

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

In the Matter of the Accusation Against:

GOLD MOUNTAIN MEMORIAL PARK,
INC., AKA GOLD MOUNTAIN
CEMETERY;
Angelo Cardono – President and Director

8718 Cleta Street
Downey, CA 90241

and

371 Maple Lane
Big Bear City, CA 92314

Certificate of Authority License No. COA
476

Respondent.

Case No. A1 2014 35

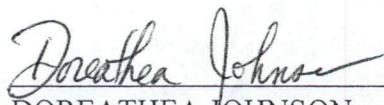
OAH No. 2014060612

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Director of Consumer Affairs and the Cemetery and Funeral Bureau as the Decision and Order in the above entitled matter.

This Decision shall become effective on December 10, 2015

It is so ORDERED NOV 19 2015



DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 ZACHARY T. FANSELOW
Deputy Attorney General
4 State Bar No. 274129
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Attorneys for Complainant
7

8 **BEFORE THE**
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11 In the Matter of the Accusation Against:
12 **GOLD MOUNTAIN MEMORIAL PARK,**
13 **INC., AKA GOLD MOUNTAIN**
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14 **Angelo Cardono – President and Director**
15 8718 Clela Street
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.
21

Case No. A1 2014 35
OAH No. 2014060612
STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

22 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
23 entitled proceedings that the following matters are true:

24 **PARTIES**

25 1. Lisa M. Moore ("Complainant") is the Bureau Chief of the Cemetery and Funeral
26 Bureau. She brought this action solely in her official capacity and is represented in this matter by
27 Kamala D. Harris, Attorney General of the State of California, by Zachary T. Fanselow, Deputy
28 Attorney General.

1 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
2 writing executed by an authorized representative of each of the parties.

3 14. In consideration of the foregoing admissions and stipulations, the parties agree that
4 the Director may, without further notice or formal proceeding, issue and enter the following
5 Disciplinary Order:

6 **DISCIPLINARY ORDER**

7 IT IS HEREBY ORDERED that Certificate of Authority License No. COA-476 issued to
8 Gold Mountain Memorial Park, Inc., aka Gold Mountain Cemetery; with Angelo Cardono as the
9 President and Director is revoked. However, the revocation is stayed and Respondent is placed
10 on probation for two (2) years on the following terms and conditions.

11 1. **Obey All Laws.** Respondent shall comply with all conditions of probation and obey
12 all federal, state and local laws, and all rules and regulations governing the programs regulated by
13 the Bureau.

14 2. **Quarterly Reports.** Respondent shall submit quarterly declarations under penalty of
15 perjury, in a format designated by the Bureau, stating whether or not Respondent has been in
16 compliance with all the conditions of probation. Respondent shall also submit such additional
17 written reports and verifications of actions requested by the Bureau. Should the final probation
18 report not be made as directed, the period of probation shall be extended until such time as the
19 final report is made.

20 3. **Interview with Bureau Representative.** As necessary, Respondent shall appear in
21 person for scheduled interviews with the Bureau Chief or other designated representative for the
22 purpose of monitoring compliance with the terms of this decision.

23 4. **Out-of-State Residence or Operation.** Should Respondent leave California to
24 reside or operate outside this state, Respondent must notify the Bureau in writing of the dates of
25 departure and return. Reporting in person may be waived if the Respondent moves out of the
26 state. However, Respondent shall continue compliance with other terms of probation to retain
27 California licensure. Periods of residency, business operation or employment outside California
28 shall not reduce the probationary period.

1 5. **Completion of Probation.** Upon successful completion of probation, Respondent's
2 license will be fully restored.

3 6. **Violation of Probation.** Should Respondent violate probation in any respect, the
4 Director of the Department of Consumer Affairs, after giving Respondent notice and an
5 opportunity to be heard, may revoke probation and carry out the disciplinary order which was
6 stayed. If an Accusation or Petition to Revoke Probation is filed against Respondent during
7 probation, the Bureau shall have continuing jurisdiction until the matter is final, and the probation
8 shall be extended until the matter is final.

9 7. **License Issued During Probation.** Any license or registration issued to Respondent
10 by the Bureau during the period of probation shall be issued as a probationary license or
11 registration and is subject to all the terms and conditions set forth herein. Respondent must
12 comply with terms and conditions herein and demonstrate no cause for disciplinary action or
13 denial of an application.

14 8. **Cost Recovery.** Respondent shall pay the Bureau's actual and reasonable costs of
15 investigation and enforcement of this matter in the amount of \$3,000.00. Said amount shall be
16 paid within thirty (30) days of the effective date of the decision. Probation shall not terminate
17 until full payment has been made. Respondent's license shall not be renewed until the cost
18 recovery has been paid in full or Respondent is otherwise in compliance with a payment plan
19 approved by the Bureau

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Robert K. George, Esq.. I understand the stipulation and the effect it will have on my Certificate of Authority License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED: 10/1/15


GOLD MOUNTAIN MEMORIAL PARK, INC., AKA
GOLD MOUNTAIN CEMETERY
ANGELO CARDONO - PRESIDENT AND
DIRECTOR
Respondent

I have read and fully discussed with Respondent Gold Mountain Memorial Park, Inc., aka Gold Mountain Cemetery; with Angelo Cardono as the President and Director the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 10/1/2015


Robert K. George, Esq.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs

Dated: 10/1/2015

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General

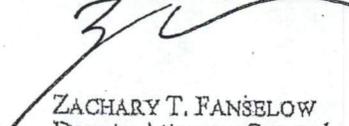

ZACHARY T. FANSELOW
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. A1 2014 35

1 KAMALA D. HARRIS
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16 and

17 371 Maple Lane
Big Bear City, CA 92314

18 **Certificate of Authority License No. COA**
19 **476**

20 Respondent.

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”).¹

27 ¹ 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 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,

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

DATED: May 1, 2014

Lisa M. Moore

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

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