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8 **BEFORE THE**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
**FOR THE CEMETERY AND FUNERAL BUREAU**  
9 **STATE OF CALIFORNIA**

10  
11 In the Matter of the Accusation Against:  
12 **GOLD MOUNTAIN MEMORIAL PARK,**  
**INC., AKA GOLD MOUNTAIN**  
13 **CEMETERY;**  
**Angelo Cardono – President and Director**  
14  
8718 Cleta Street  
15 Downey, CA 90241  
16 and  
17 371 Maple Lane  
Big Bear City, CA 92314  
18  
**Certificate of Authority License No. COA**  
19 **476**  
20 Respondent.

Case No. A1 2014 35

**A C C U S A T I O N**

21  
22 Complainant alleges:

23 **PARTIES**

24 1. Lisa M. Moore (“Complainant”) brings this Accusation solely in her official capacity  
25 as the Bureau Chief of the Cemetery and Funeral Bureau, Department of Consumer Affairs  
26 (“Bureau”).<sup>1</sup>

27 <sup>1</sup> Effective January 1, 1996, the Department of Consumer Affairs succeeded to, and was  
28 vested with, all the duties, powers, purpose, responsibilities and jurisdiction of the Cemetery Board  
(continued...)



1 STATUTORY PROVISIONS

2 7. Section 9723 states, in pertinent part:

3 "A cemetery licensed under this chapter shall at all times employ a licensed cemetery  
4 manager to manage, supervise, and direct its operations. Notwithstanding any other provision of  
5 this chapter, licensed cemeteries within close geographical proximity of each other may request the  
6 bureau to allow a licensed cemetery manager to manage, supervise, and direct the business or  
7 profession of more than one facility.

8 "(a) Every cemetery shall designate a licensed cemetery manager to manage the cemetery,  
9 and shall report the designation to the bureau within 10 days of the effective date. Any change in  
10 the designated manager shall be reported to the bureau within 10 days.

11 (b) The designated cemetery manager shall be responsible for exercising direct supervision  
12 and control over the operations, employees, and agents of the cemetery as is necessary to ensure  
13 full compliance with the applicable provisions of the Business and Professions Code, the Health  
14 and Safety Code, and any regulations adopted thereto. Failure of the designated cemetery manager  
15 or the licensed cemetery to exercise that supervision or control shall constitute a ground for  
16 disciplinary action."

17 8. Section 9723.2 states, in pertinent part:

18 "(a) No person shall engage in or conduct, or hold himself or herself out as engaging in or  
19 conducting, the activities of a cemetery manager without holding a valid, unexpired cemetery  
20 manager license issued by the bureau."

21 9. Section 9725.1 states, in pertinent part:

22 "Unprofessional conduct by any licensee or registrant or by any agent or employee of a  
23 licensee or registrant constitutes grounds for disciplinary action. Unprofessional conduct includes,  
24 but is not limited to, the following:

25 "(a) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
26 violation of this chapter [the "Cemetery Act"] and any regulation adopted thereunder, or of any  
27 federal or state law or regulation governing the disposition of human remains, operation of  
28

1 cemeteries or crematories, the sale of cemetery property, or the sale of crematory services or  
2 commodities.”

3 **COST RECOVERY**

4 10. Section 125.3 provides, in pertinent part, that the Bureau may request the  
5 administrative law judge to direct a licentiate found to have committed a violation or violations of  
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
7 enforcement of the case.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Failure to Appoint a Licensed Cemetery Manager)**

10 11. Respondent is subject to disciplinary action under section 9723, subdivision (a), and  
11 section 9723.2, subdivision (a), in that Respondent failed to employ a licensed cemetery manager  
12 to manage Respondent’s cemetery. The circumstances are as follows:

13 a. On or about October 30, 2013, the Bureau received notice from Lurae Miller that as  
14 of September 1, 2013, she was no longer the manager of record for Respondent’s cemetery.

15 b. On or about December 12, 2013, a representative from the Bureau inspected  
16 Respondent’s cemetery and the cemetery appeared abandoned. As of the filing of the accusation,  
17 a licensed cemetery manager has still not been hired to manage Respondent’s cemetery.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct)**

20 12. Respondent is subject to disciplinary action under section 9725.1, subdivision (a), in  
21 that Respondent committed unprofessional conduct by violating provisions of the Cemetery Act.  
22 Complainant refers to, and by this reference incorporates, the allegations made in paragraph 12,  
23 subparagraphs (a) through (b) inclusive, as though set forth fully.

24 **DISCIPLINE CONSIDERATIONS**

25 13. To determine the degree of discipline, if any, to be imposed on Respondent,  
26 Complainant alleges the following:

27 a. On or about March 8, 2013, in Case No. CB 2013 32, the Bureau issued a citation to  
28 Respondent for violating section 9725.1 by selling unrecorded cemetery property. No fine was

1 assessed for the violation but abatement was ordered for Respondent to comply with all provisions  
2 of the Cemetery Act, Health and Safety Code and regulations adopted by the Bureau.

3 b. On or about March 23, 2012, in Case No. CB 2012 20, the Bureau issued a citation to  
4 Respondent for violating section 8741 by failing to display a statement that Respondent's cemetery  
5 is an endowment care interment property on Respondent's endowment care sign. No fine was  
6 assessed for the violation but abatement was ordered for Respondent to comply with all provisions  
7 of the Cemetery Act, Health and Safety Code and regulations adopted by the Bureau.

8 c. On or about June 10, 2005, in Case No. I 2005 106, the Bureau issued a citation to  
9 Respondent for violating section 9723 by failing to appoint a licensed cemetery manager. No fine  
10 was assessed for the violation but abatement was ordered for Respondent to appoint a licensed  
11 cemetery manager or for Respondent to take a cemetery manager examination.

12 d. On or about May 31, 2002, in Case No. I 2002 86, the Bureau issued a citation to  
13 Respondent for violating section 9650 by filing its Endowment Care Fund and Special Care Fund  
14 Report over three months past the required due date for filing. A fine of \$1,200.00 was assessed  
15 and has been paid in full.

16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
18 and that following the hearing, the Director of Consumer Affairs issue a decision:

19 1. Revoking or suspending Certificate of Authority License Number COA 476, issued to  
20 Gold Mountain Memorial Park, Inc., aka Gold Mountain Cemetery; with Angelo Cardono as the  
21 President and Director;

22 2. Ordering Angelo Cardono to pay the Cemetery and Funeral Bureau the reasonable  
23 costs of the investigation and enforcement of this case, pursuant to Business and Professions Code  
24 section 125.3; and,

25 ///

26 ///

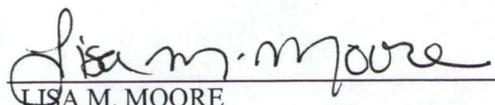
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3. Taking such other and further action as deemed necessary and proper.

DATED: May 1, 2014



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

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