

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 NANCY A. KAISER
Deputy Attorney General
4 State Bar No. 192083
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5794
6 Facsimile: (213) 897-2804
Attorneys for Complainant
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8
9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE CEMETERY AND FUNERAL BUREAU**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. A1 2013 111

13 **FRANCINE S. CHIU**
14 **P.O. Box 2033**
San Gabriel, CA 91778

A C C U S A T I O N

15 **Cemetery Salesperson License No. CES**
16 **47687**
Cemetery Salesperson License No. CES
17 **38050**

18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Lisa Moore (Complainant) brings this Accusation solely in her official capacity as the
23 Bureau Chief of the Cemetery and Funeral Bureau, Department of Consumer Affairs.¹
24

25 _____
26 ¹ Effective January 1, 1996, the Department of Consumer Affairs succeeded to, and was
27 vested with, all the duties, powers, purpose, responsibilities and jurisdiction of the Cemetery
28 Board and the Board of Funeral Directors and Embalmers, and consolidated the functions into the
Cemetery and Funeral Programs. Effective January 1, 2001, the regulatory agency is designated
as the Cemetery and Funeral Bureau.

1 8. Section 9725.1 states:

2 “Unprofessional conduct by any licensee or registrant or by any agent or employee of a
3 licensee or registrant constitutes grounds for disciplinary action. Unprofessional conduct includes,
4 but is not limited to, the following:

5 “(a) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
6 violation of this chapter and any regulation adopted thereunder, or of any federal or state law or
7 regulation governing the disposition of human remains, operation of cemeteries or crematories,
8 the sale of cemetery property, or the sale of crematory services or commodities.

9 “(b) Negligence in performing any act related to the operation of a cemetery or crematory.”

10 9. Section 9726 states:

11 “The bureau may, upon its own motion, and shall, upon the verified complaint in writing of
12 any person, investigate the actions of any person engaged in the business or acting in the capacity
13 of a cemetery licensee, and may temporarily suspend or permanently revoke a license at any time
14 where the licensee, within the immediately preceding three years, while a cemetery licensee in
15 performing or attempting to perform any of the acts specified in this act, has been guilty of any of
16 the following:

17 “(a) Making any substantial misrepresentation.

18 ...

19 “(d) Acting for more than one party in a transaction without the knowledge or consent of all
20 parties thereto.

21 ...

22 “(i) Any other conduct, whether of the same or a different character than specified in this
23 section, which constitutes fraud or dishonest dealing.”

24 10. Section 9727 states, in part:

25 “The bureau may suspend or revoke the license of any cemetery licensee who, within the
26 immediately preceding three years, has done any of the following:

27 ...

28

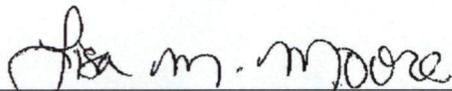
1 Code, by acting or conducting herself in a manner which would have warranted the denial of her
2 application for a cemetery salesperson license, in that Respondent committed an act involving
3 dishonesty, fraud or deceit with the intent to substantially benefit herself, as described in
4 paragraphs 12 and 13, above.

5 **PRAYER**

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
7 and that following the hearing, the Director issue a decision:

- 8 1. Revoking or suspending Cemetery Salesperson License Number CES 47687, issued
9 to Francine S. Chiu;
- 10 2. Revoking or suspending Cemetery Salesperson License Number CES 38050, issued
11 to Francine S. Chiu;
- 12 3. Ordering Francine S. Chiu to pay the Bureau the reasonable costs of the investigation
13 and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
14 4. Taking such other and further action as deemed necessary and proper.

15
16 DATED: May 8, 2014



LISA MOORE
Bureau Chief
Cemetery and Funeral Bureau
Department of Consumer Affairs
State of California
Complainant

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