

STATE OF FLORIDA
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES

IN THE MATTER OF:

Case Nos. 141381-13-FC

ROSE HILL CEMETERY
(License Number: F039451)

CONSENT ORDER

THIS CAUSE came before the Board of Funeral, Cemetery and Consumer Services (the “Board”) on December 4, 2014, for consideration and final action. Upon consideration of the record including the Settlement Stipulation for Consent Order (“Settlement Stipulation”) dated November 17, 2014, and being otherwise fully advised in the premises, the Board hereby finds:

1. The Board has jurisdiction over the subject matter of this case and parties hereto.
2. The entry of this Consent Order and compliance herewith by Rose Hill Cemetery shall conclude the administrative proceedings of Case No. 141381-14-FC before the Department.
3. At all times material, Respondent was licensed as a Cemetery in the State of Florida, having been issued license number F039451.
4. Failure to comply with any provision of this Consent Order shall result in the filing of an administrative complaint which seeks suspension or revocation of the license for violation of an Order of the Board.

IT IS THEREFORE ORDERED THAT:

- (a) The Settlement Stipulation dated November 17, 2014, attached as “Exhibit A,” is hereby approved and fully incorporated herein by reference.
- (b) The Division shall issue a letter reprimand to the Respondent. The Respondent

shall not perform remote-site grave side burials nor offer such services to the public.

DATED and SIGNED this 17 day of March, 2015.



**BOARD OF FUNERAL, CEMETERY,
AND CONSUMER SERVICES**


DOUGLAS A. SHROPSHIRE, Executive Director

COPIES FURNISHED TO:

ROSE HILL CEMETERY
George Saclarides
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Gretna, Louisiana 70054-0505

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CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

Case Nos. 141381-13-FC

ROSE HILL CEMETERY
(License Number: F039451)

SETTLEMENT STIPULATION FOR CONSENT ORDER

IT IS AGREED and STIPULATED by and between ROSE HILL CEMETERY (the "Respondent") and the State of Florida, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services (the "Department"), that:

1. Respondent currently maintains a Cemetery license under Chapter 497, Florida Statutes, and the rules promulgated thereto. At all times relevant to the dates and occurrences referred to herein, Respondent was so licensed in this State, having been issued license number F039451.

2. Pursuant to Chapter 497, Florida Statutes, and Chapter 69K, Florida Administrative Code, the Department and the Board of Funeral, Cemetery, and Consumer Services (hereinafter "Board") under Chapter 497, Florida Statutes, have jurisdiction over Respondent, and the subject matter of this administrative proceeding. Pursuant to Section 497.153(4)(c), Florida statutes, the Department may present this Settlement Stipulation for Consent Order to the Board.

3. By entering into this Settlement Stipulation for Consent Order, Respondent and the Department intend to and do resolve the allegations of all issues pertaining to case number 141381-13-FC. The Division alleges that the licensee failed to use due care when performing



the installation of a cement vault during a grave-site funeral ceremony.

4. Respondent voluntarily waives the right to a hearing in this matter, and voluntarily enters into this Settlement Stipulation for Consent Order.

5. No party will appeal this Settlement Stipulation for Consent Order or the Consent Order to be issued in this administrative case, and Respondent specifically waives notice of the right to appeal as required by Section 120.569(1), Florida Statutes.

6. This document and the resulting Consent Order are public records, and contain information that is routinely published and disclosed by the Department.

7. Respondent shall bear its own costs and attorney's fees.

8. If Respondent is found to be in violation of any of the laws of the State of Florida, these allegations as well as the new allegations will be drafted into an Administrative Complaint.

9. Failure to comply with any provision of the Consent Order shall result in the filing of an administrative complaint which seeks suspension or revocation of the license for violation of an Order of the Board.

10. This Settlement Stipulation Consent Order is subject to the approval of the Board. If the Board does not approve this Settlement Stipulation for Consent Order, no Consent Order will be issued and this Settlement Stipulation for Consent Order shall be null and void as if it were never executed. Upon the approval of this Settlement Stipulation for Consent Order by the Board, Respondent agrees that a Consent Order will be issued providing for the following:

(a) Incorporation by reference of all of the terms and conditions of this Settlement Stipulation for Consent Order.

(b) Respondent shall comply with the requirements of Chapter 497, Florida Statutes, with all rules promulgated by the Department or the Board pursuant thereto, and with all

Orders of the Board.

(c) The Division shall issue a letter reprimand to the Respondent. The Respondent shall not perform remote-site grave side burials nor offer such services to the public.

11. Should this Stipulation be rejected, no statement made in furtherance of this Stipulation by the Respondent may be used as direct evidence against the Respondent in any proceeding. However, such statements may be used by the Department for impeachment purposes.

12. Respondent and the Department fully understand that this Stipulation and subsequent Consent Order incorporating same will in no way preclude additional proceedings by the Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached hereto.

13. This Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this matter. In this regard, Respondent authorizes the Board to review and examine all investigation file materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Should this Stipulation not be accepted by the Board, it is agreed that the presentation of the file materials and consideration of the Stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration, or resolution of these proceedings.

14. Respondent certifies that the address below Respondent's signature is a valid address.

WHEREFORE, the parties hereto request the Board to enter a Consent Order accepting and implementing the terms contained herein.

SIGNED and APPROVED this 17TH day of NOVEMBER, 2014.



Rose Hill Cemetery
George Saclarides
4406 East Chelsea Avenue
Tallahassee, FL 32310
Date 11-17-14

 11/17/14

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