

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES**  
**VIDEOCONFERENCE MEETING**  
**MARCH 5, 2026 - 10:00 A.M.**

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

Mr. Andrew Clark – Good morning. I will call the meeting to order and turn it over to Ms. Simon for roll call.

Ms. Ellen Simon – Thank you, sir. At this point I will call the roll:

Jill Peeples, Chair  
Andrew Clark, Vice Chair  
David Chapman {**EXCUSED**}  
Sanjena Clay {**DELAYED**}  
Vincent “Todd” Ferreira  
Christian “Chris” Jensen  
Kenneth “Ken” Jones  
Janis Liotta  
William “Bill” Quinn  
Darrin Williams

Ms. Simon – Ms. Clay and Mr. Chapman are excused from today's meeting. And I expect that Ms. Clay may be in later this morning. Mr. Vice Chair, may I begin with my opening remarks?

Vice Chair Clark – Ms. Munson has a question. Ms. Munson?

Ms. Rachelle Munson – I just wanted to note that I think the recording started after it was identified why Mr. Clark is leading the meeting, so that it can be clear for the record.

Vice Chair Clark – Ms. Peeples is under the weather, so I am covering the meeting.

Ms. Munson – Thank you. The recording started after that. I just wanted it to be clear. Thank you.

Vice Chair Clark – Ms. Simon?

Ms. Simon – Yes, sir. Good morning. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is March 5, 2026, and it is approximately 10:00 a.m. 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 the public as well. 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 as well as 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's Vice Chair, Mr. Clark, 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 R on your agenda, which is Public Comment. Public Comment is reserved for general comments by the public and not for re litigation of any matter before the Board. Please be aware that if Public Comment is used as an attempt to relitigate a matter that has been heard on this agenda, the Board will be instructed that the comment is not appropriate for Public Comment, and it should not be considered for further discussion.

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

**Also noted as present:**

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

Ms. Simon – Mr. Vice Chair, as the roll was called earlier, we do have a quorum for the business of the Board.

Vice Chair Clark – Thank you, Ms. Simon. You can proceed.

**B. Action on the Minutes**  
*(1) January 8, 2026*

Ms. Simon – It may be appropriate at this time for a Board member to make a motion to accept the minutes.

**MOTION:** Mr. Darrin Williams moved to adopt the minutes. Ms. Janis Liotta seconded the motion, which passed unanimously.

Ms. Simon – Thank you.

**C. Disciplinary Proceeding(s)**  
*(1) Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)*  
*(a) Chestnut Funeral Home, Inc.: DFS Case No. 350203-25-FC; Division No. ATN-46099 (F040669)*

Ms. Simon – Is there a representative for Chestnut Funeral Home on the call today?

Mr. Christopher Chestnut – Mr. Christopher Chestnut is here.

Vice Chair Clark – Mr. Williams?

Mr. Williams – I would like to recuse myself from C(1), C(3), and C(5), as I served on Probable Cause Panel B for those items.

Vice Chair Clark – Thank you, Mr. Williams.

Mr. Chestnut – Mr. Vice Chair, I have a motion to quash.

Vice Chair Clark – Mr. Chestnut, you are not recognized at this time. Ms. Simon?

Ms. Simon – Thank you, sir. At this point, presenting for the Department is Ms. Marshall.

Ms. Kimberly Marshall – Thank you, Ms. Simon and good morning, Board members. 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 Chestnut Funeral Home, Inc. (“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, preneed main, and apprentice/intern training agency. Respondent failed to include required disclosure language on a preneed contract, failed to trust preneed funds for twenty-eight (28) consumers, failed to address a consumer complaint, failed to timely provide a refund of a preneed contract, failed to produce requested records in response to a Department investigation, failed to sequentially number preneed contracts, failed to remit funds to the Regulatory Trust Fund, and falsely represented on its preneed license renewal application that it did not sell any preneed contracts in 2024. This is a thirty-five-count Administrative Complaint, and the relevant statutes and rules are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(4)(c), Florida Statutes: Refusal to produce records to the Department or Board in connection with any activity regulated pursuant to this chapter.
- Section 497.152(4)(f), Florida Statutes: Attempting to obtain, obtaining, or renewing a license under this chapter by bribery, false or forged evidence, or misrepresentation or through an error of the Department or Board known to the applicant.
- Section 497.152(13)(b), Florida Statutes: Failure to honor preneed contract cancellation requests and make refunds as required by this chapter.
- Section 497.152(14)(a), Florida Statutes: Failing to adopt and implement standards for the proper investigation and resolution of claims and complaints received by a licensee relating to the licensee’s activities regulated by this chapter.
- Section 497.152(14)(b)1, Florida Statutes: Committing or performing with such frequency as to indicate a general business practice any of the following... Failing to acknowledge and act promptly upon communications from a licensee’s customers and their representatives with respect to claims or complaints relating to the licensee’s activities regulated by this chapter.
- Section 497.458(1)(a), Florida Statutes: Any person who is paid, collects, or receives funds under a preneed contract for funeral services or merchandise or burial services or merchandise shall deposit an amount at least equal to the sum of 70 percent of the purchase price collected for all services sold and facilities rented; 100 percent of the purchase price collected for all cash advance items sold; and 30% of the purchase price collected or 110 percent of the wholesale cost, whichever is greater, for each item of merchandise sold. The Board may, by rule, specify criteria for the classification of items sold in a preneed contract as services, cash advances, or merchandise.
- Section 497.458(1)(c), Florida Statutes: Unless the preneed contract has been fulfilled, such deposits shall be made within 30 days after the end of the calendar month in which payment is received, under the terms of a revocable trust instrument entered into with a trust company, with a national or state bank holding trust powers, or with a federal or state savings and loan association holding trust powers.
- Section 497.459(2)(a), Florida Statutes: A purchaser, by providing written notice to the preneed licensee, may cancel the services, facilities, and cash advance items portions of a preneed contract at any time, and shall be entitled to a full refund of the purchase price allocable to such items. Any accumulated earnings allocable to such preneed contract shall be paid to the preneed licensee upon such cancellation.
- Section 497.459(3), Florida Statutes: Each preneed licensee shall provide in conspicuous type in its contract that the contract purchaser may cancel the contract and receive a full refund within thirty (30) days of the date of execution of the contract. The failure to make such provision shall not impair the contract purchaser’s right to cancellation and refund as provided in this section.

- Section 497.459(6)(d), Florida Statutes: All refunds required to be made under this section to a purchaser who has canceled a contract must be made within thirty (30) days after the date written notice of cancellation is received by the preneed licensee.
- Rule 69K-5.0024(2), *Florida Administrative Code*: Beginning with contract written July 1, 2009, each preneed licensee shall remit to the Regulatory Trust Fund of the Department of Financial Services a fee of \$6.00 for each preneed contract written, regardless of any payments made by the purchaser.
- Rule 69K-6.0051(1), *Florida Administrative Code*: Account receivable records pertaining to each individual purchaser shall be assigned the same serial number as shown on the purchaser's contract and shall be maintained in numerical sequence. The name of the purchaser or beneficiary, deferred payment price, date, and amount of each payment, outstanding balance, retail price of each item, wholesale price of merchandise by item, a schedule of payments and percentage required to be deposited in each trust fund from each payment.
- Rule 69K-6.0051(2), *Florida Administrative Code*: The information contained in subsection (1) is the minimum information to be contained in the accounts receivable records.

The disciplinary guidelines for these violations are as follows:

- *Count I: Use a preneed contract which does not contain the required disclosures (unless the contract is approved by the Board): Reprimand, fine of \$500 to \$1,000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.*
- *Counts II-XXIX: Remitting less than 90% of the amounts required to be deposited to a trust fund: Reprimand, fine of \$250-\$1,500 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years, or permanent revocation of license may be imposed.*
- *Count XXX: Committing or performing with such frequency as to indicate a general business practice any of the actions listed in the section, including those regarding complaints or claims relating to the licensee's activities: Reprimand, fine of \$2,000-\$3,500 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years, or permanent revocation of license may be imposed.*
- *Count XXXI: Failing to honor preneed contract cancellation requests and make refunds as required by the chapter: Reprimand, fine of \$250-\$1,000 plus costs. In addition, probation for up to one (1) year with conditions, suspension up to one (1) year, and/or restitution may be imposed.*
- *Count XXXII: Refusal to produce records to the Department or Board in connection with any activity regulated pursuant to this chapter: Reprimand, fine of \$1,000-\$2,500 plus costs. In addition, probation for 6 months to one (1) year with conditions, suspension up to one (1) year, or permanent revocation of license may be imposed.*
- *Count XXXIII: Failing to maintain account receivable records in the manner as required by this rule: Notice of non-compliance*
- *Count XXXIV: Failing to remit payments to the Regulatory Trust Fund (general violation of s. 497.152(1)(a)): Reprimand, fine of \$250 to \$2,500 plus costs. In addition, probation for six (6) months to one (1) year, suspension up to two (2) years, permanent revocation of license and/or restitution may be imposed.*
- *Count XXXV: 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 six (6) months to one (1) year with conditions, suspension up to one (1) year, or permanent revocation of license may be imposed.*

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

**MOTION:** Mr. Ken Jones moved that Respondent was properly served with the Administrative Complaint and has failed to timely respond thus waiving the right to elect a method of resolution in this matter.

Mr. Chestnut – I'm sorry. I am making a motion to quash.

Vice Chair Clark – Mr. Chestnut, you are not recognized at this time. Board?

Mr. Chestnut – Sir, I believe that Robert Rules of Order would allow me to. The motion to quash takes precedent over the standing motion. Considering if the motion of quash was granted, then the motion would not be entertained.

Mr. Todd Ferreira – I second the motion. Not Mr. Chestnut's motion, but the motion to move forward.

Vice Chair Clark – We have a motion to move forward, and it's been seconded. Any discussion on the motion? Hearing none. All those in favor say Aye.

Board members [Unison] –Aye.

Vice Chair Clark – Any opposed?

Mr. Chestnut – Sorry, sorry sir.

Vice Chair Clark – Mr. Chestnut, you are not recognized at this time.

Mr. Chestnut – Sorry. So, Mr. Chair, can you just advise, because you're about to vote on a motion of which I'm appearing on behalf of a Respondent. The Respondent is entitled to respond and you're about to vote on a motion absent any presentation on the Respondent's case.

Ms. Munson – If I may, Mr. Chair?

Vice Chair Clark – Yes, Ms. Munson?

Ms. Munson – Okay, Mr. Chestnut, you're going to have an opportunity to present whatever motions. You will have an opportunity to speak. And if any of the decisions made by this Board in these preliminary stages of these motions are later decided to be rescinded, then that opportunity is also available. So, there's no loss of due process. There's no infraction of any type of inability for you to present the case. I just wanted to make that clear. The Board is simply following a protocol with addressing preliminary motions. When you present your information for any type of final disposition of the cases made, some of that information may be revisited. And I just wanted that to be clear. I did not want you to feel that it was any type of inability for you to present your case fully.

Mr. Chestnut – And so Ms. Munson, can you just clarify what point is it appropriate for me to present those motions?

Ms. Munson – I will go ahead and allow Ms. Marshall, who I think she has a couple of preliminary motions. And Ms. Marshall, could you identify what those preliminary motions are just in order so that Mr. Chestnut would understand when he will be given an opportunity to speak?

Ms. Marshall – Certainly. The first motion is to determine that the Respondent did not timely respond to the complaint and has waived the right to elect a method of resolution. The second motion is that there are no material facts in dispute. The third motion is to adopt the allegations of fact set forth in the complaint. And then Mr. Chestnut would have a chance to speak after that.

Mr. Chestnut – Per Robert's Rules of Order or the Board's procedure? How can the Board make an informed decision if I have facts even disputing the service of process or lack thereof, and then the Board would have voted to said material information. So, it doesn't make sense for me because if the Board's already voted and the motion is {inaudible}. I wouldn't have voted it forward and so I can't move to reconsider it and so per Robert's Rules of Order it would seem proper that the Board will first hear both sides to each respective motion and then vote so that it can be an informed vote. I mean we just want vote on the facts and the truth.

Vice Chair Clark – Anything further, Ms. Marshall? We have a motion and a second. Anything else?

Ms. Munson – Ms. Marshall should probably respond to that statement just so it will not appear on the record that it was non-responsive.

Ms. Marshall – I think that out of an abundance of caution the Board should hear what Mr. Chestnut has to say in response to this motion.

Vice Chair Clark – Ms. Simon, will you swear in Mr. Chestnut?

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

Mr. Chestnut – Yes, I do.

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

Mr. Chestnut – My first name is Christopher. C-H-R-I-S-T-O-P-H-E-R. My second name is Chestnut. C-H-E-S-T-N-U-T.

Ms. Simon – Thank you, sir.

Mr. Chestnut – Can I proceed?

Vice Chair Clark – Yes.

Mr. Chestnut – Thank you, sir. So, my initial motion, sir, is to quash for service or lack thereof. There are two (2) affidavits in support of the service of process of the complaint. And the complaint I'm referencing is 3502 -- sorry, 350203-25-FC. The issue, sir, is that you see Exhibit B in this complaint reflects a signature by a signature TS. Just like you all didn't have anyone with that signature, we don't show the service of the actual complaint, notwithstanding the United States Parcel Service. And so, we'd like an evidentiary hearing on the service. This is also supported by other instances. There have been at least three (3) other complaints. There are three (3) complaints that support 334915-24-FC, 346918-25-FC, 350210-25-FC. All these complaints, pursuant to Florida law, I had fifteen (15) days. These are complaints where we filed a notice to contest the facts, pursuant to 1.5, 1.20. It was fifteen (15) days to be forwarded to DOAH. They never were. So, we've been deprived of due process in those three (3) complaints themselves. So, this is the only complaint here that's standing. Now that we're saying we contested service, however, we responded at the ATN level. So therefore, this is compounded by the fact that we're saying that not only did we not receive service, but I'll wait for the remainder on the facts. You said there's a second motion coming for the dispute of facts?

Ms. Munson – Before Ms. Marshall interjects, I just need you to restate the statute that you're relying on, sir.

Mr. Chestnut – Let me scroll second, please. Florida Statute 1.20.571 --

Ms. Munson – 120. You keep saying "one point." Do you mean 120.57?

Mr. Chestnut – Sorry, I'm sorry, yes, ma'am. I'm sorry.

Ms. Munson – All right.

Mr. Chestnut – You're correct, 120. That's correct.

Ms. Munson – Thank you.

Mr. Chestnut – Also 120.68.

Ms. Munson – .68?

Mr. Chestnut – Yes. So, by the motion to quash we're entitled to an evidentiary hearing on the service of process, and that's what we're asking for. So, that would require us to go to an administrative law judge. But we would like a hearing on the

professional service, because our position is the service was not reflective of the complaint. This is the only complaint this funeral home has not responded to, so the overall facts support we did not receive the complaint.

Vice Chair Clark – Thank you, Mr. Chestnut.

Mr. Chestnut – Just one last piece. We were just in an investigation with the OIG's office regarding Mr. Carr where we found that one (1) of the documents we submitted -- or complaints we submitted against Mr. Carr, Ms. Simon, and some other representatives said they did not receive the document, so therefore we're just asking for the same equity. So, then OIG said they really couldn't entertain that complaint based off of them not -- even though it was proved that it was sent, it was not received.

Vice Chair Clark – Ms. Marshall?

Ms. Marshall – Yes, I'd like to kind of put a stop to this line of discussion. This is not, what he's discussing right now is not pertinent in the cases at hand.

Vice Chair Clark – Thank you, Ms. Marshall. Board members, we have a motion, and it's been seconded. Ms. Munson?

Ms. Munson – Yes. I really want to because I know this is going to be important. I mean, if there's a motion on the table requesting that this service of process should be addressed, somehow, someday the Board is going to have to respond to that. So, I just don't want to think that you can overlook it and just go on with normal course of business. It's been placed on the record, and it will need to be responded to. I don't know if Ms. Marshall wants to speak to it, but it cannot just be unaddressed. I wanted to make that clear. For procedural purposes.

Mr. Chestnut – Procedural purposes, an evidentiary hearing is required.

Vice Chair Clark – Mr. Chestnut, you're not recognized, Mr. Jones?

Mr. Jones – If I may, to Ms. Marshall? Would it be better to be tabled and brought back or to remove the motion. Ms. Munson already said it needs to be addressed. What's your recommendation?

Ms. Marshall – My recommendation would be that this matter be tabled. At this juncture the only matter that he can dispute is the service, and since he has raised as an issue then yes, we do have to table this matter for an evidentiary hearing on that issue.

Mr. Jones – So, if I may, Mr. Chair, remove my motion to move forward and make a motion to table this.

Vice Chair Clark – Mr. Ferreira, I believe you were the second. Will you withdraw your second?

Mr. Ferreira – Based on Ms. Marshall's recommendation, yes.

Vice Chair Clark – Thank you, Mr. Ferreira. We have a motion by Mr. Jones to table. Do we have a second?

Ms. Liotta – Second.

Vice Chair Clark – We have a motion to table and seconded. Any discussion on the motion? Hearing none, all those in favor, say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries.

Ms. Simon – Moving on with the agenda. May I, Mr. Clark?

Vice Chair Clark – Yes, Ms. Simon. Thank you.

Ms. Simon – Okay.

**(b) Gibson, Travis B: DFS Case No.: 351258-25-FC; Division No. ATN-46063 (F076145)**

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

Mr. Greg Caracci – Thank you, Ms. Simon. 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 Travis Gibson (“Respondent”). The Department conducted an investigation of Respondent and found that at all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer license number F076145. Respondent was employed by Emmanuel Funeral Homes Inc, a funeral establishment, license number F535712. Respondent aided and abetted unlicensed activity. This is a one-count Administrative Complaint, and the relevant statutory violations are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(5)(d), Florida Statutes: Aiding, assisting, procuring, employing, or advising any person or entity to practice a profession or occupation regulated by this chapter without required licensure under this chapter.

The disciplinary guidelines for these violations are as follows:

- *Counts 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.*

At this time, it will be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and failed to timely respond and thus waived the right to elect the method of resolution in this matter.

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

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

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

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

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

Mr. Caracci – And I know we just checked for Mr. Gibson before, but I’ll go ahead and check for him again. Now would be an appropriate time to hear from Mr. Gibson if he would like to speak. Hearing nothing. 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 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. Bill Quinn seconded the motion, which passed unanimously.

Mr. Caracci – And as for a penalty, the Department would recommend one (1) year of suspension to follow the term of suspension that mister Gibson has already been subject to pursuant to Final Orders issued back in November and he would have to appear before the Board if he wishes to reactivate his license.

Vice Chair Clark – Mr. Ferreira?

Mr. Ferreira – Mr. Caracci, is there a fine also connected with that?

Mr. Caracci – Yes, there was um a couple fines if i recall correctly. One was \$5,000. The other one was \$500. And the other one was \$2500. So, we're looking at \$8,000 total. I don't know if he has paid any of those.

Mr. Ferreira – So, Mr. Caracci, in this particular case, are you are you asking for a fine plus a suspension?

Mr. Caracci – We're only asking for a suspension in this case.

Vice Chair Clark – Mr. Ferreira?

**MOTION:** Mr. Ferreira moved that Respondent shall pay a fine of \$2500 fine to be paid within thirty (30) days of the Board Order and a one-year suspension with standard conditions. Mr. Jensen seconded the motion, which passed unanimously.

Vice Chair Clark – Ms. Simon?

Ms. Simon – Yes, I just want to ascertain whether the Board members meant to impose the requirements under Rule 30.001 regarding a suspension that the licensee appear before the Board before his suspension be lifted in order to prove his rehabilitation. I was not sure whether the Board members meant to include that or not.

Vice Chair Clark – Mr. Ferreira?

Mr. Ferreira – I did mean to mention that. Sorry.

Vice Chair Clark – Ms. Munson, would it be appropriate to revote or clarify that vote? Can you give us some guidance?

Ms. Munson – I think it should be clarified. And I also want to make sure that the Board understands what they're voting on because there was a Final Order – I think it was Page 160 of materials and this is a continuation of those penalties, to that final authority. If I believe I'm understanding, Mr. Caracci's presentation. So, I just want to make sure the Board understands that as well. And I think the previous presentation, the Final Orders referenced, and it may have been more than one, Mr. Caracci, I would need you to clarify, because I want to say that this recommendation of the Board is an additional \$2,500 fine, to what was ever on that previous Final Order. There was discussion of a one-year suspension in addition to the two-year suspension, I think, that was in a Final Order and that the Respondent appear before the Board before any reactivation occur. I wanted to make sure they were clear on those previous Final Orders though. {Inaudible}

Mr. Caracci – Right. We actually had a two-year suspension imposed in one (1) of these Final Orders.

Ms. Munson – Normally, we would try to attach any existing Final Orders that have not yet been satisfied, and I don't know if the Board understands what those terms really were, and in making your decisions I think it's fair that you have the full picture.

Mr. Caracci – Right now by the terms of two (2) Final Orders working in tandem, he has a total of three (3) years that started on November 21<sup>st</sup> of last year. There was a two-year period and then there was a one-year period that was to follow that period. It's a bit confusing, since it was three (3) Final Orders issued at one time, three (3) separate cases.

Ms. Munson – If you want to identify the case numbers so they'll see exactly what you mean that's fine, but it was just important for me that the Board understood. And the Board may have already understood, so this could just be a necessary precaution on my behalf.

Vice Chair Clark – So since we've taken the vote, considering Ms. Simon's comment about having to appear before the Board, and Mr. Ferreira...

Ms. Munson – We would need to amend it, Mr. Clark, yes. I wasn't sure if you guys even fully understood the scope of what you were voting on. That's why I kind of took a left turn with that. But yes, you would need to amend it to specifically include appearing before the Board, in answer to your question.

Vice Chair Clark – Thank you, Ms. Munson. Mr. Ferreira?

Mr. Ferreira – Would you like for me to amend my motion?

Vice Chair Clark – Yes, please.

Mr. Ferreira – So my motion is to add an additional fine on this case of \$2,500. Would it be acceptable to put a time frame on this fine?

Ms. Munson – Fines are normally due thirty (30) days after a Final Order. I don't know, with all of this out there, if you feel that is appropriate.

Mr. Ferreira – Thirty (30) days is good. And add a year of suspension to his current three-year suspension. That will give them four (4) years of suspension and come before the Board before the four-year suspension is up.

Ms. Munson – Mr. Caracci, do you have a date that that last suspension was supposed to end so that we can have an understanding of the date?

Mr. Caracci – Yes, it would be November 21, 2028, that the already existing terms of suspension would be over.

Ms. Munson – Not including this one year.

Mr. Caracci – Not including this one year.

Ms. Munson – So now we're looking through November 2029. Okay. Thank you.

Vice Chair Clark – Thank you. Thank you, Mr. Ferreira. Do we have a second?

Ms. Simon – Actually, it may be appropriate to ask the second from the last.

Vice Chair Clark – Mr. Jensen?

Mr. Jensen – Can I ask Mr. Caracci a question?

Vice Chair Clark – Yes.

Mr. Jensen – So, Mr. Caracci, is it your opinion that the matter of all the fines the gentleman has now that they're probably not going to get paid is why you're not asking for a fine?

Mr. Caracci – Yes, that was part of the logic.

Mr. Jensen – All right. Well, I do agree with the principle here of what Mr. Ferreira is saying, so I will second it.

Vice Chair Clark – Thank you, Mr. Jensen. So, for clarity, we have an amended motion of a \$2,500 fine, one-year suspension and the requirement of coming before the Board before resuming operation. Any discussion on the motion? Correct?

Mr. Ferreira – Yes, sir. Correct.

Vice Chair Clark – All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries. Thank you, Ms. Simon.

Ms. Simon – Thank you, sir.

- (2) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)*  
*(a) Aable Development, Inc., d/b/a Aaron and Burney Bivens Funeral Home and Cremation Services: DFS Case No. 353566-25-FC; Division No. ATN-45871 (F057221)*

Ms. Simon – This item is being withdrawn from the agenda.

- (b) Bivens, Burney: DFS Case No. 353568-25-FC; Division No. ATN-45871 (F039230)*

Ms. Simon – This item is being withdrawn from the agenda.

- (c) Chestnut, Charles Sumner IV: DFS Case No. 350718-25-FC; Division No. ATN-45623 (F043410)*

Ms. Simon – Is Mr. Chestnut or a representative of Mr. Chestnut on the call today?

Mr. Charles Chestnut – Yes, I'm here.

Ms. Simon – Thank you, sir. 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 Charles Sumner Chestnut IV (Respondent). The Division conducted an inspection of Respondent and alleges that Respondent is a funeral director and embalmer holding license number F043410. At all times material to the allegations herein, Respondent was the FDIC of Chestnut Funeral Home, Inc., a funeral establishment, preneed main, and apprentice/intern training agency holding license number F040669. A Department investigation revealed that the establishment permitted an unlicensed person to engage in funeral directing, failed to provide a consumer with a signed contract, and failed to timely honor a contract to ship a body. As funeral director in charge, Respondent failed to ensure that the establishment complied with all applicable laws and rules. This is a three-count Administrative Complaint, and the relevant statutory provisions are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(5)(d), Florida Statutes: Aiding, assisting, procuring, employing, or advising any person or entity to practice a profession or occupation regulated by this chapter without required licensure under this chapter.
- Section 497.152(11)(a), Florida Statutes: Failing to furnish, for retention, to each purchaser of burial rights, burial or funeral merchandise, or burial or funeral services a written agreement, the form of which has been previously approved if and as required by this chapter, that lists in detail the items and services purchased together with the prices for the items and services purchased; the name, address, and telephone number of the licensee; the signatures of the customer and the licensee or her or his representative; and the date signed.
- Section 497.152(13)(a), Florida Statutes: 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.

The disciplinary guidelines for these violations are 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, second violation: Reprimand, fine of \$2,500-\$5,000 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years, or permanent revocation of license may be imposed.*
- *Count II: Failing to furnish, for retention, to each purchaser of burial rights, burial or funeral merchandise, or burial or funeral services a written agreement, the form of which has been approved by the Board, second violation: Reprimand, fine of \$2,500-\$5,000 plus costs. In addition, probation for one (1) year to two (2) years with conditions may be imposed.*
- *Count III: 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, first violation: Reprimand, fine of \$500-\$1,000 plus costs. In addition, probation for up to one (1) year with conditions, suspension up to one (1) year, or permanent revocation may be imposed.*

The Motion demonstrates Respondent has indicated that there are no material facts in dispute, asks 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 was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing.

Mr. Jones – Mr. Chair?

Vice Chair Clark – Mr. Jones?

Mr. Jones – I'd like to recuse myself from any Probable Cause Panel A items on today's agenda, please.

Vice Chair Clark – Thank you, Mr. Jones.

**MOTION:** Ms. Liotta 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 matter.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this matter. Mr. Jensen 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 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 set forth in the Administrative Complaint. Ms. Liotta seconded the motion, which passed unanimously.

Ms. Marshall – Since Mr. Chestnut is here today now would be appropriate time to hear from him if you'd like to speak.

Vice Chair Clark – Mr. Chestnut, will you please be sworn in? Ms. Simon?

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

Mr. Chestnut – Yes, I do.

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

Mr. Chestnut – Okay, Charles Sumner Chestnut IV, last name, C-H-E-S-T-N-U-T.

Ms. Simon – Thank you, sir.

Vice Chair Clark – Thank you, Mr. Chestnut. Are you here to address the Board or simply answer questions?

Mr. Chestnut – Well, I just wanted to make a statement that I am aware of Chapter 497 in terms of the funeral director being in charge. I did write a letter responding to the complaint to the Board stating that under certain family situations, I had no real control of the establishment and management of Chestnut Funeral Home. I was just a licensed funeral director in charge. So that's why I'm not disputing it because the statute says I'm responsible. So, I just wanted to make sure that it's kind of difficult when you're in a family business, and the business was turned over to someone else to run it, but I'm the licensed funeral director in charge, so then I become responsible for all of the things that occur there. And I understand that, but I just think that it's a little unfair because I had no control. So, that's the problem. And so, if I had control, this would have never happened because out of the thirty-nine (39) years of my license, I've never had a complaint. And so, and I tried not to get those complaints. So, I'm just stating my case, that's all, but I'm not disputing anything.

Vice Chair Clark – Thank you, Mr. Chestnut.

Mr. Chestnut – Thank you, all.

Vice Chair Clark – Ms. Marshall?

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 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. Liotta seconded the motion, which passed unanimously.

Ms. Marshall – Now as to penalty, the Department is recommending a \$6,000 fine and two (2) years of probation given that this is Mr. Charles Chestnut's second case. Some of the guidelines are elevated penalties and a copy of that prior Consent Order {inaudible} materials for this case.

Mr. Williams – Mr. Vice Chair?

Vice Chair Clark – Yes, Mr. Williams?

Mr. Williams – I have a question for Ms. Marshall. You said the second case or the second violation? I'm trying to understand before I ask my question.

Ms. Marshall – This is his second disciplinary matter coming before the Board. The Consent Order from the prior case, which came before you in July of last year, starts on Page 174 of your materials for this case.

Mr. Williams – Okay, and is the fine in alignment to what we have normally done?

Ms. Marshall – So, the guidelines are on the second page in these materials, so you can see what the penalty ranges are, and if you notice Counts I and II are a repeat violation. That's why it's a higher amount.

Mr. Williams – Mr. Vice Chair, I'm just trying to understand this. If we have a counter, procedural wise, what is the process of a counter if we would not like to go with what the Office of General Counsel is recommending?

Vice Chair Clark – Ms. Munson?

Ms. Munson – The Board would just have to make their counter. This isn't a stipulation.

Mr. Williams – Okay.

Ms. Munson – So, you just say what you think it should be. That was just the Department's recommendation.

Mr. Williams – Got it. Mr. Vice Chair, may I have another follow-up?

Vice Chair Clark – Yes.

Mr. Williams – Ms. Simon, hearing the statement and testimony of Mr. Chestnut, could we verify, you know, overall, in his years of being a licensee that he hasn't had infractions of this magnitude?

Ms. Simon – Mr. Williams, what I can verify is to corroborate what Ms. Marshall said. He has had a prior Consent Order issued against him for violations of Chapter 497. And as Ms. Marshall stated, her recommendation would not be out of line of any other recommendation for a second type of offense, particularly one of this nature, if that answers your question, sir.

Mr. Williams – Ms. Marshall, you said \$6,000 and two (2) years of probation?

Ms. Marshall – Yes, and I would like to note that he was also assessed two (2) years of probation in the previous disciplinary case, so that two (2) years would end on October 15, 2027. We would like this probation for this case to begin once that completes.

Mr. Williams – They would run consecutively?

Ms. Marshall – Yes.

Mr. Williams – Okay. So, if I may, Mr. Chair? I'd like to make a recommendation.

Vice Chair Clark – Yes.

**MOTION:** Mr. Williams moved that Respondent shall pay a fine of \$3,000 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation to run consecutive to his current probation with standard conditions.

Ms. Simon – If I may?

Vice Chair Clark – Ms. Simon?

Ms. Simon – Mr. Williams, if that is what you're proposing it would need to be in the form of a motion.

Mr. Williams – That's what I just stated.

Ms. Munson – He made a motion.

Ms. Simon – Ok. Thank you.

Ms. Liotta – Second.

Vice Chair Clark – Any discussion on the motion?

Mr. Jensen – I have a question.

Vice Chair Clark – Mr. Jensen?

Mr. Jensen – Mr. Chestnut, this complaint looks like it came from another funeral home. You were not aware of all of the gentlemen not being sent out on time?

Mr. Chestnut – No, sir, not until Mr. Carr came to the funeral home with a complaint. That's when I was informed of it. And that's when I, at that time, got the information, went to Tallahassee, got the apostille and all of that stuff and got Mr. Cruz shipped to El Salvador. And that's when I was informed of the whole situation. And I shared that with Mr. Carr and everyone else that I've had the opportunity to speak with in terms of an investigator. And then I resigned, too, because I had no control of my duties at Chestnut Funeral Home as licensed funeral director in charge. So, I resigned in August of 2024. No, I'm sorry, August of 2025, I'm sorry.

Mr. Jensen – That was going to be my next question. Thank you, Mr. Vice Chair.

Mr. Williams – Mr. Vice Chair?

Vice Chair Clark – Yes, Mr. Williams?

Mr. Williams – If I could share, thank you so much, Mr. Jensen, for that lead-in. The reasons for my proposal, colleagues, are because of the separation from being the FDIC of the firm and we see this all the time FDICs are sometime caught between a hair and so based on the statement and based on documents reading that was the justification of my proposed motion that's on the table.

Vice Chair Clark – Thank you, Mr. Williams. Any further discussion or questions on the motion, Ms. Munson?

Ms. Munson – I want to make sure I didn't mishear anything. I just wanted to clarify with Ms. Marshall that the previous probation is to expire October 15, 2027, so if this one-year is approved, October 15, 2028. Is that correct?

Ms. Marshall – That's correct, yes.

Ms. Munson – Okay. All right. Thank you very much. And before this particular Respondent gets off, I'd like to confirm an email.

Vice Chair Clark – Thank you, Ms. Munson. We have a motion. Mr. Chestnut?

Mr. Chestnut – No, I'm sorry. I didn't hear what she said. I'm sorry.

Ms. Munson – I was just saying, before you disappear, I wanted to make sure your email was Ymail and not Gmail.

Mr. Chestnut – It's Ymail, not Gmail. Yes ma'am.

Ms. Munson – Okay, sir. That's it. Thank you.

Mr. Chestnut – Thank you.

Vice Chair Clark – Thank you. Again, we have a motion and a second for a \$3,000 fine and one-year probation to run after his current probation. All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries thank you Mr. Chestnut.

Mr. Chestnut – Thank you all.

*(d) Cremation Services by the Sea LLC: DFS Case No. 353719-25-FC; Division No. ATN-46739 (F073183)*

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 – 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 Cremation Services by the Sea LLC (Respondent). Respondent is a direct disposal establishment holding license number F073183. A Department inspection revealed that Respondent operated from September 1, 2025, through November 3, 2025, while its license was in an expired status. This is a one-count Administrative Complaint, and the relevant statutory provisions are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(5)(b), Florida Statutes: Practicing or offering to practice with a revoked, suspended, inactive, or delinquent license.

The disciplinary guidelines for these violations are as follows:

- *Count I: attempt to or use a suspended, revoked, inactive, or delinquent license, first violation: If delinquent, \$250 per month. If other, fine of \$2,000-\$3,500 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years or permanent revocation of license may be imposed.*

The Motion demonstrates Respondent has indicated 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 whether the Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing.

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

**MOTION:** Ms. Liotta moved that there are no material facts in dispute in this matter. Mr. Jensen 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 asks the Chair to entertain a motion to adopt the allegations of fact as set forth in the Administrative Complaint.

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

Ms. Marshall – Again asking is there a representative of Cremation Services by the Sea on the call today? Hearing nothing. 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 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. Vice Chair Clark seconded the motion, which passed unanimously.

Ms. Marshall – As the penalty, they were delinquent for two (2) months, so we're recommending a \$500 fine.

**MOTION:** Mr. Ferreira moved that Respondent shall pay a fine of \$500 fine to be paid within thirty (30) days of the Board Order. Mr. Jensen seconded the motion.

Vice Chair Clark – Mr. Williams?

Mr. Williams – I see Ms. Marshall on the documents had in addition to probation for up to two (2) years with conditions. So, I just want to make sure we are just doing a \$500 fine. Is that what the recommendation is?

Ms. Marshall – That is the recommendation. That's what the Board has been doing in these first-time delinquent license cases.

Mr. Williams – Okay, no problem. I just wanted to make sure what was all your recommendations so I can be clear in terms of what Mr. Ferreira had proposed. Thank you.

Vice Chair Clark – Thank you, Mr. Williams. Any other discussion on the motion of a \$500 fine? Hearing none. All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries.

*(e) Gunderud, Michael: DFS Case No. 353721-25-FC; Division No. ATN-46739 (F042676)*

Ms. Simon – Is Mr. Gunderud or a representative on the call today? Hearing no response. Presenting again 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 Michael Gunderud (Respondent). Respondent is a funeral director and embalmer holding license number F042676. At all times material to the allegations herein, Respondent acted as the funeral director in charge of Cremation Services by the Sea LLC, a direct disposal establishment holding license number F073183. A Department inspection revealed that Respondent continued acting as FDIC of this establishment from September 1, 2025, through October 23, 2025, while his license was in an expired status. This is a one-count Administrative Complaint, and the relevant statutory provisions are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(5)(b), Florida Statutes: Practicing or offering to practice with a revoked, suspended, inactive, or delinquent license.

The disciplinary guidelines for these violations are as follows:

- *Count I: attempt to or use a suspended, revoked, inactive, or delinquent license, first violation: If delinquent, \$250 per month. If other, fine of \$2,000-\$3,500 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years or permanent revocation of license may be imposed.*

The Motion demonstrates Respondent has indicated 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 whether the Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing.

**MOTION:** Mr. Jensen 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 matter.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this matter. Mr. Jensen 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 asks the Chair to entertain a motion to adopt the allegations of fact set forth in the Administrative Complaint.

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

Ms. Marshall – If Mr. Gunderud or a representative is here, now would be the time to hear from them. Hearing nothing. 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 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. Liotta seconded the motion, which passed unanimously.

Ms. Marshall – Now as to penalty, his license was expired for approximately two (2) months, so we are recommending a \$500 fine.

**MOTION:** Mr. Ferreira moved that Respondent shall pay a fine of \$500 fine to be paid within thirty (30) days of the Board Order. Mr. Jensen seconded the motion, which passed unanimously.

***(3) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)  
(a) Cadet, Joanna J.: DFS Case No. 345012-25-FC; Division No. ATN-44285 (F045432)***

Ms. Simon – Is Ms. Cadet or a representative of Ms. Cadet on the call today?

Ms. Wendy Wiener – Yes, Wendy Wiener representing Ms. Cadet.

Ms. Simon – Thank you, Ms. Wiener. 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 Joanna J. Cadet (Respondent). The Division conducted an inspection of Respondent and alleges that Respondent is a funeral director and embalmer holding license number F045432. A Department investigation revealed that Respondent acted as the funeral director in charge of a funeral establishment which failed to display its name and funeral director at the public entrance, and which provided three (3) consumers with contracts that did not bear the establishment's address and telephone number. This is a two-count Administrative Complaint, and the relevant statutory provisions are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(11)(a), Florida Statutes: Failing to furnish, for retention, to each purchaser of burial rights, burial or funeral merchandise, or burial or funeral services a written agreement, the form of which has been previously approved if and as required by this chapter, that lists in detail the items and services purchased together with the prices for the items and services purchased; the name, address, and telephone number of the licensee; the signatures of the customer and the licensee or her or his representative; and the date signed.
- Section 497.380(14), Florida Statutes: Each funeral establishment must display at the public entrance the name of the establishment and the name of the full-time funeral director in charge. A funeral establishment must transact its business under the name by which it is licensed.

The disciplinary guidelines for these violations are as follows:

- *Count I: failure of a funeral establishment to display at the public entrance the name of the establishment and the name of the full-time funeral director in charge, first violation: Notice of non-compliance*
- *Counts II-IV: failing to furnish, for retention, to each purchaser of burial rights, burial or funeral merchandise, or burial or funeral services a written agreement, the form of which has been previously approved by the Board, first violation: Reprimand, fine of \$500-\$1,000 plus costs. In addition, probation for six (6) months to one (1) year with conditions may be imposed.*

The Motion demonstrates Respondent has indicated 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 whether the Respondent was properly served with the Administrative Complaint and has submitted a timely request for an informal hearing.

**MOTION:** Mr. Ferreira moved that Respondent was properly served with the Administrative Complaint and has submitted a timely request for an informal hearing. 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 matter.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this matter. Ms. Liotta 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 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 set forth in the Administrative Complaint. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Marshall – Now would be an appropriate time to hear from Ms. Wiener on this case.

Ms. Wiener – Thank you. Good morning, Board members. This is a case involving a funeral establishment that was closed. You'll notice that there is no companion funeral establishment case because when the actual inspection was conducted, as you'll read in your Board packet, the location was no longer operating. There was a transition being made to another location. So, while there was a failure to display Ms. Cadet's funeral director in charge name at the entrance, that carries with it only a Notice of Non-compliance as a penalty. We believe that a Notice of Non-compliance would be an appropriate penalty in this case, or perhaps a reprimand.

With regard to the contracts themselves, this is a situation where Smart Cremation's contracts are generated through a computer system that the funeral director in charge has no capacity to manage in any way. Ms. Cadet, the contracts that you'll know in your Board packet that did not include the address and telephone number of the location, she really had absolutely no capacity to control that situation. In addition, she no longer works for Smart Cremation or even for its parent company. And so, we feel as though significant discipline in this matter is not only unnecessary but not warranted when you take into consideration all of the mitigating factors that apply in this case. Nearly every mitigating factor, or I think actually all of the mitigating factors of which you can take into consideration, apply in this particular case. It was a single situation where when that failure to display the funeral director in charge name occurred, the location was not operating. It never did prove that into operations, though they did put her name on the door after the inspector came and noted that. It was not there any longer, and that was due to a transition. So, we would ask that this Board impose a penalty either simply a Notice of Non-compliance or a reprimand for Ms. Cadet in this case.

Vice Chair Clark – Thank you, Ms. Wiener.

Mr. Ferreira – Vice Chair Clark?

Vice Chair Clark – Mr. Ferreira?

Mr. Ferreira – I like to make a motion -- let me find it here -- of non-compliance.

Mr. Quinn – Motion, Quinn.

Vice Chair Clark – Ms. Marshall?

Ms. Marshall – I've still got one more motion to make before we get to the penalty.

Mr. Ferreira – I apologize.

Vice Chair Clark – Mr. Ferreira, would you withdraw your motion?

Mr. Ferreira – Yes, Sir.

Vice Chair Clark – All right. Mr. Quinn, would you withdraw?

Mr. Quinn – Yes.

Vice Chair Clark – Thank you. Ms. Marshall?

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 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. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Marshall – The Department's penalty recommendation is a \$1,000 fine.

Vice Chair Clark – Thank you, Ms. Marshall.

Mr. Ferreira – Vice Chair?

Vice Chair Clark – Mr. Ferreira?

**MOTION:** Mr. Ferreira moved for the issuance of a Notice of Noncompliance. Mr. Quinn seconded the motion.

Vice Chair Clark – Ms. Munson?

Ms. Munson – This is a question for Ms. Marshall. Does that type of penalty require an Order, ma'am? I was just noticing that anything that below the guidelines and normally a letter of guidance or non-compliance or other informal resolution, which is what this would be, requires the concurrence of the Department. So, I just wanted to cover those two (2) bases based on 497.153(3)(c), and confirm whether or not, if that would be the vote of this body, if an order would be required.

Ms. Marshall – I'm sorry, one moment.

Ms. Munson – Only because it's considered an informal.

Ms. Marshall – The provision concerning our consent to that is under probable cause and the issues of a Letter of Guidance. The issuance of a Notice of Non-compliance is considered disciplinary, and an order would need to be issued. But I think the order is notice.

Ms. Munson – And I would just like the motion to clarify exactly what the Order of Non-compliance states. Something about one (1) year. I want it to be clear what it reads. Since precedentially, we don't usually do this.

Vice Chair Clark – Mr. Ferreira?

Mr. Ferreira – I might need a little guidance in what she just said.

Ms. Munson – What was the previous motion that was placed on the record?

Vice Chair Clark – The motion was simply a Notice of Non-compliance.

Ms. Munson – That a Notice of Non-compliance be issued to the Respondent. Okay. I thought I heard some type of timeframe or something in that motion. I may have missed it. Thank you.

Vice Chair Clark – We have a motion. Ms. Wiener, I saw your hand up. Did you want to address the Board?

Ms. Wiener – I was just going to try and clear up that confusion, but I believe it's cleared now. Thank you.

Ms. Munson – Thank you all for that.

Vice Chair Clark – We have a motion to issue a Notice of Non-compliance, and it's been seconded. Any discussion on the motion? Hearing none, all those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries.

Ms. Wiener – Thank you.

***(b) Hanks, Scott J.: DFS Case No. 347721-25-FC; Division No. ATN-46088 (F043453)***

Ms. Simon – Mr. Hanks is here on the call today. Representing the Department is Ms. Marshall.

Vice Chair Clark – Ms. Marshall?

Ms. Marshall – Thank you, Mr. Vice Chair. 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 Scott J. Hanks (Respondent). Respondent is a funeral director and embalmer holding license number F043453. At all times material to the allegations herein, Respondent was the FDIC of Stonemor Florida Subsidiary LLC, d/b/a Scott Seawinds Funeral Home, a funeral establishment, preneed main, and apprentice/intern training agency holding license number F073376. A Department investigation revealed that the establishment failed to timely fulfill a consumer's request to cancel and refund a preneed contract. This is a one-count Administrative Complaint, and the relevant statutory provisions are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(13)(b), Florida Statutes: Failure to honor preneed contract cancellation requests and make refunds as required by the chapter.
- Section 497.459(2)(a), Florida Statutes: A purchaser, by providing written notice to the preneed licensee, may cancel the services, facilities, and cash advance items portions of a preneed contract at any time, and shall be entitled to a full refund of the purchase price allocable to such items. Any accumulated earnings allocable to such preneed contract shall be paid to the preneed licensee upon such cancellation.

- Section 497.459(6)(d), Florida Statutes: All refunds required to be made under this section to a purchaser who has canceled a contract must be made within 30 days after the date written notice of cancellation is received by the preneed licensee.

The disciplinary guidelines for these violations are as follows:

- *Count I: failure to honor preneed contract cancellation requests and make refunds as required by the chapter, first violation: Reprimand, fine of \$250-\$1,000 plus costs. In addition, probation for up to one (1) year with conditions, suspension up to one (1) year, and/or restitution may be imposed.*

The Motion demonstrates Respondent has indicated 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 will be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and has timely requested an informal hearing.

**MOTION:** Ms. Liotta moved that Respondent was properly served with the Administrative Complaint and has submitted a timely request for an informal hearing. 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 matter.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this matter. Mr. Jensen 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 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 set forth in the Administrative Complaint. Ms. Liotta seconded the motion, which passed unanimously.

Ms. Marshall – Okay, now would be an appropriate time to hear from the Respondent if you would like to speak, and I also see that Ms. Wiener has her hand up.

Vice Chair Clark – Thank you, Ms. Marshall. Ms. Wiener?

Ms. Wiener – Yes, thank you. I represent the Respondent and the company in this matter, Everstory, formerly known as Stonemor. This is another case where mitigating factors go against any significant penalty in this situation. Indeed, the refund on this contract went out late, but that is because a prior employee of the location received a request for cancellation, did not make Mr. Hanks aware of it, or the company aware of it. It wasn't until such time as this complaint came in that the company became aware of the request for cancellation. And you'll see in your work packet the cancellation was dispatched literally within 48 hours of that notice. Mr. Hanks, as an employee of Stonemor d/b/a Everstory, had not only no capacity to control that timing, but also had no actual notice. So, would have had no capacity to ensure that the licensee was complying with its statutory obligations. And in this case, we see that the minimal discipline in this matter is a reprimand, and we would ask that you impose that discipline on Mr. Hanks. And, of course, Mr. Hanks is here if he wants to offer additional information.

Vice Chair Clark – Thank you, Ms. Wiener. Ms. Marshall?

Ms. Marshall – Thank you, sir. 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. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Marshall – As to penalty we are recommending a \$1,000 fine and six (6) months of probation.

Mr. Ferreira – Mr. Chair?

Vice Chair Clark – Mr. Ferreira?

**MOTION:** Mr. Ferreira moved that Respondent shall be issued a reprimand. Mr. Quinn seconded the motion, which passed unanimously.

Vice Chair Clark – It is 11:10. We are going to take a 10-minute break, and we will come back and resume our agenda.

Ms. Simon – Thank you, Board.

Vice Chair Clark – Thank you.

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

Vice Chair Clark – Okay. It's 11:21 and I'll call the meeting back to order. Mr. Simo?

*(c) O'Brien Michael A.: DFS Case No. 346976-25-FC; Division No. ATN-45497 (F066697)*

Ms. Simon – Is Mr. O'Brien or representative of Mr. O'Brien on the call?

Mr. Henry Thompson – Yes, Henry Thompson, representative for Mr. O'Brien.

Ms. Simon – Thank you, sir. 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 Michael A. O'Brien (Respondent). The Division conducted an investigation of Respondent and alleges that Respondent is a licensed funeral director and embalmer currently on probation, holding license number F066697. At all times material to the allegations in this case, Respondent was designated as the funeral director in charge of Davis and Davis Funeral Services, LLC, a licensed funeral establishment holding license number F091066. This establishment failed to display the current licenses of two (2) employed funeral directors and failed to place a cremation disc with the remains of a decedent, retaining the disc instead. As FDIC, Respondent failed to ensure that this establishment complied with all applicable laws and rules. The three-count Administrative Complaint, and the relevant statutory provisions are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.380(7), Florida Statutes: The funeral director in charge is responsible for ensuring that the facility, its operation, and all persons employed in the facility comply with all applicable state and federal laws and rules.
- Section 497.380(15)(a), Florida Statutes: A funeral establishment and each funeral director, and, if applicable, embalmer employed at the establishment must display their current licenses in a conspicuous place within the establishment in such a manner as to make the licenses visible to the public and to facilitate inspection by the licensing authority.
- Section 497.171(1)(c), Florida Statutes: If dead human remains are cremated, proper identification shall be placed in the container or urn containing the cremated remains.

The disciplinary guidelines for these violations are as follows:

- *Counts I-II: Failure to properly display current license and other documents, or make them readily available, as set out in this rule, first violation: Notice of non-compliance*
- *Count III: Failing to properly affix an identification tag to a casket or other container in the manner required by this statute or rule, first violation: Reprimand, fine of \$250-\$1,000 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years, 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 whether the Respondent was properly served with the Administrative Complaint and has submitted a timely request for an informal hearing.

**MOTION:** Mr. Ferreira moved that Respondent was properly served with the Administrative Complaint and has submitted a timely request for an informal hearing. Mr. Quinn 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 matter.

**MOTION:** Mr. Jones moved that there are no material facts in dispute in this matter. Mr. Ferreira 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 asks the Chair to entertain a motion to adopt the allegations of fact as set forth in the Administrative Complaint.

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

Ms. Marshall – I see that Mr. Thompson is on the call, so now would be an appropriate time to hear from him if he'd like to speak.

Mr. Thompson – Yes, please. Can I, Mr. Chairman?

Vice Chair Clark – Yes.

Mr. Thompson – I just want to take a brief moment to kind of go over the facts of this matter and just say my client fully recognizes that an error occurred while he was FDIC of Davis and Davis Funeral Home. He recognizes that this error can lead to serious consequences by forgetting to include a metal ID. As you all know, who are licensees, that can be a big issue. Thankfully, in this case, that did not happen. The mitigating factors that play here point towards a minimum penalty being assessed against Mr. O'Brien. He's been practicing since 1984. He started off in New York and moved to Florida in roughly 2010. That's forty-two (42) years of practice if my math is correct. And this is only his second complaint in that entire time. Initially, while Mr. O'Brien accepts full responsibility FDIC for this error occurring, it was not a case that he directly worked. It was an error that was made by another member of staff, and as soon as it was pointed out, he, and the rest of Davis and Davis Funeral Home reached out to the family and ensured that they did indeed receive the correct cremated remains. So, there was no actual harm done here. The imposition of a harsher disciplinary penalty, such as \$750 or \$1000 and up, doesn't really serve a purpose because this wasn't a willful act, negligence or anything like that. It was an accident. Well, it could have had serious consequences. It did not in this case. There was no harm done. Based on these mitigating factors, we request that the Board imposing minimum penalty against Mr. O'Brien in this case would be two (2) Notices of Non-compliance for the first two (2) counts. And then a minimum penalty of \$250 and no probation for the third count. If you guys have any questions, I'd be happy to assess this more.

Vice Chair Clark – Thank you, Mr. Thompson. Mr. Ferreira?

Mr. Ferreira – Yes. Mr. Thompson, this week I was transferring some remains into a biodegradable urn that we were going to place in the water. So, when you do that, the bag has got to be changed, the urn is made up of paper machete, and as I was making this transfer, I was thinking, "Well, what do I do with the disc?" So, I want to leave it there. So, my point is, you know, if you're going to sea, do you keep the disc in the urn? So, that's something I feel like could have happened in this case, I don't know. But certainly, I understand this is not lawful, okay, however, I did want to kind of raise that. In this case, do you know anymore of how the disc -- why it was put there? Those types of things?

Mr. Thompson – I don't at this time. We only represent Mr. O'Brien in this matter, not the funeral home itself. And if memory

serves, looking at the investigative file, the cremated remains were initially released to the family back in 2023. So, I believe that we're released to the family in a physical urn, not a biodegradable urn, but I don't think we have anymore facts on how this error occurred beyond it was an accident that occurred. My client accepts responsibility, to the extent that he was FDIC. He recognizes that.

Mr. Ferreira – That's it for me, Vice Chair.

Vice Chair Clark – Thank you, Mr. Ferreira. Ms. Marshall, did you want to proceed?

Ms. Marshall – Yes. Thank you, Mr. Vice Chair. 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 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. Ms. Liotta seconded the motion, which passed unanimously.

Ms. Marshall – And as to penalty, so I'd like to note that the related case against the establishment came before you all back in January this year, and you imposed a \$2,000 fine and one (1) year of probation on the establishment. In light of the mitigation offered by Mr. Thompson, for this case we would like to recommend a \$1,000 fine and a one-year probation. Given that Mr. O'Brien is currently on probation from a previous order, we would like to run consecutively to that. So, the recommended probation in this case would begin on July 17, 2026, for one (1) year.

Vice Chair Clark – Mr. Jones?

Mr. Jones – Ms. Marshall, what was the previous probation on?

Ms. Marshall – So the Final Order for that one begins on Page 65 of the materials for this case. He is on probation for one (1) year. The allegations in that case were allowing an unlicensed person to engage in funeral directing, failing to provide a complete signed agreement, and five (5) counts of failing to specify in writing a time for cremation.

Mr. Jones – Thank you.

Vice Chair Clark – I want to state from the record that Mr. Williams needed to step away. He'll be back in about twenty (20) minutes, so that has been excused. Mr. Thompson?

Mr. Thompson – I just wanted to quickly state that Mr. O'Brien at that time, the one is for a different funeral home, not the one present here. And Mr. O'Brien was not represented by counsel during that initial hearing and did not realize that he needed to attend that hearing because it was the first one, he's ever faced in his, at that time, forty-one (41) year career. Based on that penalty that was assessed at that time, though, he's been taking this issue much more seriously, and that's why we're here. I don't want to get into specifics of the previous Administrative Complaint against the funeral home, but my understanding is that \$2,000 penalty was about double what the maximum penalty should have been assessed against them. Just as a side note.

Chair Peeples – Mr. Vice Chair?

Vice Chair Clark – Yes, Chair Peeples?

Chair Peeples – Mr. Thompson, I respect your comment and tenure that Mr. O'Brien has had, but he's got years under his belt. He should know better.

**MOTION:** Chair Peeples moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order and one-year of probation to begin July 17, 2026, with standard conditions.

Mr. Thompson – If I can. Again, my client accepts --

Chair Peeples – Sir, we need a second first before discussion.

Vice Chair Clark – Thank you, Chair Peeples. We have a motion. Mr. Jensen?

Vice Chair Clark – Is there a motion, Mr. Jensen?

Mr. Jensen – So I can't ask a question yet, right?

Chair Peeples – Correct.

Mr. Jensen – Okay.

Ms. Liotta – Second.

Vice Chair Clark – We have a motion for \$1,000 fine and a one-year probation to begin after the current. It's been seconded by Ms. Liotta. Any discussions on the motion?

Mr. Jensen – Question?

Vice Chair Clark – Yes, sir.

Mr. Jensen – I'm not sure, but I have a question for Ms. Marshall or Mr. Thompson. But reading the inspection narrative, I'm just curious in the practice of funeral directed and it looks like the complaint came from just a basic inspection. But the remains were handed out in 2023. How did the inspector find out that the metal disc was not in there?

Mr. Thompson – Ms. Marshall, correct me if you see this and I don't. I don't think the specific facts of that are in the investigative narrative beyond the inspector finding them.

Ms. Marshall – Yes, on Page 27 the narrative on the inspection report, it simply says cremation disc found in prep room not with cremains. So, it was just something just...

Mr. Jensen – Oh, it was just lying in the prep room.

Ms. Marshall – It happened to be noticed by the inspector.

Mr. Jensen – Okay. Thank you very much for clearing that up.

Vice Chair Clark – Thank you Mr. Jensen. Any other questions? We have a motion and a second on the table. All right. We'll take our vote. All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries.

**(4) Settlement Stipulation(s) (Probable Cause Panel A)**  
**(a) Cooper, April Melodee: DFS Case No. 347805-25-FC; Division No. ATN-45504 (F451431)**

Ms. Simon – Is Ms. Cooper or a representative of Ms. Cooper on the call today?

Ms. Wiener – Yes, Wendy Wiener representing Ms. Cooper.

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

Ms. Marshall – Thank you, Ms. Simon. I'd like to note just for the record that Ms. Clay has joined us. April Melodee Cooper ("Respondent") is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F451431. At all times material to these allegations, Respondent was the FDIC of Foundation Partners of Florida LLC, d/b/a E. James Rees Funeral Home & Crematory, a funeral establishment and apprentice/intern training agency, license number F201716. The Department conducted an inspection of this establishment which found that it continued operating while selling preneed contracts despite not maintaining the required operating space. Respondent has entered into a proposed Settlement Stipulation which provides that Respondent shall pay a fine of \$750. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Mr. Marshall.

**MOTION:** Mr. Jensen moved that Respondent shall pay a fine of \$750 fine to be paid within thirty (30) days of the Board Order. Ms. Liotta seconded the motion, which passed unanimously.

***(b) Madison-Eaves, Ruth: DFS Case No. 334934-24-FC; Division No. ATN-43184 (F370523)***

Ms. Simon – Is there a representative of Ms. Madison-Eaves on the call today?

Ms. Alexandra Underkofler – Yes, good morning. This is Alex Underkofler on behalf of Ms. Madison-Eaves.

Ms. Simon – Thank you. Presenting for the Department again is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. Ruth Madison-Eaves ("Respondent") is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F370523. The Department conducted an investigation of Respondent and found that at all times material to this case, Respondent also held an active Florida notary certificate. Respondent provided a false notarization on an affidavit that was provided to the Department in another investigation. Respondent has entered into a proposed Settlement Stipulation, which provides that Respondent shall pay a fine of \$3,000. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Mr. Marshall. Ms. Underkofler, are you here just to answer questions or do you want to address the Board?

Ms. Underkofler – Any questions that the Board has that would help accept the settlement agreement or address any other concerns to the Board has, I'm happy to address.

Vice Chair Clark – Thank you so much.

**MOTION:** Ms. Liotta moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order. Mr. Ferreira seconded the motion, which passed unanimously.

Ms. Underkofler – Thank you, all.

***(c) Related Cases - Division No. ATN-45486***

- 1. Monarch Funeral Home & Cremation Services LLC: DFS Case No. 351267-25-FC; Division No. ATN-45486 (F438970)***

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

Ms. Wiener – Wendy Wiener, representing Monarch.

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

Ms. Marshall – Thank you, Ms. Simon. Monarch Funeral Home & Cremation Services LLC (“Respondent”) is a funeral establishment, preneed main, and apprentice/intern training agency, licensed under Chapter 497, Florida Statutes, license number F438970. The Department conducted an inspection of Respondent and found that Respondent employed an unappointed preneed sales agent, and Respondent was using a crematory that was more than seventy-five (75) miles away. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,000 and Respondent’s license shall be placed on probation for six (6) months. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Mr. Marshall. Ms. Wiener, are you here to address the Board or answer questions?

Ms. Wiener – Just here for questions.

Vice Chair Clark – Thank you, Ms. Wiener.

Mr. Jensen – Question?

Vice Chair Clark – Mr. Jensen?

Mr. Jensen – Ms. Wiener, has the seventy-five (75) mile deal been rectified?

Ms. Wiener – It has. Yes, and that information has been provided, by notice, to the Department some time ago. And just for the record, the unlicensed preneed sales agent didn’t actually sell any preneed, but there was a person identified as a preneed sales agent who was not properly appointed.

Mr. Jensen – Thank you, Ms. Wiener.

Vice Chair Clark – What is the pleasure of the Board?

**MOTION:** Mr. Jensen moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order and six (6) months of probation with standard conditions. Ms. Liotta seconded the motion, which passed unanimously.

***2. Savino, William: DFS Case No. 351268-25-FC; Division No. ATN-45486 (F036730)***

Ms. Simon – Ms. Wiener is representing the licensee and presenting for the Department is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. William Savino (“Respondent”) is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F036730. At all times material to these allegations, Respondent was the FDIC of Monarch Funeral Home & Cremation Services LLC, a funeral establishment, preneed main, and apprentice/intern training agency, license number F438970. The Department conducted an inspection of this establishment which found that it employed an unappointed preneed sales agent and was using a crematory that was more than seventy-five (75) miles away. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,000 and Respondent’s license shall be placed on probation for six (6) months. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Mr. Marshall.

**MOTION:** Chair Peebles moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order and six (6) months of probation with standard conditions. Mr. Jensen seconded the motion, which passed unanimously.

Vice Chair Clark – Ms. Marshall?

Ms. Marshall – If you don't mind, if we can go back to the prior matter against Monarch Funeral Home.

**REVISIT**

**1. Monarch Funeral Home & Cremation Services LLC: DFS Case No. 351267-25-FC; Division No. ATN-45486 (F438970)**

Ms. Marshall – I believe that the vote was taken did not include the six-month probation that was included in the stipulation. Ms. Munson, do we need to have a second vote on that?

Ms. Munson – I think to be clean you do. Just because you did not say it, but they did accept what you presented in writing. To be clean, go ahead and do it over.

Ms. Marshall – So I would like to request a motion that the Board accept the Settlement Stipulation for a \$1,000 fine and six (6) months of probation against Monarch Funeral Home.

**MOTION:** Vice Chair Clark moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order and six (6) months of probation with standard conditions. Mr. Ferreira seconded the motion, which passed unanimously.

**(5) Settlement Stipulation(s) (Probable Cause Panel B)**  
**(a) Cooney, Patrick: DFS Case No. 311915-23-FC; Division No. ATN-40861 (F046717)**

Ms. Simon – Ms. Wiener is representing the licensee and presenting for the Department is Ms. Eldeb.

Ms. Nicole Eldeb – Thank you, Ms. Simon. Patrick Cooney (“Respondent”) is a funeral director and embalmer licensed under Chapter 497, Florida Statutes, license number F046717. The Department conducted an inspection of Respondent and found as follows: Forest Meadows Funeral Home failed to timely honor a contract by failing to cremate A.T.J.’s body for more than approximately 123 days after receiving the body. As funeral director in charge of Forest Meadows Funeral Home, Respondent is responsible for this violation. The Administrative Complaint contains one (1) count, and the relevant statutory violations are as follows:

- Section 497.380(7), Florida Statutes: the funeral director in charge is responsible for ensuring that the facility, its operation, and all persons employed in the facility comply with all applicable state and federal laws and rules.
- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(13)(a), Florida Statutes: 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.

Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,000.00, and Respondent’s license shall be placed on probation for a period of one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Ms. Wiener, are you here for questions?

Ms. Wiener – Yes. Thank you.

**MOTION:** Chair Peebles moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation with standard conditions. Ms. Sanjena Clay seconded the motion.

Vice Chair Clark – Any discussion on the motion? Mr. Jensen?

Mr. Jensen – Ms. Weiner, what was the reasoning here? There are a number of reasonings that can cause this, so I was just curious what was the reasoning.

Ms. Wiener – Thank you, Mr. Jensen. I appreciate the question, because it does go to an issue that I think is key. Florida law doesn’t actually set forth any time period within which cremation must occur. So, you can have a decedent on hand for a very

long period of time. We're trying to address that issue in statutory changes this legislative session. But be that as it may, there is no actual time frame. This case is about the failure to honor the contract between the parties. This was a situation where decedent remains came into the care of the funeral establishment. By the way, Mr. Cooney has not worked for that funeral establishment for a number of years. This is another situation where there is no companion case because that funeral establishment is owned by another party now. So, but there was a contract for cremation and then there was a long period of time in which the cremation did not occur. The subject of that became the subject of civil litigation. And so, I don't believe I'm at liberty to get into all of the facts, but the penalty that is being accepted by Mr. Cooney is as set forth in the stipulation for failure to honor the contract for services, not for the time period. So, I don't want anyone on this Board to be under the impression that Florida law establishes a timeframe within which cremated remains must be cremated when there are extenuating circumstances.

Vice Chair Clark – Mr. Jensen, any follow up?

Mr. Jensen – I'm good with that. I was thinking the same thing. I was like, well, wait a minute here. Why? You know, because there's a number of reasons that you run into that can go over that time limit. So, I was just curious because that's what I was seeing was 123 days in the complaint. Thank you.

Vice Chair Clark – We have a motion to accept the Settlement Stipulation, and it's been seconded. All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And that motion carries.

***(b) Ganderson Brothers Mortuary; DFS Case No. 330871-24-FC; Division No. ATN-42729 (F715733)***

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

Ms. Kapila Gaines – Yes.

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

Mr. Caracci – Thank you. Ganderson Brothers Mortuary (“Respondent”) is a funeral establishment, licensed under Chapter 497, Florida Statutes, license number F715733. The Department conducted an investigation of Respondent and found that Respondent aided and abetted unlicensed activity. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a \$1,750 fine and be subject to one (1) year of probation. The Department requests that the Board accept this Settlement Stipulation, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Mr. Caracci. Would the representative from Ganderson Brothers Mortuary like to address the Board or simply answer questions?

Ms. Gaines – I will address the Board.

Vice Chair Clark – You need to be sworn in. Ms. Simon?

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

Ms. Gaines – Yes.

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

Ms. Gaines – My name is Kapila Gaines. Last name, G-A-I-N-E-S.

Ms. Simon – Thank you, ma’am.

Vice Chair Clark – Ms. Gaines?

Ms. Gaines – This was our very first case of us opening our funeral home. The employee that is in question is no longer with Ganderson Brothers Mortuary, and I'm asking the Board to take that into consideration. We've been open three (3) years, well we're on our third year now. There have been complaints. The complaints have been investigated, and we've not been found guilty of any other complaints.

Vice Chair Clark – Thank you, Ms. Gaines. Board?

**MOTION:** Mr. Ferreira moved that Respondent shall pay a fine of \$1,750 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation with standard conditions. Ms. Liotta seconded the motion, which passed unanimously.

*(c) Hall Ferguson and Hewitt Mortuary PA: DFS Case No. 347466-25-FC; Division No. ATN-45945 (F040399)*

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

Ms. Marshall – Thank you, Ms. Simon. Hall Ferguson and Hewitt Mortuary PA (“Respondent”) is a funeral establishment and apprentice/intern training agency, licensed under Chapter 497, Florida Statutes, license number F040399. The Department conducted an inspection of Respondent and found that Respondent operated with an expired license from December 1, 2024, until February 20, 2025. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$750. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Ms. Marshall.

**MOTION:** Mr. Jones moved that Respondent shall pay a fine of \$750 fine to be paid within thirty (30) days of the Board Order. Ms. Clay seconded the motion, which passed unanimously.

*(d) Meyers, Kimberly Rachel: DFS Case No. 345573-25-FC; Division No. ATN-44285 (F079376)*

Ms. Simon – I see that Ms. Meyers is present. Presenting for the Department is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. Kimberly Rachel Meyers (“Respondent”) is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F079376. At all times pertinent to the investigation, Respondent was the funeral director in charge of Smart Cremation of Florida, LLC, a funeral establishment and preneed main which held license number F459300. The Department conducted an investigation of this establishment and found that several contracts did not contain the address or telephone number, and that an unlicensed individual completed an arrangement. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$750 and Respondent’s license shall be placed on probation for six (6) months. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Ms. Meyers, are you here to address the Board simply answer questions?

Ms. Kimberly Meyers – I was just going to answer questions, but I would like to address the Board now, please.

Vice Chair Clark – Ms. Simon, will you swear in Ms. Meyers?

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

Ms. Meyers – I do.

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

Ms. Meyers – Kimberly Rachel Meyers, M-E-Y-E-R-S.

Ms. Simon – Thank you, ma’am.

Vice Chair Clark – Thank you, Ms. Meyers. You can address the Board.

Ms. Meyers – So initially, I was placed on family medical leave back in February of 2022 or 2024 when this all began. I had emails that stated that I know ultimately it is my responsibility to let the Board know that I was placed on family medical leave and was not available to the FDIC, and then once I was physically determined not able to come back when I was released from being part of Smart Cremation and Northstar. I did send those emails over. So, anything that's in Exhibit 2 through 10 is past any of that. And then with Joanna Cadet, with the computer-generated contracts for the same reason that the Board has now waived all of her issues, is the same contracts that were then under me. So, I just wanted that to be brought up as well.

Vice Chair Clark – Thank you, Ms. Meyers.

**MOTION:** Chair Peebles moved that Respondent shall pay a fine of \$750 fine to be paid within thirty (30) days of the Board Order and six (6) months of probation with standard conditions. Ms. Liotta seconded the motion, which passed unanimously.

Vice Chair Clark – Thank you, Ms. Meyers.

Ms. Meyers – Thank you.

*(e) Northstar Cemetery Services of Florida LLC, d/b/a Memorial Park Cemetery: DFS Case No. 287717-21-FC; Division No. ATN-37704 (F080436)*

Ms. Simon – Representing the licensee is Ms. Wiener, and presenting for the Department is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. Northstar Cemetery Services of Florida LLC, d/b/a Memorial Park Cemetery (“Respondent”) is a cemetery, licensed under Chapter 497, Florida Statutes, and holding license number F080436. The Department conducted an investigation of this cemetery and found that it failed to provide for adequate care and maintenance of its grounds. Respondent has entered into a proposed Settlement Stipulation which provides that Respondent shall pay a fine of \$1,000. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Again, Ms. Wiener, are you hear for questions?

Ms. Wiener – Yes. Thank you.

**MOTION:** Mr. Jones moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order. Chair Peebles seconded the motion, which passed unanimously.

Vice Chair Clark –Let the record reflect that Mr. Williams has returned to the meeting. Ms. Simon?

*(f) Northstar Cemetery Services of Florida LLC, d/b/a Woodlawn Memory Gardens: DFS Case No. 287716-21-FC; Division No. ATN-37703 (F080438)*

Ms. Simon – Representing the licensee is Ms. Wiener and presenting for the Department is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. Northstar Cemetery Services of Florida LLC, d/b/a Woodlawn Memory Gardens (“Respondent”) is a cemetery, licensed under Chapter 497, Florida Statutes, license number F080438. The Department conducted an investigation of this cemetery and found that it failed to provide for adequate care and maintenance of its grounds. Respondent has entered into a proposed Settlement Stipulation which provides that Respondent shall pay a fine of

\$1,000. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Ms. Marshall.

**MOTION:** Ms. Liotta moved that Respondent shall pay a fine of \$1,000 fine to be paid within thirty (30) days of the Board Order. Chair Peebles seconded the motion, which passed unanimously.

*(g) Related Cases - Division No. ATN-42873*

*1. Dobies Funeral Home: DFS Case No. 334770-24-FC; Division No. ATN-42873 (F040968)*

Ms. Simon – Representing the licensee is Ms. Wiener, and presenting for the Department is Ms. Eldeb.

Ms. Eldeb – Thank you, Ms. Simon. Dobies Funeral Home (“Respondent”) is a funeral establishment licensed under Chapter 497, Florida Statutes, license number F040968. The Department conducted an inspection of Respondent and found that Respondent failed to provide L.M.’s family with his cremains and failed to timely honor a contract to transfer L.M.’s cremains into a family provided urn. The Administrative Complaint contains two (2) counts, and the relevant statutory violations are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(13)(a), Florida Statutes: 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.

Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,750, and Respondent’s license shall be placed on probation for a period of one (1) year. The Department requests that the Board accept this Settlement Stipulation, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Ms. Eldeb. Ms. Wiener, are you here to address the Board?

Ms. Wiener – Questions only, sir.

Vice Chair Clark – All right. Thank you.

Ms. Wiener – Thank you.

**MOTION:** Chair Peebles moved that Respondent shall pay a fine of \$1,750 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation with standard conditions. Mr. Ferreira seconded the motion, which passed unanimously.

*2. Hudson Chapel Crematory d/b/a Dobies Funeral Home & Crematory: DFS Case No. 334787-24-FC; Division No. ATN-42873 (F041311)*

Ms. Simon – Representing the licensee is Ms. Wiener and presenting for the Department is Ms. Eldeb.

Ms. Eldeb – Thank you Ms. Simon. Hudson Chapel Crematory d/b/a Dobies Funeral Home & Crematory (“Respondent”) is a cinerator facility licensed under Chapter 497, Florida Statutes, license number F041311. The Department conducted an inspection of Respondent and found as follows: Respondent committed fraud, deceit, incompetency, or misconduct by creating a certificate of cremation and identification tag falsely indicating that Respondent conducted L.M.’s cremation. The Administrative Complaint contains one (1) count, and the relevant statutory violations are as follows:

- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.

Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,500, and Respondent's license shall be placed on probation for a period of one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions. Thank you.

Vice Chair Clark – Thank you, Ms. Eldeb. Board?

**MOTION:** Chair Peebles moved that Respondent shall pay a fine of \$1,500 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation with standard conditions. Ms. Clay seconded the motion.

Vice Chair Clark – Any discussion on the motion? Mr. Jensen?

Mr. Jensen – Yes, quick question for the Department. How do you arrive at the fine if it was a purposely generated false document?

Ms. Eldeb – We base the fines based off of guidelines and any previous violations. In this case, in terms of I just want to clarify since you used the word "purposeful." It was an incorrect certificate, but we aren't alleging it was, like, intentionally malicious because we have nothing in our investigative files that necessarily support that. So, I just want to clarify that just to be sure. But yes, we are alleging that it is a false certificate, and we base our fines based off of the guidelines.

Vice Chair Clark – Mr. Jensen, do you have a follow-up?

Mr. Jensen – That that clears it up. If it was purposely done, that puts a whole new light on the case. So, I just wanted to make sure of that. Thank you.

Vice Chair Clark – Thank you, Mr. Jensen. Ms. Wiener?

Ms. Wiener – I just simply wanted to add on to Ms. Eldeb's clarification. Anytime someone generates a document that is wrong, they generated the document, so it sort of gets looped in there, but there wasn't any allegation here that this was fraudulently intended to mislead or misrepresent. So, and this is really {inaudible} fine, all taken into consideration for this because these are all four (4) of these cases that you are looking at here. So, the matter was taken extremely seriously by the licensee. I know that a lot of you know Tom Dobies, and I doubt you've ever seen any case before you for Mr. Dobies or any of his operations. So, he takes this matter very seriously and is showing as much by these fines, which will add up to a significant number. Thank you.

Vice Chair Clark – Thank you, Ms. Wiener. Any other discussion on the motion? Hearing none. All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? That motion carries.

### ***3. O'Neal, Patrick: DFS Case No. 334788-24-FC; Division No. ATN-42873 (F044469)***

Ms. Simon – Representing the licensee is Ms. Wiener. Presenting for the Department is Ms. Eldeb.

Ms. Eldeb – Thank you, Ms. Simon. Patrick O'Neal ("Respondent") is a funeral director and embalmer licensed under Chapter 497, Florida Statutes, license number F044469. The Department conducted an inspection of Respondent and found as follows: Hudson Chapel Crematory created an inaccurate certificate of cremation. As funeral director in charge of Hudson Chapel Crematory, Respondent is responsible for this violation. The Administrative Complaint contains one (1) count, and the relevant statutory violations are as follows:

- Section 497.380(7), Florida Statutes: the funeral director in charge is responsible for ensuring that the facility, its operation, and all persons employed in the facility comply with all applicable state and federal laws and rules.
- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.

- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.

Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,500, and Respondent's license shall be placed on probation for a period of one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I am available for questions.

Vice Chair Clark – Thank you, Ms. Eldeb.

**MOTION:** Ms. Liotta moved that Respondent shall pay a fine of \$1,500 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation with standard conditions. Mr. Jones seconded the motion, which passed unanimously.

**4. Urso, Edward: DFS Case No. 334783-24-FC; Division No. ATN-42873 (F042165)**

Ms. Simon – Representing the licensee is Ms. Wiener. Presenting for the Department is Ms. Eldeb.

Ms. Eldeb – Thank you, Ms. Simon. Edward Urso (“Respondent”) is a funeral director and embalmer licensed under Chapter 497, Florida Statutes, license number F042165. The Department conducted an inspection of Respondent and found as follows: Dobies Funeral Home failed to provide L.M.'s family with his cremains and failed to timely honor a contract to transfer L.M.'s remains into a family provided urn. As funeral director in charge of Dobies Funeral Home, Respondent is responsible for these violations. The Administrative Complaint contains two (2) counts, and the relevant statutory violations are as follows:

- Section 497.380(7), Florida Statutes: the funeral director in charge is responsible for ensuring that the facility, its operation, and all persons employed in the facility comply with all applicable state and federal laws and rules.
- Section 497.152(1)(a), Florida Statutes: Violating any provision of this chapter or any lawful order of the Board or Department or the statutory predecessors to the Board or Department.
- Section 497.152(1)(b), Florida Statutes: Committing fraud, deceit, negligence, incompetency, or misconduct in the practice of any of the activities regulated under this chapter.
- Section 497.152(13)(a), Florida Statutes: 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.

Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,750, and Respondent's license shall be placed on probation for a period of one (1) year. The Department requests that the Board accept this Settlement Stipulation, and I am available for questions.

Vice Chair Clark – Thank you, Ms. Eldeb.

**MOTION:** Ms. Clay moved that Respondent shall pay a fine of \$1,750 fine to be paid within thirty (30) days of the Board Order and one (1) year of probation with standard conditions. Chair Peeples seconded the motion, which passed unanimously.

Ms. Wiener – Thank you, Board.

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

Ms. Simon – This is an informational item. Pursuant to Section 497.466, Florida Statutes, the applicants on Addendum A have been issued their licenses and appointments as preneed sales agents.

**E. Application(s) for Continuing Education  
(1) Course Approval - Recommended for Approval without Conditions – Addendum B**

- (a) Academy of Graduate Embalmers of Georgia, Inc. (41609)
- (b) Colibri Healthcare (113)
- (c) Cremation Association of North America (16008)
- (d) Funeral Directors Life (57408)

- (e) *Independent Education Institute (135)*
- (f) *Jeffrey Holcomb (58008)*
- (g) *National Funeral Directors Association (49609)*
- (h) *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:** Ms. Liotta moved to approve the applications. Mr. Williams seconded the motion, which passed unanimously.

**F. Consumer Protection Trust Fund Claims**

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

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

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

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

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

- (a) *Delsignore, Alyssa M F923848*
- (b) *Timmons, Aaliyah F929529*

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

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

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

- (a) *Funeral Director (Endorsement)*
  - 1. *Hussain, Mohammed H*
  - 2. *York, Tara P*
- (b) *Funeral Director (Internship)*
  - 1. *Genaro, Lianett M*
- (c) *Funeral Director and Embalmer (Internship and Exam)*
  - 1. *Shores, Carmen N*
- (d) *Funeral Director and Embalmer (Endorsement)*
  - 1. *Veras, Brian S*

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

**I. Application(s) for Internship**

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

- (a) *Funeral Director*
  - 1. *Bell, Felecia L F923418*
  - 2. *Butler, Jovan E F583894*
- (b) *Funeral Director & Embalmer (Concurrent)*
  - 1. *De-La-Fuente, Nathaly F925458*
  - 2. *Foster, Stephanie F925474*
  - 3. *Hill, Jessie F927815*
  - 4. *Merz, Michelle L F927669*
  - 5. *Mujica, Arturo E F924418*
  - 6. *Rodriguez, Ariadna L F926104*

7. *Williams Jr., Dreall L F925260*

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

(2) *Request to Renew*

(a) *Funeral Director and Embalmer (Concurrent)*

1. *Recommended for Approval without Conditions*

a. *Tores, Roxann F839689*

Ms. Simon – Ms. Torres requested that this matter be removed from the agenda and waived the provisions of Chapter 120 Florida Statutes related to deemer. So, this matter is withdrawn from the agenda.

(b) *Funeral Director and Embalmer (Concurrent)*

1. *Recommended for Approval with Conditions*

a. *Johnson, Hailey F527527*

Ms. Simon – Is Ms. Johnson on the call today?

Ms. Hailey Johnson – Yes, I am.

Ms. Simon – Thank you, Ms. Johnson. Ms. Johnson, are you going to be making a statement today or are you only here to answer questions?

Ms. Johnson – I'm here to answer any questions that the Board has.

Ms. Simon – Thank you.

Vice Chair Clark – Ms. Simon, did you share with the Board the Division's recommendation?

Ms. Simon – I apologize, sir. An application to renew the concurrent internship license due to illness, hardship, or awaiting results was received by the Division on January 30, 2026. The applicant was licensed as a concurrent intern pursuant to 69K-18.003 (6), Florida Administrative Code, which only permits one internship in a lifetime. Ms. Johnson concurrent intern license expires on July 23, 2026, and the application to renew was received timely. The Division recommends approval, subject to the terms & conditions of the executed stipulation for licensure which requires proof of acceptance into Funeral Service Associate Degree Program

Vice Chair Clark – Thank you, Ms. Simon.

Chair Peeples – Thank you, Mr. Clark. Ms. Simon, can you swear in Ms. Johnson, please?

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

Ms. Johnson – I do.

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

Ms. Johnson – My name is Hailey Johnson. Last name is J-O-H-N-S-O-N.

Ms. Simon – Thank you.

Chair Peeples – Thank you, Ms. Simon. Mr. Vice Chair, may I proceed?

Vice Chair Clark – Yes.

Chair Peeples – Thanks. Ms. Johnson, I have a couple of questions. Where are you in your ethics being readmitted to the mortuary program?

Ms. Johnson – I am actually still in the mortuary program. This is my last semester.

Chair Peeples – What is the reasoning for you to submit this application for renewal when your current time frame does not until July?

Ms. Johnson – I'm just trying to make sure that I get through the rest of this semester on top of the 200 hours that I have to have approved through the funeral home as well as making sure that I'm fully prepared to take the Boards as well. I don't want to be in that limbo area.

Chair Peeples – Thank you ma'am. Ms. Simon, since I have been honored to serve on the Board, we haven't had this situation where someone is in the current period, and their timeframe has not expired yet. If the other Board members see fit to approve this for Ms. Johnson, can we make a caveat that it doesn't start until July 24, 2026, and go forward from there for an additional year so that we don't have an overlap? What would be the best suggestion from the Division?

Ms. Simon – Thank you for asking. In this matter, the Board members can vote on how they wish to proceed. If they want to approve the request for renewal of the internship six (6) months prior to the expiration, they're welcome to do so. And then have it start as of the date of the expiration of her internship, which is July 23, 2026. However, the Board wishes to proceed.

Chair Peeples – Thank you, Ms. Simon. I'm not sure if there's other Board members that have questions, but I'd like to make a motion to give her the additional year, but it doesn't begin until July 24, 2026, which is the day after the current internship ends.

Vice Chair Clark – Chair Peeples, would you consider adding also providing proof to the Division?

Chair Peeples – Yes, sir. Thank you, Vice Chair. We need proof of the Funeral Service Associate Degree Program, because it stated that you had to get acceptance back into that, which was the paperwork that we have, Ms. Johnson. Is that correct, Ms. Johnson?

Ms. Johnson – Yes.

Chair Peeples – Thank you, Mr. Vice Chair.

Vice Chair Clark – Thank you.

**MOTION:** Chair Peeples moved to approve the application beginning July 24, 2026, and have the applicant provide proof of acceptance into the funeral service associate degree program. Vice Chair Clark seconded the motion.

Vice Chair Clark – I see a couple of hands so we can now have some questions and discussion. Mr. Williams?

Mr. Williams – Yes. Thank you so much, Mr. Vice Chair. I appreciate Madam Chair's motion. My only heartburn is I would prefer the applicant to come back closer to the time of the expiration date so we can then see how many more hours she has to complete of the 200 hours. So, if I may ask a question, Mr. Chair? How many hours do you currently have now on the books?

Ms. Johnson – Are you asking me that?

Mr. Williams – Yes, ma'am.

Ms. Johnson – I haven't officially -- so it's the end of this semester which I believe is May, and then after that is when I will start those 200 hours. I'll have to start logging them in.

Mr. Williams – May I follow up, Mr. Vice Chair?

Vice Chair Clark – Yes, Mr. Williams

Mr. Williams – So, you have not started any hours during your internship application?

Ms. Johnson – So, it's kind of -- I'm six (6) months into my internship. But once we are done with all of our classes, I forget, they call it practicum, just pretty much shadowing the funeral director and you have to fill out a log and send it in with how many hours you're working, and each task that you are doing throughout the day, if that makes sense.

Mr. Williams – It does. And Ms. Chair, one last follow up. Madam Chair, if you could help me, or any of the professionals can help me with this. Could the applicant not do both at the same time? So, when applying for their internship license, could they not start their practicum at that same time, or is it customary to wait until they're nearly done to start your hours? Because of how I'm looking at it, when a plot your license in time you need to start your internship, versus having your internship license and you lose a lot of time.

Vice Chair Clark – Chair Peeples?

Chair Peeples – Thank you, Mr. Vice Chair. Mr. Williams, yes, she could have already been doing this. That's what the internship is for. So, I'm not sure why she has not, and that's a great question that you brought up. Because that's why you are given that one (1) year time frame in a lifetime. So, I understand the heartburn that you have. I also have a little concern when it comes to these renewals because, Ms. Johnson, let me just express to you, I'm in my forty-five (45) years. Okay, and I had a year, one (1) year, and so I worked within the timeframe I had, and I got it done. So, you need to show, kind of your fortitude by completing things in the task time given, because that's going to help you go forward in your career. So, hopefully much success to you as you continue on. Mr. Williams, I hope that maybe that helps to kind of answer your question.

Mr. Williams – Mr. Vice Chair, may I?

Vice Chair Clark – Yes.

Mr. Williams – Yes, ma'am, Madam Chair. I appreciate it. I just want to be kind of educated because that would be my only concern of not approving this applicant because we kind of open the door of a precedent and I'm trying to stay away from it as much as possible because we get these all the time. There are instances where we do or have made exceptions. I just see that if the person was granted application and it was approved to have an internship, but they did not take advantage of completing the hours from said date, but we also give them another opportunity. So, that's what I mean. Thank you so much, Vice Chair and Madam Chair.

Vice Chair Clark – Thank you. Mr. Ferreira, I saw your hand next.

Mr. Ferreira – So, you can start your internship after you've completed 75% of the course. So, you can certainly start it early. And let's not be confused that an internship is different than practicum. Practicum basically, you know, you shadow and that's based on the educational side of the degree. The internship is more of the legal, or the stateside of the requirements from this. The internship has no bearing, I guess on graduation. Is that correct?

Mr. Jensen – You are correct.

Mr. Ferreira – So, most of us still on this Board that are funeral directors, like Ms. Peeples said, we had one (1) year. And we took our Boards, our National Boards, the last semester of school. So, I have the same heartburn as you guys. I think we're stretching it out. I know that the Department heads of the school would love to see things change too. And I'll just leave it at that. Thank you.

Vice Chair Clark – Thank you, Mr. Ferreira. Ms. Johnson?

Ms. Johnson – Just backdooring with what was said earlier, you are definitely correct when you say the internship and the practicum is more of the educational side. I do agree it's a little confusing as why I couldn't start the hours when I started my internship, but the way that the curriculum is set up, I'm not allowed to, which is kind of where I would be in that limbo area. And I would like to state that I am not asking for an entire year, maybe just like a grace period of two (2) to three (3) months. I'm not looking for an entire year. But like I said, I just don't want to be in a limbo area.

Vice Chair Clark – Thank you, Ms. Johnson. Ms. Simon?

Ms. Simon – I just need to confirm something. My math is not that great. But if Ms. Johnson has not begun her internship, there are fifty (50) weeks that must be completed before an internship is complete. So, two (2) to three (3) months after the six-month period, after July, so that would take us to September, sounds a little odd, if I heard correct. Ms. Johnson hasn't begun her internship yet, because she would still need to have those fifty (50) weeks.

Vice Chair Clark – Yes, thank you, Ms. Simon. Ms. Johnson?

Ms. Johnson – I have started my internship. My internship will be up in July. That's when my license technically expires.

Vice Chair Clark – Thank you, Ms. Johnson. We do have a motion. If I remember, it was to approve, beginning July 24, 2026, and have the applicant provide proof of acceptance into the Funeral Service Associate Degree Program. That was made by Chair Peebles and I second it. Any other discussion? Mr. Ferreira?

Mr. Ferreira – I'm still confused why she needs more time. Ms. Johnson, I'm just confused. If you're in the program, will you have your fifty (50) weeks in July of 2026? Will you have your 50 weeks?

Ms. Johnson – Yes.

Mr. Ferreira – So are you doing this so that you don't lose your position at work? And is that where we're kind of leaning towards where you might because if your internship stops July 23<sup>rd</sup>, you lose your work employment position and you haven't taken your Boards?

Ms. Johnson – Yes, sir.

Mr. Ferreira – Okay. Now, I understand. Thank you.

Vice Chair Clark – Any other questions?

Ms. Wiener – Mr. Chair?

Vice Chair Clark – Yes?

Ms. Wiener – I hate to interject, but perhaps the Division can speak to, we put a law in place so that internships continue while people wait to sit for their examinations. So, perhaps the Division wants to weigh in on this and whether it's necessary at all for her to do that. If she is scheduled to complete her internship on time, and then sit for her exams, her internship would actually be able to continue pursuant to a law that was amended maybe five (5) or six (6) years ago, I believe. Thank you.

Vice Chair Clark – Thank you. Ms. Munson?

Ms. Munson – I just wanted to be clear for the record so that no other party may feel, and thank you for that comment, Attorney Wiener, and the Department can respond as they will. But I just wanted to clarify, are you representing her at all, Ms. Wiener, or is this just open comment?

Ms. Wiener – Just trying to help. I see an applicant has applied and paid a fee for an application that really isn't and shouldn't be necessary at all. And so, it just--

Ms. Munson – That is appreciated. I just for the record, and now I'll let the Department address it. I don't want any other applicant to come and have the feeling that information may be provided to the public that they were not privy to or whatnot. So, I just like to caution, and Ms. Simon you can feel free to comment as you find necessary. Thank you.

Ms. Simon – I do not have a comment on this conversation {inaudible}.

Vice Chair Clark – Thank you, Ms. Simon. Chair Peeples?

Chair Peeples – Thank you Mr. Vice Chair. Ms. Johnson, what date did you start the beginning of your fifty (50) weeks of internship?

Ms. Johnson – If you're needing an exact date, I can find it, but it would be --

Chair Peeples – Okay. A year of internship is going to end on July 23, 2026, which means it started in July of 2025. When did you start your fifty (50) weeks of internship?

Ms. Johnson – Yes. It was July 2025.

Chair Peeples – Okay, so you really don't need an extension. You don't need a new renewal of this because you will be able to complete all the requirements for your internship by July 23, 2026. Is that correct?

Ms. Johnson – Yes, ma'am. As far as --

Chair Peeples – What is the purpose of your request, because you will be able to complete it in the time frame that you have been given by this current period?

Ms. Johnson – Like I stated earlier, kind of that limbo area, and like he had mentioned the possibility of losing the position. And so, that's what I was kind of beginning to worry about.

Chair Peeples – And I'm not trying to be difficult with you, but I've been where you are, and I had a year. I did. The other licensees on this Board have done the same thing. Limbo doesn't work in this industry. It's either black or white. You've got to start now to have a good foundation to go forward, even if you're thinking of having ownership or management or anything of that nature. So, I'm confused why you are requesting, and I'm glad you're on the call today, I'm confused why you're requesting another year of internship. It's your responsibility to complete it in fifty (50) weeks. It's your responsibility to do the National Boards Arts and Science and pass both of those and take the state Law and Rules. So, do you actually need another year, or maybe as a suggestion you may want to withdraw your application?

Vice Chair Clark – Ms. Simon?

Ms. Simon – I was just thinking that the application being made and that I'm withdrawing the comment.

Vice Chair Clark – Thank you, Ms. Simon. Mr. Ferreira?

Mr. Ferreira – I want to ask the same type of question as Ms. Peeples. Ms. Johnson, thank you for being here. I've also been right where you're at. My question is have you been working full-time during your internship? We're talking 40-hour weeks.

Ms. Johnson – Yes, sir. If not more.

Mr. Ferreira – Okay. Thank you.

Vice Chair Clark – Thank you, Mr. Ferreira. Ms. Munson?

Ms. Munson – I just also wanted to note that this application actually by the terms of the application to renew due to an illness, hardship or awaiting results. Based on the information of the factual that is being presented I'm not sure if that is applicable to the purpose of the application, but that's just general information for consideration.

Vice Chair Clark – Thank you, Ms. Munson.

Chair Peeples – Mr. Vice Chair, I'd like to withdraw my motion, sir.

Vice Chair Clark – I withdraw my second, as well.

Chair Peeples – Thank you.

Mr. Williams – Mr. Chair?

Vice Chair Clark – Mr. Williams?

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

Mr. Williams – {Inaudible}, Ms. Munson? Is that what you're asking for?

Ms. Munson – I mean, I just there was a comment by a Board member about giving the option to withdraw so that doesn't remain on her license in history, but Ms. Peeples may have a comment to that.

Chair Peeples – I was going to say the same thing Ms. Munson was that we may need to ask Ms. Johnson if she'd like to withdraw it because Ms. Johnson if we deny it it's going to follow you and it's going to follow your career and it will come up whenever you do make an application coming before the Board, so that's a the decision made for you.

Ms. Johnson – May I speak?

Vice Chair Clark – Yes.

Ms. Johnson – With that being said, the reason I did submit paperwork with my application. The reasoning of the hardship is this last semester was supposed to be my last semester, and I was supposed to be in practicum right now as we speak, but I did go through a causation, a domestic violent situation if you will, which was provided with the application. So, that's kind of why I was asking for an extension. And not necessarily an entire year, like I had stated before, but I would like that to just be known by the Board.

Vice Chair Clark – Thank you, Ms. Johnson. Mr. Jensen?

Mr. Jensen – This for Ms. Johnson. Basically, what Ms. Peeples is saying is to withdraw and if you need more time, we will conquer that at that time and come back to the Board. We all want you to get licensed, but you know, we all had to do it, so we just want it to be done the right way. So, it's not necessary for you to have this at this point, so, if you withdraw, you got nothing against your record and if you run into hardship in July, then come back. Thank you, Mr. Vice Chair.

Vice Chair Clark – I'd like to ask, does that make sense what Mr. Jensen said?

Ms. Johnson – Yes, it does. So, I would like to withdraw.

Vice Chair Clark – I know we have a motion and the applicant is withdrawing. Is there anything we need to do at this point?

Mr. Williams – Mr. Vice Chair?

Ms. Crystal Grant – This is Crystal Grant, with the Division. Can I have a moment?

Vice Chair Clark – Mr. Williams?

Mr. Williams – If the applicant would like to withdraw, I will withdraw my motion. If that's the applicant's decision to withdraw her application. If I'm in order, Ms. Munson?

Ms. Clay – The second is also withdrawn.

Vice Chair Clark – Thank you, Ms. Clay. Ms. Munson, the applicant withdrawing is actually needed for this Board. Correct?

Ms. Munson – Yes, that would be fine. I think normally the Board votes to accept the withdrawal, and the Order goes out accepting the withdrawal.

**MOTION:** Mr. Williams moved to accept the applicant's withdrawal of the application. Ms. Clay seconded the motion.

Vice Chair Clark – Mr. Quinn?

Mr. Quinn – Thank you. First of all, I want to compliment Ms. Johnson for being proactive and coming to us, and you know, asking our opinion, hey, help me, I'm trying to get my funeral director's license. My next comment is with this motion will this mean that Ms. Johnson has to come back before this Board again?

Chair Peebles – If she decides. That's her decision. She may not need to.

Mr. Quinn – Thank you.

Vice Chair Clark – Any other discussion on the motion? Well, for the record, let's be very clear. All those in favor, say Aye.

Board Members (Unison) – Aye.

Vice Chair Clark – And any opposed? And that motion carries.

Chair Peebles – Thank you, Ms. Johnson.

Vice Chair Clark – Thank you.

***b. Yanicak, Katrina M F629110***

Ms. Simon – I believe she is on the call. An application to renew the concurrent internship license due to illness, hardship, or awaiting results was received by the Division on February 13, 2026. The application was deemed completed once reviewed and processed. The applicant was licensed as a concurrent intern pursuant to 69K-18.003(6), Florida Administrative Code, which only permits one internship in a lifetime. Ms. Yanicak concurrent intern license expires on February 26, 2026, and the application to renew was received timely. The Division recommends approval subject to the terms & conditions of the executed stipulation for licensure, which provides that within sixty (60) days of this Board meeting, provide notice to the Division of the registered training agency used to complete internship.

Ms. Katrina Yanicak – I'm sorry, I couldn't hear you. You were breaking up really badly. I apologize.

Vice Chair Clark – Just one second. Ms. Simon, we're having a hard time. You were going in and out.

Ms. Simon – Let me try this one more time. I apologize for any interference. The Division recommends approval subject to the terms & conditions of the executed stipulation for licensure, which provides that within sixty (60) days of this Board meeting, provide notice to the Division of the registered training agency used to complete internship. Mr. Vice Chair, were you able to hear that?

Vice Chair Clark – Yes, I was.

Chair Peeples – Thank you.

Vice Chair Clark – Ms. Yanicak, are you here to address the Board, or to answer questions?

Ms. Yanicak – I just want to say something.

Vice Chair Clark – Ms. Yanicak, we need to swear you in, first. Ms. Simon?

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

Ms. Yanicak – Yes.

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

Ms. Yanicak – Katrina Yanicak, Y-A-N-I-C-A-K. So, I had an internship, and I ended up leaving. My mom got really sick. I really didn't think twice, I just wanted to be with her. I took care of her a couple of months. When my sister was able to take over, I came back here to Florida, because I was in North Carolina, and I immediately started looking for internships. I have been looking since December. I go on job boards. I post on employment things. I'm willing to relocate in Florida. And I go in person to funeral homes with resume in hand trying to find an internship. I have been having a very hard time. I'm working with another funeral home that's hopefully getting their training agency license and they're going to take me on, but I don't know what's happening with that. I would ask, if possible, to have whatever amount of time I can to try to find an internship because even with me be willing to just move across the state, it's been really difficult. I didn't think it would be this hard to find another one.

Vice Chair Clark – Thank you. Ms. Peeples, did you have your hand up?

Chair Peeples – Yes. Thank you, Mr. Vice Chair. Thank you, ma'am. for joining the meeting today and being here and I'm so sorry to hear about the situation that you had going on personally. Caregiving's hard and so I understand from taking care of both of my parents. I know you have given us kind of a great detail of the situation that you had with an internship supervisor that it just did not work out. So that's kind of one of your stimulating circumstances but through all of this that you're going through, I noticed you did not pass the National Board in October of 2025.

Ms. Yanicak – I didn't. I actually took it while I was taking care of my mom, and she was in a nursing home, kind of catching pneumonia.

Chair Peeples – And my question is, if I may please, as we are in our six (6) months since you've taken it, have you registered to take it again? Where are you?

Ms. Yanicak – I don't have the money. I would love to. I don't have the money to do it. Because when I took it, I was very sick. I couldn't reschedule it. And I was one (1) point away on both of them. I know if I take it again, I'll be okay. I just have no money. Literally, my full-time job has been trying to find an internship. If you guys have any suggestions, please let me know because I've used every personal resource that I have and I don't know why I can't get anything. This one place I've been working with be approved as a training agency.

Chair Peeples – Have you visited the North Florida area? Have you checked? Have you come and visited a few of our homes here in this area?

Ms. Yanicak – I haven't. Right now, I've just been in South Florida. It's a matter of me just started a part-time job and I'm only doing it weekends so that I'll have the weekdays to go to look for internships in person other than emailing.

Chair Peeples – There's different parts of the state. We all do things differently in different parts just like I'm in Jacksonville and I'm not sure what city are you residing in, but we do things differently in Jacksonville than they do in Orlando or Miami or even Pensacola, so that's something for you to consider.

Ms. Yanicak – I've applied to, I don't really know, I can't remember. I'm not really from here, but I live in West Palm Beach, and I go from Miami and up, you know, just trying to do like whatever I can within a two-hour radius, and I've been legitimately. I don't want to lose. I don't want to. I really don't know why I can't find one.

Chair Peeples – And I understand your frustration, ma'am, but then you got to put boots on the ground, and you've got to do your part. So, I know it's [inaudible] but just like here in my area, you'd have to come visit. You'd have to make appointment to visit with us here. Okay. We don't do anything over the phone. It's a one-on-one type situation. So, there's a lot of aspects you have that I'll cease my questions and turn it back to Mr. Vice Chair. Thank you, sir.

Ms. Yanicak – If anyone can help, I literally hand out. I go in person with resumes of print out resumes to give them and I'm just getting nowhere. So, if you have any suggestions, please let me know.

Vice Chair Clark – Thank you, Ms. Yanicak.

Ms. Yanicak – Like I said, as much time as you can give me, because I'm trying.

Vice Chair Clark – Mr. Williams?

Mr. Williams – Thank you, Mr. Vice Chair. Ma'am, I have a question for you. On Page 11 of our packet. There's three (3) quarters or three (3) sections that I guess you completed, may have completed your hours, and you had issues with the training agency's signing the report. So, can you elaborate on that? In terms of the first report, it says received, so I'm assuming that you did hours. But the next three (3) reports, not received by the Division. So, I were hours completed, and they were just not signed off on? Could you talk me through that?

Ms. Yanicak – I should have I think until July to sign off on. I left end of September. I don't want to get into it too much, but I moved back down here for an internship that my friend offered. She was a manager. In the end, I know she held that position open for me for a while. When I left, and I told her I was leaving, she was not happy. There's some ethical things that I wouldn't do that made us confrontational and towards the end she just refused to sign it when I left. I'm assuming she's just upset that I left, because she held the position open, but there was nothing I could do. I emailed her my stuff, and she just said, "I'm not signing it. Do not email me again."

Mr. Williams – So, Mr. Vice Chair, if I may follow up. I understand you said you left in September. What about the report from April 1<sup>st</sup> through June 30<sup>th</sup>?

Ms. Yanicak – I have that. I sent it in.

Mr. Williams – I guess I'm just reading the documents we received. That there was nothing received - issues with the training agency of signing report.

Ms. Yanicak – Yes, so wait. Do you have my one from, was it March to June?

Mr. Williams – Mr. Chairman, may I have a comment?

Vice Chair Clark – Yes, Mr. Williams.

Mr. Williams – So, there's one report, February 26, 2025, through March 1, 2025. That was received. I'm assuming it was received by the Division. It says report received is checked. The next three (3), April 1<sup>st</sup> through June 30<sup>th</sup>, July 1<sup>st</sup> to September 30<sup>th</sup>, October 1<sup>st</sup> to December 31<sup>st</sup>, no reports were received by the Division due to issues with the training agency.

Ms. Yanicak – I should have two (2). I have, you know, my other three (3) months with my embalmings and the stuff that I did, but like I said, I couldn't get signed off on. I tried, but I left it because there's just nothing I can do. It was a difficult situation. I didn't want to escalate anything. I should have from when I started my internship, that was at February 26<sup>th</sup>, up until June 30<sup>th</sup> is when I should have all my quarterly reports in for. That's all I have right now.

Mr. Williams – So actually I have one (1) more follow-up.

Vice Chair Clark – Yes, Mr. Williams.

Mr. Williams – My only concern, ma'am, is we're talking about September 30<sup>th</sup> that you separated from the training facility that you were working with. Today is March 5<sup>th</sup>. So, we've gone seven (7) months without anything, but you notify the Division thirteen (13) days prior to the expiration. So, could you have not informed the Division of your circumstances or submitted a petition or something prior to thirteen (13) days before the expiration date of your internship license?

Ms. Yanicak – Now, I'm confused. What was I supposed to do?

Mr. Williams – One, your internship license expired February 26<sup>th</sup>. You informed the Division on February 13<sup>th</sup>, but you knew you had these situations occurring. I sympathize with you what you were dealing with, but more advanced notice to have [inaudible]. As we have shared with the previous applicant, this is going to follow you because [inaudible] a denial based off of what I have seeing. So [inaudible] before, an opportunity for you to withdraw your application. This is where I'm sitting, I'm not sure where my colleagues are at. But withdraw your application because there's just a lot of inconsistencies and a lot of holes in what I'm reading, and what I'm hearing.

Ms. Yanicak – I'm so confused. Like, I'm so scared right now. I don't understand. I left my internship. I left to go take care of my mother. The supervisor was not happy about it, and she made it very clear that she was upset about it. She didn't want to sign for my last couple of months even though I worked, I have the paperwork, I have the embalmings that I did, and I was upset about it, but I had to leave it. It was there to let go and take care of my mom. And I came back, and I've been trying for months to find an internship. I didn't think it was going to be this hard. And I'm not just calling, I'm not just emailing, I'm going in person, I'm doing Facebook groups, I'm doing every resource that I have. And I'm hoping that this one funeral home will get their training facility license, and I'll be able to do my internship. I don't want to lose this. I don't know what more to say. I've been trying so hard. I'm sorry.

Vice Chair Clark – Thank you, Ms. Yanicak. Mr. Williams, do you have anything further?

Mr. Williams – No.

Vice Chair Clark – All right. Mr. Jensen?

Mr. Jensen – Mr. Clark, I would just like to make a comment. This is an ongoing problem with students finding internships. There are a lot available but if you check some of the websites, which I check myself, there's an awful lot of people out there looking for internships, and you know, during COVID you wouldn't have had a problem. You would have that immediately. But nowadays, most of the funeral homes are looking for, you know, experience. And I understand the hardship, but I mean, to Mr. Williams' point, I would have a hard time denying this lady a chance to rectify the situation. She's spent two (2) years in college, got her degree, she's having some problems, and you know, the test, I understand her I mean I had to do them, everybody has had to do them, but not everyone gets it the first time around. So, I just want to make a comment, I don't think we should deny her a chance to at least get her life back on track. She's obviously been through some things, so we should give her that grace. Thank you, Mr. Vice Chair.

Vice Chair Clark – Thank you. Mr. Ferreira?

Mr. Ferreira – I feel the same way as Mr. Jensen and Mr. Williams. One question. Is there any recourse based on the training agency? That's one question I have. To Mr. Jensen's comment, you have to be licensed as a training agency to allow these interns to have an internship with us. How many are training agencies? So, you know, and what type of responsibility is it

brining to a funeral home to sign up to be a training agency? What type of liability do they take on? These are just questions that I'm throwing out there. So, anyway, that's kind of a comment I wanted to make.

Vice Chair Clark – Thank you, Mr. Ferreira. Mr. Jones?

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

Vice Chair Clark – Mr. Jones is that to approved based on the Division's recommendation that within sixty (60) days of this Board meeting, provide notice to the Division of the registered training agency used to complete internship? Did you want that Condition?

Mr. Jones – Yes, please.

Vice Chair Clark – Ms. Liotta, do you accept that?

Ms. Liotta – Sure.

Vice Chair Clark – Ms. Munson?

Ms. Munson – Failure to meet that condition would mean what for this Board? Is it coming back? Is it going to be automatically coming back for denial? What happens if those sixty (60) days are not met?

Ms. Yanicak – I just wanted to ask you a question.

Vice Chair Clark – Ms. Simon?

Ms. Simon – I can answer on behalf of the Division. If the conditions are not met, then the internship licensure will not be renewed. She will need to come back before the Board.

Ms. Munson – Because I think it's only fair for Ms. Yanicak if she understands what that would mean, because so long as we're doing so much, it's going to roll up and if there's nothing there, it will not roll up, it will expire. And if there's nothing there, I need the applicant to understand what that means.

Ms. Yanicak – Sorry. It's been so hard.

Vice Chair Clark – Ms. Munson, did you have anything else?

Ms. Munson – That's it. I just wanted that to be stated for the record.

Ms. Yanicak – I don't know if I can talk.

Vice Chair Clark – Right now we have a motion and a second. So, the Board is having a discussion and then we'll come to you in just a minute. Mr. Jensen?

Mr. Jensen – Ms. Yanicak, what she's saying is you have sixty (60) days. Do you think you can find an internship in sixty (60) days? Are you okay with that?

Ms. Yanicak – I really hope so, because I thought I would have one by now. I've been looking for like three (3) months. I said that there's a funeral home called Northwood. And I've Been talking to them. And they're trying to apply to be a training facility, and I know they ran into some roadblocks, but I know he's putting in all the paperwork so I'm hoping he gets approved, and I get an internship.

Mr. Jensen – And a lot of places out there are you know where they have a problem on the training facility is a number of embalmings generally which that's been, but I do know it's still a problem because information is so prevalent in our industry.

But Ms. Peeples gave you a little hint, and I hope you took that part, that there may be some places in North Florida looking for some internships. And if you get in front of people, I know myself, if somebody took the time to come my office and see me and everything looked, I certainly would be inclined to give them a chance. So, what Ms. Munson's saying is she wants you to understand that you have sixty (60) days. If you run into a problem and something happens, and you come back again, and we'll figure it out from there. Thank you, Mr. Vice Chair.

Vice Chair Clark – Thank you, Mr. Jensen. Ms. Liotta?

Ms. Liotta – Yes, I was wondering if maybe we could, my second, or recommend maybe making it four (4) months instead of the sixty (60) days? Would that be okay?

Vice Chair Clark – Mr. Jones?

Mr. Jones – I would be agreeable to that. Good recommendation.

Vice Chair Clark – Just to clarify, we have a motion now to approve. subject to the applicant providing notification within four (4) months?

Mr. Jones – My recommendation is to approve and allow four (4) months instead of the sixty (60) days. Ms. Yanicak, within four (4) months you must find something.

Ms. Yanicak – Thank you.

Vice Chair Clark – We have a motion and a second. Any discussion on the motion? Mr. Williams?

Mr. Williams – Yes, this is more for the Division. Ms. Simon, Ms. Schwantes, is it possible to list on the Division's website approved training agencies so that could possibly help persons?

Ms. Yanicak – I have a list of all the training facilities, and I took them and made {inaudible}. So, it's out there.

Vice Chair Clark – Mr. Williams?

Mr. Williams – I guess I'm asking, so we have a lot of information, is it possibly to maybe put approve training agencies on the website as another resource. I'm not sure. I'm sure the Division has a database for the type of challenges. Is that something available or something we can do? I'm not sure though. It's just a question.

Ms. Simon – If I may?

Vice Chair Clark – Ms. Simon?

Ms. Simon – We do have a list of registered training agencies. All there needs to be made is a public records request. And I'm not sure, but Ms. Yanicak may have already requested that list.

Ms. Yanicak – I have it. You can get it because I put it in by county and I've been going to each and every funeral home in person, that's a training facility. But some of them are only funeral director training facilities.

Mr. Williams – The only reason I asked Ms. Simon or Ms. Schwantes is because what I heard from the applicant was like it was a challenge in finding. So, I wanted to make sure that there's an accessible way to find that information. I apologize if that information is available. I was just hearing there was a {inaudible} in the area where she's located. I don't know if {inaudible}. I just want to ask that question. That's all.

Vice Chair Clark – Any other questions on this motion? Okay. All those in favor of the motion say, "Aye."

Board members [Unison] –Aye.

Vice Chair Clark – Any opposed? Then that motion carries.

**J. Application(s) for Funeral Establishment**

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

**(a) Bay Area Family Funeral Services, Inc d/b/a Segal Funeral Home (Tampa)**

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

Mr. Charles Segal – Yes.

Ms. Simon – Thank you, sir. An application for funeral establishment licensure based upon a change in ownership was received on January 23, 2026. The Division considered the application complete on this same date. The FDIC will be Mr. Charles D. Segal (F043490). A background check of the principals, Mr. Michael T. Epstein, Mr. Henry L. Epstein and Ms. Teri E. Bretz, did not reveal any relevant criminal history. With regards to disciplinary history, in 2019, Henry Epstein was assessed a \$500 fine by the Ohio Board of Embalmers and Funeral Directors. Documentation regarding that discipline is included within the Board packet. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of the Divisions staff.

Vice Chair Clark – Thank you Ms. Simon. Who's representing Segal Funeral Home? And are you here to address the Board or just to answer questions?

Mr. Segal – Just to answer questions.

Vice Chair Clark – Thank you.

**MOTION:** Mr. Jones moved to approve the application subject to the condition that the establishment pass an inspection by a member of the Division staff. Mr. Quinn seconded the motion, which passed unanimously.

Ms. Mary Schwantes – Excuse. me, Mr. Vice Chair?

Vice Chair Clark – Ms. Schwantes?

Ms. Schwantes – A number of Board members on that prior vote had their audio on mute, so you need to go back to that prior vote and have everybody come off of mute and vote. My apologies for interrupting.

Vice Chair Clark – We will go back to the application for Bay Area Family Services. We had a motion to approve subject to passing onsite inspection and it was seconded. All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? That motion carries. Ms. Simon?

**(b) Clearview Cremation, LLC (Miami)**

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. A new application for a funeral establishment licensure was received on February 4, 2026. The Division has considered the application complete on this same date. The FDIC will be Ms. Alexandra N. Alvarez (F770278). A background check of the principals, Mr. Lorenzo M. Frati and Mr. Jenson Carlgren, 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 the Divisions staff.

**MOTION:** Mr. Williams moved to approve the application subject to the condition that the establishment pass an inspection by a member of the Division staff. Chair Peeples seconded the motion.

Vice Chair Clark – Mr. Ferriera?

Mr. Ferreira – On Page 2, what is at the bottom of the page, “Demer date is calculated by Division staff?” I just didn't know what that meant on Page 2.

Ms. Simon – May I?

Vice Chair Clark – Yes.

Ms. Simon – That's something that we do internally in order to determine when this item needs to be presented to the Board timely. According to Chapter 120, Florida Statutes, there are some requirements regarding time.

Mr. Ferreira – Okay. Thank you.

Vice Chair Clark – All those in favor say Aye.

Board members [Unison] – Aye.

Vice Chair Clark – Any opposed? And the motion carries.

*(c) Heavenly Funeral Home Chapel & Cremation, LLC (Port Charlotte)*

Ms. Simon – Since the time of the application, the Division received an agreement that Gendron will be providing both cremation and refrigeration for this entity. A new application for a funeral establishment licensure was received on January 29, 2026. The application was incomplete when received. The Division received the required information to complete the application on February 19, 2026. The FDIC will be Ms. Michelle N. Jones-Pierre (F086236). The principal, Ms. Michelle N. Jones-Pierre, provided documentation of receipt from Identigo as proof of having the required fingerprinting done. The Division recommends approval subject to the condition(s) as follows:

1. That the establishment passes an inspection by a member of the Divisions staff.
2. That the Division receive the principal's fingerprints (Ms. Michelle N. Jones-Pierre) with no relevant criminal History.

Is a representative of this entity on the phone today, or on the call today? Hearing no response. Mr. Vice Chair?

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

Vice Chair Clark – It is 1:08. We're going to take a break, and we will come back at 1:20 to finish the meeting.

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

Vice Chair Clark – It is 1:21 and I'll call the meeting back to order.

Ms. Simon – Thank you, Mr. Vice Chair. Mr. Jones is no longer on the meeting. He may be attending by phone later on. If so, we will notify the Board.

**K. Application(s) for Preneed Main**  
**(1) Recommended for Approval without Conditions**  
**(a) Omega Mortuary & Cremation Services LLC (F899524) (Jacksonville)**

Ms. Simon – The Department received an application for a new preneed license on January 27, 2026, and a deficiency was sent to Applicant as of January 29, 2026. All deficiencies were resolved as of 1-30-2026. The sole owner and member of the LLC is Ericksen McConnell. A completed background check of the principal was returned to the Division without criminal history. Applicant obtained its qualifying funeral establishment license as of September 4, 2025, under license # F899524 at the above listed location. If approved, Applicant will sell insurance-funded preneed through Homesteaders Life Insurance Company and utilize their approved pre-arranged funeral agreement forms. The Division recommends approval. Is a representative of

this applicant on the phone today, or on the call today?

Mr. Ericksen McConnell – Yes, ma'am.

Ms. Simon – Thank you, Mr. McConnell. Are you here for questions or are there comments you'd like to make?

Mr. McConnell – Just for questions.

Ms. Simon – Thank you, sir.

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

**L. Application(s) for Removal Service**  
**(1) Recommended for Approval with Conditions**  
**(a) All County Removals, LLC (Lauderhill)**

Ms. Simon – A new application for a removal facility licensure was received on January 22, 2026. The application was incomplete when received. The Division received the required information to complete the application on February 6, 2026. A background check of the principal, Mr. Kyan Farmer, revealed no relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of the Divisions staff. Is there a representative of this entity on the call today? Hearing no response.

Vice Chair Clark – Thank you, Ms. Simon.

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

**(b) McClain Removal Service, LLC (Winter Haven)**

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. A new application for a removal facility licensure was received on December 29, 2025. The application was incomplete when received. The Division received the required information to complete the application on January 26, 2026. A background check of the principal, Mr. Danthony McClain, 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 the Divisions staff. And I see that Mr. Jones is back on the call at the moment.

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

**M. Contract(s) or Other Related Form(s)**  
**(1) Recommended for Approval without Conditions**  
**(a) Preconstruction Performance Bond**  
**1. S.E. Combined Services of Florida, LLC DBA Caballero Rivero Woodlawn South (Miami)**

Ms. Simon – Is there a representative that's on the call today?

Ms. Lisa Coney –Yes, ma'am. Lisa Coney with Dignity Memorial.

Ms. Simon – Thank you. S.E. Combined Services of Florida, LLC DBA Caballero Rivero Woodlawn South intends to build a three-story mausoleum consisting of 936 casket spaces and 270 niches. The project also includes a gazebo with 96 poured in place niches. Pursuant to s. 497.272, Fla. Statutes, typically, a preconstruction trust must be put in place if sales are going to occur prior to completion. However, s. 497.272(8) provides that in lieu of the pre-construction trust fund, the cemetery company may provide a performance bond in an amount and by a surety company acceptable to the regulator. The licensee has submitted for approval a performance bond, in lieu of a pre-construction trust. Cemetery agrees to complete said

construction in accordance with the terms of the attached construction agreement with McCleskey Construction Company. The Division recommends approval of the above-named preconstruction performance bond without conditions.

Vice Chair Clark – Thank you, Ms. Simon. Ms. Coney, are you here just for questions or would you like to address the Board?

Ms. Coney – No, sir. Just questions. Thank you.

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

Ms. Coney – Thank you, Board. Enjoy the rest of your day.

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

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

**1. Family Owned Funeral Group LLC (F651593) (Jacksonville)**

Ms. Simon – Is there a representative that's on the call today? Hearing no response. FOFG seeks approval of the below proposed trust asset transfers. FOFG seeks approval of the transfer of the following trusts: the FSI 1993 Master Trust Agreement (dated 11/7/24) (70/30 trust), the Preened Funeral Trust Agreement (dated 1/31/94) (70/30 trust), and the First Amendment to the Security Trust Master Fund Agreement (dated 1/11/88) (70/30 trust) will be moving to the First Amended and Restated Agreement and Declaration of Trust of Independent Funeral Directors of Florida Inc Master Trust Fund Agreement (dated 2/1/19) (70/30 trust); the First Florida Trust Agreement (dated 11/7/24) (90/10 trust) will be moving to the First Amended and Restated Agreement and Declaration of Trust of Independent Funeral Directors of Florida Inc Master Trust Fund A Trust Agreement (dated 2/1/19) (90/10 trust); and the FSI Master Care & Maintenance Trust Agreement (dated 11/4/16) will be moving to the Agreement and Declaration of Trust of Independent Funeral Directors of Florida Inc Master Cemetery Care and Maintenance Trust Fund Agreement (dated 2/6/25). All these trusts are under Argent Trust Company (Argent), and if approved, Argent will continue to be the trustee, all as more specifically set out in attached correspondence. Subject to the conditions set forth below, the FCCS Division recommends approval of the proposed trust transfers as identified above; and

- 1) That the representations of Argent as set forth in the representative's correspondence dated 1/29/26, be deemed material to the Board's decisions herein.
- 2) That within ninety (90) days of this Board Meeting Argent provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
  - ⊙ A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b), to act as trustee of the trust to be transferred pursuant to the representative's correspondence, dated 1/29/26.
  - ⊙ 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 1/29/26.
  - ⊙ 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 1/29/26.
- 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.

Vice Chair – Thank you, Ms. Simon.

Ms. Simon – I'm sorry, I'm unable to hear. Can everybody please place your phone on mute if you are not speaking in this matter and take your phones off mute when it is time to take a vote.

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

Ms. Simon – And thank you Board members for your consideration of placing yourselves on mute until it is time to take a vote.

**N. Related Items**

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

**(a) Monument Establishment Retailer**

**1. White Sands Memorials, LLC d/b/a White Sands Monuments (Destin)**

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

Mr. Ryan Jensen – Yes, hello. Ryan Jensen, owner of White Sands Monuments.

Ms. Simon – Thank you. A new application for a monument establishment retailer licensure was received on January 16, 2026. The application was incomplete when received. The Division received the required information to complete the application on February 3, 2026. A background check of the principal, Mr. Ryan H. Jensen, did not reveal any relevant criminal history. The Division recommends that the establishment passes an inspection by a member of the Divisions staff. And the Division will request your phones be placed off mute in order to take a vote.

Vice Chair Clark – Thank you, Ms. Simon. Mr. Jensen, are you here to address the Board or just be available for questions?

Mr. R Jensen – Just available for questions if there are any.

**MOTION:** Chair Peeples moved to approve the application subject to the condition that the establishment pass an inspection by a member of the Division staff. Ms. Clay seconded the motion, which passed unanimously.

Ms. Simon – Please place your phones back on mute. I'm just trying the best I can.

**(b) Monument Sales Agreement**

**1. White Sands Memorials, LLC d/b/a White Sands Monuments (Destin)**

Ms. Simon – In conjunction with that application for licensure, the entity also submits a monument establishment sales agreement. The Division recommends approval subject to the condition that two (2) full-sized print-ready copies of the revised monument sales agreement are received by the Department within sixty (60) days of the Final Order executed in this matter, as well. I request that all Board members place their phones off mute in order to take a vote.

Vice Chair Clark – Thank you, Ms. Simon.

**MOTION:** Chair Peeples moved to approve the agreement subject to the condition that two (2) full-sized print-ready copies of the revised monument sales agreement are received by the Department within sixty (60) days of the Final Order executed in this matter. Ms. Clay seconded the motion, which passed unanimously.

Ms. Simon – If you could place your phones back on mute, I would appreciate it.

**O. Executive Director's Report**

**(1) Operational Report (Verbal)**

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

Ms. Schwantes – Mr. Vice-Chair, may I have your approval to go forward?

Vice Chair Clark – Yes, Ms. Schwantes. Thank you.

Ms. Schwantes – Thank you, sir. And I want to thank you all, to the Board members in particular. This call, more than recently, has had some disturbances that we thought we'd gotten fixed, frankly, but I know the last half of this meeting in a way has been somewhat difficult. So very much appreciate all your patience.

I want to cover a few things, starting with license certificates. The Division is very pleased to announce a new feature in our licensing renewal and continuing education system. All entities and individuals newly licensed on or after February 27<sup>th</sup> will have the ability to print their own license certificates. Once a new licensee creates an account and logs into the licensing renewal and continuing education system, which is found on the Division's website, the licensee's profile page will contain a link that will allow them to print their own full-size wall license certificate and/or a wallet size license certificate. It even allows the possibility of them printing in color. This feature will also be available for all licensees who renew their license on or after February 27<sup>th</sup>. We're very glad that the licensees will have the ability to self-help in that fashion. Particularly for a new licensee who receives notice that their license has been approved, it may be a good idea to wait a day or two (2) before accessing the system to print their license and hopefully that will allow enough time for the various licensing systems that we use to sync together. The links are going to be available for fourteen (14) days after the approval of the license and after the fourteen (14) days has expired, the links will be grayed out and unavailable. At that time, the licensee would be required to submit a duplicate license request form along with the appropriate fee in order for the Division to be able to print and mail their license certificate, as has traditionally been done. Licensees who experience any problems with this new process, as always, please contact the Division.

I want to go into the legislative report next, and I know some of you had some questions about this. The normal legislation session ends next Friday, March 13<sup>th</sup>. Of the twenty-six (26) House and Senate bills that we monitored this year, the majority did not progress to the House or Senate floors. If any of you have any specific questions on bills that we've talked about in the past that are not mentioned in today's report, please contact me later after this meeting. However, for this report, I'm only going to report on the bills which made it through the committees or are expected to make it through this week, which is just one (1) more day to this week.

The first I want to talk about is the medical examiner-related bill that Mr. Jones actually brought up at the last meeting. This is [SB524 / HB849](#), titled [Department of Law Enforcement 2026](#). The reason that this may be of interest to the industry is that it clarifies that the Medical Examiner's Commission appointments will remain valid until a member resigns or becomes disqualified or a new member is appointed. That's similar to the way that this Board operates. And it will require that the Medical Examiner's Commission, instead of the Governor, be responsible for appointing the district medical examiners, and permit physician commission members to serve upon commission approval. So similarly to what happened with this Board a few years ago, the appointment process is being removed from the Governor's Office and placed elsewhere. In this case, it will be with the Medical Examiner's Commission. In the Senate, it passed all of its committees and has been retained on Special Order calendar as of 2/26, but no hearing date has been set. In the House it passed all committees and as of 2/11, was placed on the calendar for the second reading. Because it involves Special Order calendars it still is possible that this will pass within the next week.

There are a couple of general laws that we've followed. The first is [SB1366 / HB0145, Claims Against the Government/Suits Against the Government](#). Senate bill passed all three (3) committees as of 3/3. In the House, it was approved by all committees, and it passed in the House on January 15<sup>th</sup> and it's now continuing through the Senate bill process. So that one is likely to pass. Again, that's kind of an annual thing.

[SB104 / HB7027](#), titled [Florida Statutes – 2026 \(Reviser's Bill\)](#). For our purposes, if it's adopted it will reenact section 497.167(7), on Administrative Matters just to incorporate the amendments made to an already referenced statute in that section. The Reviser's Bill has passed the Senate and it's now continuing through the House bill process. The House bill has been referred to the House calendar for the second reading, but there was no date yet set. Still possible it will go.

[SB526 / HB405](#), this had to do with [Commercial Construction Projects](#). We were monitoring it only because it modifies reference within our statutes contained in 497.271. Senate Bill is in the third committee and no hearing date set, but it passed the House on February 25<sup>th</sup>, and it's in Messages to the Senate. So again, these are the only ones that are likely or possible to pass.

Moving on to Historic Abandoned Cemeteries bills. [SB34 / HB425](#) regarding the [Historic Cemeteries Program for 2026](#). This required local governments to approve land use and zoning changes for excess vacant land in historic African American cemeteries, so fund long-term upkeep, and basically sets up trust funds so that any proceeds from the sale of these excess lands will be used for the long-term maintenance and upkeep of the cemeteries. In the Senate, it's still in the second of its committees, and it's been there since November, but in the House, it has passed all the committees and it's on Special Order

calendar on the floor for the second reading for today.

Now we get to the ones that actually directly impact 497. The first is [SB598 / HB1231](#). The Senate Bill is titled [Funeral, Cemetery, and Consumer Services](#). The House bill is titled [Final Disposition, Funeral, and Cemetery Services](#). These are the industry bills that came through this year. In the Senate, it passed the Senate yesterday, and it is in Messages to the House. In the House, it passed all of its committees, and it was on Special Order calendar for its second reading, but that was temporarily postponed because the Senate bill was expected to come through in Messages. So, the Senate version is the one that the focus is on at this point.

And finally, the [Department of Financial Services – 2026- Agency Bill](#), which is [SB1452 / HB1221](#). Again, agency bills cover a lot of different topics, but the one regarding 497 has to do with clarifying the licensure disqualification provisions for certain crimes. It has do with criminal history guidance that we've asked for. The status in the Senate is that it's passed all of its committees and it's on Special Order calendar for tomorrow. In the House it passed all of the committees, and it's placed on the calendar for a second reading with no date set. So, we will see how that works out.

A Rules Committee meeting will take place by videoconference on March 11<sup>th</sup>, at 10 a.m. The purpose of the meeting will be to continue fine-tuning some of rules. I think there's approximately seven (7) or eight (8) rules that we're discussing. These are rules that the Committee indicated change is needed. The notice and details are posted on our website and again I know emails have already gone out to all of the members of the Board and certainly of course the members of the Committee. As a reminder all Board members are encouraged to attend.

The next full Board meeting will take place by video conference on second at 10 a.m. Additional details on this and all Board and meetings for related committee meetings as always are found on our website. This ends Executive Director Report. Thank you all for your patience with all of the technological problems. Thank you.

Vice Chair Clark – Thank you, Ms. Schwantes. Mr. Jensen?

Mr. Jensen – Yes. Ms. Schwantes, on the Rules Committee, at one point you said 11 a.m. On another point you said 10 a.m.

Ms. Schwantes – 10 a.m. on March 11<sup>th</sup>.

Mr. Jensen – Okay, thank you for the clarification.

Ms. Schwantes – That's probably where that came in. And my apologies if I misspoke.

Mr. Jensen – No problem.

Vice Chair Clark – Thank you, Mr. Jensen. Ms. Simon?

*(2) Report on Payment of Disciplinary Fines and Costs (Informational)*

Ms. Simon – This is an informational report.

Monthly Report of Fines and Costs Assessed and Paid Division of Funeral, Cemetery and Consumer Services Date of Board meeting: March 5, 2025  
 Date report was prepared: February 28, 2025

Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
Bell's Funeral Services, d/b/a Bell's Funeral Home and Cremation Services	5-Feb-25	351344-25-FC	\$1,200			
Milan Funeral Home	5-Feb-25	351269-25-FC	\$750			
EE Combined Services of Florida LLC d/b/a Caballero Rivers Westchester	5-Feb-25	344177-25-FC	\$1,500			
Undertaking Grady LLC	5-Feb-25	351275-5-FC	\$750			
Devis Colonial Funeral Home, Inc. d/b/a Devis Funeral Home & Crematory	5-Feb-25	338238-25-FC	\$1,000			
Ed Kulis Memorial Services LLC d/b/a Edwards Cremation & Funeral Services	5-Feb-25	346559-25-FC	\$1,500			
Harry T. Reid Funeral Home	5-Feb-25	347442-25-FC	\$4,000			
Maloney Funeral Home	5-Feb-25	347864-25-FC	\$750			
Evergreen Funeral Home, Inc. d/b/a Evergreen Funeral Home and Crematory	5-Feb-25	347465-25-FC	\$750			
Caleb Sorenson	5-Feb-25	338071-25-FC	\$750			
Ray Williams Funeral Home	10/20/25	347878-25-FC	\$1,200			
Duncan Brothers Funeral Home	10/20/25	338193-25-FC & 256439-19-FC	\$1,75			
Phillips Mortuary	10/20/25	347306-25-FC	\$1,200			
Alexander Funeral Home	10/20/25	347891-25-FC	\$1,500			
Donathon Cook	10/20/25	338213-25-FC	\$2,500			
Jorge Rivers	10/20/25	344124-25-FC	\$1,000			
Viv Funeral Home	10/20/25	344123-25-FC	\$1,000			
Ancher Funeral Home LLC	4-Dec-25	308419-23-FC	\$2,500	2/16/2025		
John Milton	4-Dec-25	308411-23-FC	\$2,500	2/16/2025		
All Points Removal Service	12/4/2025	317004-23-FC	\$2,500			
Brandon Cremation and Funeral Services Inc.	4-Dec-25	347383-25-FC	\$2,500	2/16/2025		
Craig Funeral Home, Inc.	4-Dec-25	347451-25-FC	\$500	2/16/2025		
Craig Funeral Home, Inc. d/b/a Craig Memorial Park	4-Dec-25	347458-25-FC	\$500	2/16/2025		
Davis and Davis Funeral Services LLC	4-Dec-25	348975-25-FC	\$2,000	2/16/2025		
Harris Mortuary, Inc.	4-Dec-25	347387-25-FC	\$750	2/16/2025		
Brownlee-Maxwell Funeral Home, P.A.	4-Dec-25	346648-25-FC	\$750		Paid in Full	
Gruse Funeral Home	4-Dec-25	348966-25-FC	\$750	2/16/2025		
Malbourne Crematorium	4-Dec-25	346648-25-FC	\$750	2/16/2025	Paid in Full	
Mitchell Funeral Home	4-Dec-25	348906-25-FC	\$1,500	2/16/2025	Paid in Full	
Riskey Diamond Dubs	4-Dec-25	306026-22-FC & 300707-22-FC	\$1,000	2/16/2025	Paid in Full	
Weston's Mortuary	4-Dec-25	347438-25-FC	\$750	2/16/2025	Paid in Full	

R. Butts d/ba Butts Memorial Chapel	4-Dec-25	306254-22-FC & 300755-22-FC	\$1,800	2/16/2025	Paid in Full	
Joseph Pinello	Nov-25	343571-25-FC	\$1,750	2/16/2025		
Pinello Funeral Home	Nov-25	343569-25-FC	\$1,750	2/16/2025		
Adkins Funeral Home	Nov-25	345517-25-FC	\$250	2/16/2025	Paid in Full	
Trina Benn	Nov-25	325253-24-FC	\$1,250	2/16/2025	Paid in Full	
Oaklawn Park Inc. d/ba Greenwood Cemetery	Nov-25	334849-24-FC	\$5,000	2/16/2025		
Smith-Young's Funeral Home	Nov-25	348973-25-FC	\$1,000	2/16/2025		
Foundation Partners of Florida LLC d/ba Oak Ridge Funeral Care	10/20/25	344225-25-FC	\$750	12/1/2025	Paid in Full	
Kim-Ken Developments, Inc. d/ba Mitchell's Funeral Home	10/20/25	309702-23-FC	\$2,000	12/1/2025	Paid in Full	
Kimberly Laurice Mitchell	10/20/25	309703-23-FC	\$2,850	12/1/2025	Paid in Full	
Veterans Funeral Care Florida LLC	10/20/25	320310-23-FC	\$1,500	12/1/2025	Paid in Full	
Veterans Funeral Care, Inc.	10/20/25	320309-23-FC	\$1,500	12/1/2025	Paid in Full	
Ralph Vierling	10/20/25	334853-24-FC	\$1,500	12/1/2025	Paid in Full	
Anthony White	10/20/25	338195-25-FC	\$1,500	12/1/2025		File sent to OGC for administrative action
Scobee-Combs-Bowden Funeral Home	10/20/25	345984-25-FC	\$750	11/17/2025	Paid \$250	
Michael Wayne Bowden	10/20/25	345985-25-FC	\$750	11/17/2025	Paid \$250	
Eben Lamar Johnson II	4-Sep-25	334748-24-FC & 343495-25-FC	\$500	11/16/2025		File sent to OGC for administrative action
Johnson & Family Life Celebration Center LLC	4-Sep-25	334714-24-FC & 343278-25-FC	\$1,500	11/16/2025		File sent to OGC for administrative action
Travis Gibson	7-Aug-25	316293-23-FC	\$500	4/14/2025		
Travis Gibson	7-Aug-25	318828-23-FC	\$5,000	4/14/2025		
Travis Gibson	7-Aug-25	318756-23-FC	\$2,500	4/14/2025		
Richard Mengeling	8/7/2025	258609-20-FC	\$500	11/17/2025	Paid in Full	
Charles Chestnut IV	8/7/2025	334936-24-FC & 348917-25-FC	\$4,000	11/17/2025		
Glordia Castillo	26-Jun-25	333147-24-FC & 333155-24-FC	\$1,250	10-Nov-25		
Integrity Funeral Services of Tampa FL, Inc.	26-Jun-25	333146-24-FC & 333149-24-FC	\$1,250	10-Nov-25		
Roderick Stevens	25-May-25	338272-25-FC	\$1,750	18-Aug-25		
D A Jackson Funeral Home	29-May-25	338271-25-FC	\$3,500	18-Aug-25		
Donna Summerour McRae	5/1/2025	325260-24-FC	\$2,000	18-Aug-25		Paid in Full
Gerónimo Mena Jr.	2/6/2025	311851-23-FC	\$2,000	3/31/2025		Sent to OGC
Ronald Dolinar	1/2/2025	325255-24-FC	\$1,500	13-03-25		Sent to OGC

2-20-26

**P. Chair's Report (Verbal)**

Ms. Simon – Madam Chair?

Vice Chair Clark – Madam Chair?

Chair Peeples – Thank you, Mr. Vice-Chair. Thank you, Ms. Simon. Thank you, Ms. Schwantes. I appreciate everybody and all the kindness offered in the passing of my dad. It came on very suddenly, unexpected, but we know that he's healed now, so thank you for your concern and your prayers. Also, thank you to today for allowing Vice Chair Clark to take the Chair's position with my getting over bronchitis. I really appreciate that. I appreciate all of you all. I appreciate our support team at the Division office, Ms. Munson, the prosecuting attorney team there. Thank you all. We appreciate it and thank you for your dual diligence. Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

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

Ms. Simon – Ms. Munson?

Ms. Munson – I'll be quick. The information provided on the report is informational. You will see that there are rules that are open or that the Board previously opened for consideration of rule development back on those particular meeting dates that you see.

**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT  
MARCH 2026**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-6.001	Grave Spaces; Definition Limited	12/4/2025					
69K-6.0015	Definition of Established Adult Grave Space	12/4/2025					
69K-6.002	Care and Maintenance of Existing Cemetery	12/4/2025					
69K-23.001	Manner of Application	11/6/2025					
69K-100.035	Courses of Study; Criteria; Procedures for College or University to Obtain Approval	11/6/2025					

Ms. Munson – I’m going to actually update those dates as a result of whatever votes I received today. These are rules that are requested to be repealed and they are also rules that are included in this rule packet. It was a decision made by the Rules Committee brought before this Board in general discussion that these rules are no longer necessary and that they should be repealed, and we are taking the time at this particular meeting on March 5th to confirm that it is the wish of this body to repeal these rules. I will have them updated on our rulemaking report information, submit the repeal rulemaking information to OFAR, which is the first phase of this rulemaking repeal process. But before I can do so, I would need a confirmation vote that the following rules, 69K-6.001, 6.0015, 6.002, 3.001, and 100.035 are set and approved by this body to be repealed. I will need a motion for that repeal of each of the rules collectively, and we can take them collectively, unless his body chooses to separate or bifurcate any of them for individual separation. But I will need a motion for that repeal.

**RULES FOR REPEAL**

**69K-6.001 Grave Spaces; Definition Limited.**

“Grave space,” according to the definition in Section 497.005(37), F.S., means a space of ground in a cemetery intended to be used for the interment in the ground of the remains of a deceased person. Said definition is not altered or modified because of the dimensions of the space or whether vertical or horizontal to be the natural contour of the ground or whether the remains or cremains of more than one person occupy the same excavation.

*Rulemaking Authority 497.103(5)(a), 497.161(1)(c) FS. Law Implemented 497.005(37) FS. History—New 7-20-73, Renumbered from 3-8.08 to 3D-30.08 on 9-8-75, Amended 1-27-81, Formerly 3D-30.08, 3D-30.008, 3F-6.001.*

**69K-6.0015 Definition of Established Adult Grave Space.**

An established adult grave space is one that was established in a garden designated for ground burials clearly shown in a Plan of Development provided to the Department prior to October 1, 2005 and which was surveyed and pinned with appropriate markers placed prior to October 1, 2005. If no Plan of Development was provided to the Department prior to October 1, 2005, then an established adult grave space is one that is in a section or garden in which a sale or sales were made and specific grave spaces were assigned and shown on a map prior to October 1, 2005.

*Rulemaking Authority 497.103(5)(a), 497.161(1)(a) FS. Law Implemented 497.161(1)(a), 497.274 FS. History—New 1-8-07.*

**69K-6.002 Care and Maintenance of Existing Cemetery.**

Every licensed cemetery shall be maintained in a reasonable condition as defined in Section 497.005(11), F.S.

*Rulemaking Authority 497.103(1)(n), (5)(a), 497.161(1)(c), 497.262 FS. Law Implemented 497.262, 497.266, 497.267 FS. History—Amended 5-10-76, Formerly 3D-30.21, 3D-30.021, Amended 5-29-00, Formerly 3F-6.002.*

**69K-23.001 Manner of Application.**

(1) All properly completed applications must be submitted no later than two calendar months prior to the first day of the month that the scheduled examination is to be administered.

(2) Examinations will be administered on the second Monday of January and July of each calendar year.

*Rulemaking Authority 497.103, 497.602 FS. Law Implemented 497.602 FS. History—New 2-13-80, Amended 5-21-81, Formerly 21J-23.01, 21J-23.001, Amended 1-4-98, 11-17-99, Formerly 61G8-23.001.*

**69K-100.035 Courses of Study; Criteria; Procedures for College or University to Obtain Approval.**

(1) This rule relates to courses of study for funeral director or embalmer licensure, under sections 497.368(1)(d), 497.370(2) and 497.373(1)(d)2., F.S., which require approval of the licensing authority. This rule specifies criteria for course approval, and provides procedures for colleges or universities in seeking and obtaining Board approval for a proposed course of study.

(2) Definitions and terminology.

(a) “ABFSE” refers to the American Board of Funeral Service Education, 3414 Ashland Avenue, Suite G, St. Joseph, MO 64506.

(3) Types of courses of study. For purposes of identifying and referring to particular course of study as satisfying the applicable education requirements of sections 497.368(1)(d), 497.370(2) and 497.373(1)(d)2., F.S., the following categories of courses of study are established:

(a) Type 1, combination funeral service arts and embalming course of study. A Type 1 course of study satisfies the course of study licensure requirement for funeral director-only, embalmer-only, and combination funeral director and embalmer, under sections 497.368(1)(d), 497.373(1)(d)2. and 497.376, F.S. The reference at sections 497.375(1)(b)2.b. and 497.373(1)(d), F.S., to a course of study in mortuary science, refers to a Type 1 course of study.

(b) Type 2, funeral service arts course of study. A Type 2 course of study satisfies the course of study requirement for funeral director-only licensure under section 497.373(1)(d)2., F.S. The reference at sections 497.375(1)(b)2.b. and 497.373(1)(d), F.S., to a course of study in funeral service arts, refers to a Type 2 course of study.

(c) Type 3, embalmer-only course of study. A Type 3 course of study satisfies the requirement for embalmer-only licensure under section 497.368(1)(d), F.S. The reference at section 497.368(1)(d), F.S., to a course of study in mortuary science, refers to this Type 3 course of study.

(4) Criteria for approval of course of study.

(a) Type 1 Combination course of study – Criteria for approval. A Type 1 course of study shall be approved if the school submitting the course to the Board for approval certifies to the Board that the course of study covers the subject matters examined on the funeral service arts and science sections of the national examination administered by the Conference of Funeral Service Examining Boards.

(b) Type 2 Course of study in funeral service arts – Criteria for approval. A Type 2 course of study shall be approved if the school submitting the course to the Board for approval certifies to the Board that the course of study covers the subject matters examined on the funeral service arts examination administered by the Conference of Funeral Service Examining Boards.

(c) Type 3 Course of study in embalming and related technical matters – Criteria for approval. A Type 3 course of study shall be approved if the school submitting the course to the Board for approval certifies to the Board that the course of study covers the subject matters examined on the science examination administered by the Conference of Funeral Service Examining Boards.

(5) Procedure for applying for approval of a course of study.

A college or university seeking approval of a course of study shall submit a completed form DFS-N1-2041, “Application for Approval of a Course of Study,” which is incorporated by reference in rule 69K-1.001, F.A.C.

*Rulemaking Authority 497.103(5), 497.141(2), 497.161(1)(a), 497.368(1)(d), 497.373(1)(d)2., 497.103(1)(a) FS. Law Implemented 497.368, 497.370, 497.373, 497.375, 497.376 FS. History—New 8-14-12.*

**MOTION:** Mr. Williams moved that rules, 69K-6.001, 6.0015, 6.002, 3.001, and 100.035 are set and approved to be repealed. Ms. Clay seconded the motion, which passed unanimously.

Ms. Munson – Thank you for that because with any rulemaking activity officially I have to ask the following questions allowing me to do so at this time. Will the proposed rule amendments, which for this specific information will be repeals, have an adverse install business, or will the proposed rule amendments be likely directly or indirectly increased regulatory costs to any entity including government in excess of \$200,000 in the aggregated in Florida within one year after the implementation of the repeal? Or should the violation of this rule or any part of this rule be designated as a minor violation? As these rules are being repealed it appears that both of those can be responded to in the negative. Of course, there was not any violation because there is no longer a rule. So, but I would need the specific motion from this particular body for each of the questions, and you can answer them collectively, if you choose to.

**MOTION:** Chair Peeples moved to find that the collective responses are in the negative. Mr. Ferreira seconded the motion, which passed unanimously.

Ms. Munson – With that we will, again, at our next meeting find that there will be update to those particular rules regarding the repeal of each of the findings. I would like to just use this to a segway to identify that those rules that are being repealed are also rules that we were asked to consider in some legislation that occurred and was finalized last year with SB108. It's now been pretty much memorialized by statute, into 120.5435. And part of our work with those rules is for this particular body to take a look at all the rules, and I'm going to sound repetitive, but I want to make sure everyone stays on the same page. We are required by Board and Department, but our focus is the Board to review 100% of our rules within the next five (5) years, which is an average of 20% per year. These rules fell within the first year of review. These rules are being repealed.

We will have additional meeting, Rules Committee meetings. The next of which is March 11<sup>th</sup>, to go through some additional rules that we'll need to have more detailed discussion that fall within our first review, year of 2026 with that comprehensive rules review mandate. I'm only bringing that up to further acknowledge that some of the rulemaking that may be required, and I think that our Board members may have been informed about this statute, 120.5435. It is kind of handled in a clear and presented with tiered expectations. We had an initial mandate that had to be submitted by January 1<sup>st</sup>, which required that we at least identify which rules we are going to review over the next five (5) years and the years that we plan to review them.

Our next calendar mandate is April 1<sup>st</sup>, and we will have to open the remaining number of our rules for rule development. Because some of our meetings fall within certain meeting dates, I'm asking this body to designate to Madam Chair the opportunity to open rules for rule development, so that we can always meet the timely deadlines set by the statute. There will be no language that will be set for approval without this full Board review. There will be no extensive rules review without this Board review, but we may have some administrative rule development opportunities which would be helpful administratively if the Chair can have the opportunity to just approve the rule developments so that we may remain in compliance with the statutory guidelines. So, I'm asking for a motion from this body to delegate authority to Madam Chair Peeples to open rules for development as necessary to remain in compliance with the statutory mandates that have been set in 120.5435.

**MOTION:** Mr. Ferreira moved to delegate authority to Madam Chair Peeples to open rules for development as necessary to remain in compliance with the statutory mandates that have been set in 120.5435. Mr. Vice Chair seconded the motion, which passed unanimously.

Ms. Munson – That concludes my report. I assure you I will keep you updated as to where we stand with this. I'd just like to acknowledge this Board publicly that I work with the {inaudible} of course this Board who has been way ahead of the curve with getting the information, pursuant to statutory mandates, ready and available way in advance. So, we are in a great position, and we are fully compliant thus far. Thank you.

Vice Chair Clark – Thank you. Ms. Simon?

Ms. Simon – Thank you.

**R. Public Comments (Verbal)**

Ms. Simon – Is there any public comments to be made during this meeting? Hearing no response. Madam Chair?

**S. Administrative Report as February 23, 2026**

A.	New Cemetery Applications	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications	1
	Recommended for Approval	0
	Pending	1
C.	Preneed License Applications	2
	Active Preneed Licenses	323
	Presented to the Board at this Meeting	1
	Pending	2
D.	Preneed License Branch Applications	0
	Active Preneed License Branches	388
	Recommended for Approval	0
	Pending	0
E.	Preneed Sales Agent Applications	45
	Active Sales Agents	3624
	Recommended for Approval	28
	Temporary Licenses Issued Pending Permanent	18
F.	Monument Establishment Applications	2
	Active Monument Establishments	71
	Pending	2
G.	Broker of Burial Rights Applications	0
	Active Brokers of Burial Rights	22
	Pending	0
H.	Exempt Cemetery Reports	1
	Active Exempt Cemeteries	52
	Pending	0
I.	New Establishment Applications	7
	Pending	7
	Completed	0
J.	New Individual Applications	28
	Pending	20
	Completed	8
K.	Request for Training Facility Applications	1
	Pending	0
	Completed	1

L.	Request for Continuing Education Providers and Courses	26
	Pending	0
	Completed	26
M.	Initial Inspections	11
	Completed	11
N.	Inspections	141
	Completed	141
O.	Initial Licenses Issued	7
	Renewal Licenses	24

**T. Disciplinary Report**

Notices of Non-Compliance Issued Since Last Meeting (February 5, 2026)	0
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**U. Upcoming Meeting(s)**

- (1) April 2<sup>nd</sup> (Videoconference)
- (2) May 7<sup>th</sup> (Videoconference)
- (3) June 25<sup>th</sup> (Videoconference)
- (4) July 23<sup>rd</sup> (In-Person – Aventura – FCCFA Annual Conference)
- (5) September 3<sup>rd</sup> (Videoconference)
- (6) October 8<sup>th</sup> (Videoconference)
- (7) November 5<sup>th</sup> (Videoconference)
- (8) December 3<sup>rd</sup> (Videoconference)

**V. Adjournment**

Chair Peeples – It’s 1:53 and we’ll adjourn the meeting today. Thank you all for participating and all the good work. Have a great afternoon.

The meeting was adjourned at 1:53.