
Other Fees <sup>2</sup>	262,306	721,449	264,362	809,580	297,696	796,294	268,740	724,792
Licenses	1,868,595	1,636,214	1,838,185	1,716,347	1,820,363	1,738,926	1,960,130	1,843,908
Fines and Penalties	106,015	112,254	88,476	181,000	183,379	105,610	183,937	113,385
Interest Earnings	89,509	120,702	171,032	80,418	45,938	99,618	168,417	235,790
Sale of Goods/Services (Public Records)	5,930	6,330	5,328	6,522	6,920	7,483	5,127	26,000
Sale of Vehicle	-	-	-	-	-	-	-	-
Refunds	173	650	161	-	512	1,643	887	1,000
<b>Total Revenue</b>	\$ 3,061,509	\$ 3,281,546	\$ 3,028,331	\$ 3,470,549	\$ 3,346,347	\$ 3,412,497	\$ 3,346,296	\$ 3,813,881
<b>Less Expenditures<sup>3</sup></b>								
Operating Category								
Operating (Based on Historical expenditures and currently approved budget)	(2,043,221)	(2,164,513)	(2,254,230)	(2,161,634)	(2,106,910)	(2,197,381)	(2,424,638)	(2,005,182)
Total Operating Category	(2,043,221)	(2,164,513)	(2,254,230)	(2,161,634)	(2,106,910)	(2,197,381)	(2,424,638)	(2,005,182)
Non-Operating Category								
Transfer to Administrative Trust Fund (DPS Agency Support)	(656,057)	(709,606)	(733,842)	(875,000)	(542,303)	(401,399)	(706,238)	(991,738)
State Refunds (Refunds to licensees on overpayments, etc.)	(7,332)	(4,927)	(1,296)	(3,909)	(2,498)	(2,843)	(3,771)	(5,000)
Service Charge to General Revenue (Revenue Fee payable to General Revenue)	(241,589)	(258,470)	(243,208)	(276,638)	(258,008)	(205,152)	(242,808)	(205,630)
Other Adjustments (Administrative Assessment/Treasury Matters)	(6,042)	(5,912)	(6,228)	(5,611)	(6,519)	(6,706)	(7,415)	(15,797)
Total Non-Operating Category	(911,020)	(979,515)	(984,574)	(1,161,152)	(811,329)	(676,100)	(960,192)	(1,217,565)
<b>Total Expenditures</b>	\$ (2,954,241)	\$ (3,144,028)	\$ (3,238,804)	\$ (3,322,786)	\$ (2,918,239)	\$ (2,873,481)	\$ (3,407,630)	\$ (3,222,747)
Accounting Adjustments (Prior Year Certified Reversions and other adjustments)	12,406	11,163	9,964	46,140	38,141	1,048	26,205	11,629
<b>Ending Balance</b>	\$ 5,060,900	\$ 5,242,194	\$ 5,041,671	\$ 5,335,594	\$ 5,662,033	\$ 6,202,967	\$ 6,166,675	\$ 5,669,438

<sup>1</sup>Revenues include fees from e-commerce transactions, certifications, exams, filings, fingerprints, inspections, unlicensed activity, and fees collected for preneed contracts; licensees for a variety of services including preneed sales agents, preneed branches, monument dealers, embalmers, embalming facilities, cremator facilities, cemeteries, funeral directors, funeral establishments, etc.; interest earnings on investments; and penalties.

<sup>2</sup>Other Fees include unlicensed activity fees, licensing examination fees, application fees, license replacement fees, convenience fees (credit cards), and annual inspection fees.

<sup>3</sup>Operating Category Expenditures for prior years represent actual expenditures. The amount provided for the current fiscal year is the current approved budget.

Prepared by the Office of Budgeting, Department of Financial Services for the Division of Funeral, Cemetery, and Consumer Services  
 Date: 03/11/2025

**DIVISION OF FUNERAL, CEMETERY, AND CONSUMER SERVICES**  
**Preneed Funeral Contract Consumer Protection Trust Fund (CPTF)**  
**Historical Information 7/1/2012 - 6/30/2024**

	FY 2012-2013	FY 2013-2014	FY 2014-2015 <sup>1</sup>	FY 2015-2016 <sup>2</sup>	FY 2016-2017 <sup>3</sup>	FY 2017-2018 <sup>4</sup>	FY 2018-2019 <sup>5</sup>	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024
<b>Beginning Balance (From prior year Total Balance/General Ledger)</b>	\$ 9,350,598	\$ 8,409,880	\$ 8,597,283	\$ 8,810,132	\$ 8,763,843	\$ 8,623,677	\$ 8,801,621	\$ 8,880,562	\$ 9,233,858	\$ 9,367,879	\$ 9,588,918	\$ 9,451,709
<b>Revenues</b>												
Premised Fees	338,041	343,248	515,476	517,444	520,574	517,846	514,795	530,092	512,891	548,380	530,802	524,228
Interest Earnings	254,791	93,128	5,889	544,991	547,710	157,182	257,376	298,512	580,521	79,405	145,044	263,814
Penalties	-	-	-	-	-	-	-	-	-	-	-	93,755
<b>Total Revenue</b>	\$ 592,832	\$ 436,376	\$ 521,365	\$ 1,062,435	\$ 1,068,284	\$ 675,028	\$ 772,171	\$ 828,604	\$ 1,093,412	\$ 627,785	\$ 675,846	\$ 881,808
<b>Less Expenditures:</b>												
CPTF Debt Payments	(81,206)	(81,432)	(193,332)	(169,407)	(167,416)	(197,446)	(287,382)	(175,438)	(117,374)	(184,476)	(209,435)	(189,746)
Administrative Assessment on Investments (Treasury Investment Charges)	(9,488)	(10,145)	(10,449)	(10,444)	(10,543)	(10,599)	(10,694)	(10,894)	(11,542)	(11,754)	(11,744)	(11,494)
Refunds	-	-	-	(674)	(76)	(29)	(29)	-	-	-	-	-
<b>Total Expenditures</b>	\$ (90,694)	\$ (91,577)	\$ (203,781)	\$ (180,421)	\$ (178,035)	\$ (208,074)	\$ (298,005)	\$ (186,332)	\$ (128,916)	\$ (196,230)	\$ (221,179)	\$ (201,240)
<b>Estimated Ending Balance</b>	\$ 9,259,894	\$ 8,654,499	\$ 8,447,254	\$ 9,751,968	\$ 9,275,297	\$ 8,981,341	\$ 9,295,296	\$ 9,302,844	\$ 9,398,471	\$ 9,421,844	\$ 9,447,243	\$ 9,445,734
<b>Other Adjustments</b>	35,699	(6,170)	8,777	(5,763)	880	(525)	(13,719)	8,392	9,498	(14,490)	4,878	18,235
<b>Actual Ending Balance (From Total Balance/General Ledger)</b>	\$ 9,409,900	\$ 8,597,283	\$ 8,456,032	\$ 9,745,205	\$ 9,275,677	\$ 8,981,816	\$ 9,401,577	\$ 9,311,236	\$ 9,407,970	\$ 9,388,410	\$ 9,455,798	\$ 9,713,809

Large Refunds/Overages/License Reversions Impacting CPTF Debt Payments

<sup>1</sup> FY 2014-2015 - Brent Funeral Services, LLC &/vs Brent Funeral Chapel

<sup>2</sup> FY 2014-2015 - Ark Funeral Services, Inc., and America National Inc Corporation &/vs Ark

<sup>3</sup> FY 2015-2016 - Cunningham's Funeral Home, and SA Stevens Funeral Home, P.A.

<sup>4</sup> FY 2016-2017 - Cemetery Professionals, LLC (Seaside Memorial Gardens)

<sup>5</sup> FY 2017-2018 - Cemetery Professionals, LLC (Seaside Memorial Gardens)

<sup>a</sup> Difference between adjusted appropriation and actual expenditures (source: 1996-97)

PROJECTED REGULATORY TRUST FUND BALANCES (with NO projected additional operating expenses)<sup>1,2</sup>

<sup>3</sup> Assumes revenue and expenditures do not change after 2027. Additionally, assumes NO changes to information technology or FCCS infrastructure. Projected Operating Expenditures for FY 2025-2026 assumes funding of Legislative Budget Request

Ms. Simon – This is informational only.

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	Integrity Funeral Home and Cremations, Inc.	5-Dec-24	325251-24-FC	\$1,500	13-Mar-25	Paid in Full	
	Oaklawn Park, Inc., db/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. db/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		
	Donna Mullins-Prince	11/7/2024	315262-23-FC	\$1,000	20-Jan-25	Sent to OGC	
	The Caïsson Team	11/7/2024	315262-23-FC	\$2,500		Paid in Full	
	Leon White Transport Service	18-Jun-24	315262-23-FC	\$500	2-Sep-24		
					March 10, 2024-extended FOR six monthly payments-monthly payments never made		
	Holmes Funeral Directors	1-Jan-24	307465-23-FC	\$8,250		Paid in Full	

ES 4-21-25

#### Q. Chair's Report (Verbal)

Ms. Simon – Madam Chair?

Chair Peebles – Thank you, Ms. Simon. Just couple of items. I would like to thank the Probable Cause members, Panel A and Panel B and Mr. Jones and Mr. Williams, y'all participate on behalf as Board members. So, thank you for what y'all do and for the other members that are part of those committees as well as the Continuing Education Committee, I'd like to thank them for their participation. And one item that I found because I know we've had a lot of people that have had some challenges getting connected and using the browser. I downloaded the GoTo Meeting app, and it seems like I have a better connection. So that's something the other Board members may want to consider before our next meeting. So just a point of information and that concludes my report. Thank you, Ms. Simon.

Ms. Simon – And thank you, Madam Chair. And to respond to the points made by Mr. Williams and Ms. Munson, the Executive Director for the Board is Mary Schwantes. She is the Division Director and the Executive Director.

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

Ms. Simon – Ms. Munson?

Ms. Munson – Informational only. Thank you.

### BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT MAY 2025

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective

There are currently no rules in the rulemaking process.

## S. Public Comments (Verbal)

Ms. Simon – Is there any public comment to be made at this time?

Chair Peeples – No one has anything to say except Mr. Ferreira maybe.

Mr. Ferreira – Yes. I just want to thank the Division and the staff for getting us this information a few days earlier than normal. It was very helpful. Thank you.

Ms. Simon – Thank you, Mr. Ferreira. Our staff works very diligently.

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

Mr. Jensen – Yes, just a question. Towards the end of last year, we had some talk about the rules and rules that wanted to be changed to get them or to be discussed to get them before Ms. Schwantes by the 1st of the year. And here we sit five (5) months later and almost five (5) months later and still no rules meeting scheduled. Is there anything on the horizon for that?

Chair Peeples – If I may, Ms. Simon. Mr. Jensen, it's in the works. We're trying to get date, time, and place situated so you will be updated as soon as we get that confirmed, sir.

Mr. Jensen – Thank you so much.

Chair Peeples – You're welcome. Any other public comments?

Ms. Coney – I'm not able to raise my hand. This is Lisa Coney. Director Schwantes often provides a status on the legislative affairs and in her absence, I wanted to let you know that it appears that everything that we were tracking is pretty much DOA. I want all of us to celebrate that this is the last week of session, it is over. And regrettably, the CFO's agency bill was not heard and did not go forward due to absolutely no part of our chapter being considered. So hopefully next year we can all work together to have a stand-alone bill for the benefit of our Division so that it doesn't get wrapped up in the other twenty-six (26) division concerns that the CFO covers. That is why I think it died this year and if we had a stand-alone bill perhaps, we could prevent that and get some things accomplished next year. So, fingers crossed. Awaiting news on who our CFO will be and hopefully, we can get some things done next time around.

Chair Peeples – Thank you, Ms. Coney.

Ms. Coney – Thank you.

Ms. Munson – Madam Chair?

Chair Peeples – Yes, Ms. Munson?

Ms. Munson – This is to simply clarify. The whole issue with the Director and Executive Director, they're the same. The Board members of this panel does not have an Executive Director, but the Department has an Executive Director/Director. So, the Board and Division, yes, it's used interchangeably, but I just wanted to clarify for the record that this body, these members sitting before you yourselves do not have Executive Director. That title is attached to the Department.

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

Ms. Simon – I'll talk with Ms. Munson after the meeting. Thank you.

Chair Peeples – Thank you.

**T. Administrative Report as April 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	0
	Active Preneed Licenses	330
	Presented to the Board at this Meeting	0
	Pending	2
D.	Preneed License Branch Applications	0
	Active Preneed License Branches	386
	Recommended for Approval	0
	Pending	0
E.	Preneed Sales Agent Applications	33
	Active Sales Agents	3517
	Recommended for Approval	22
	Temporary Licenses Issued Pending Permanent	16
F.	Monument Establishment Applications	0
	Active Monument Establishments	0
	Pending	0
G.	Broker of Burial Rights Applications	0
	Active Brokers of Burial Rights	0
	Pending	0
H.	Exempt Cemetery Reports	1
	Active Exempt Cemeteries	48
	Pending	0
I.	New Establishment Applications	10
	Pending	9
	Completed	1
J.	New Individual Applications	38
	Pending	37
	Completed	1
K.	Request for Training Facility Applications	2
	Pending	3
	Completed	2
L.	Request for Continuing Education Providers and Courses	16
	Pending	0
	Completed	16

M.	Initial Inspections	4
	Completed	4
N.	Inspections	197
	Completed	197
O.	Initial Licenses Issued	2
	Renewal Licenses	27

U. **Disciplinary Report**

Notices of Non-Compliance Issued Since Last Meeting (April 3, 2025)	0
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V. **Upcoming Meeting(s)**

- (1) May 29<sup>th</sup> (In-Person: Hammock Beach Golf Resort, Palm Coast – IFDF Annual Conference)
- (2) June 26<sup>th</sup> (Videoconference)
- (3) August 7<sup>th</sup> (Videoconference)
- (4) September 4<sup>th</sup> (Videoconference)
- (5) October 9<sup>th</sup> (Videoconference)
- (6) November 6<sup>th</sup> (Videoconference)
- (7) December 4<sup>th</sup> (Videoconference)

W. **Adjournment**

Chair Peeples – Ms. Simon, any other agenda items, ma’am?

Ms. Simon – No, Madam Chair. I believe that this concludes the meeting for the Division.

Chair Peeples – Thank you. It is 12:23. Thank y’all for participating. Thank y’all for your due diligence. And we are adjourned. Have a great afternoon.

The meeting was adjourned at 12:23.