

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

In the Matter of the Accusation Against:

**COASTAL FUNERAL SERVICES**  
**SIDNEY P. HUNT, Manager of Record**  
2102 Business Center Drive, #130  
Irvine, CA 92612

Funeral Establishment License No. FD 1739

and

**SIDNEY P. HUNT**  
2102 Business Center Drive, #130  
Irvine, CA 92612

Funeral Director License No. FDR 1135

Respondents.

Case No. A1 2012 300

OAH No. 2013100860

**DECISION**

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

This Decision shall become effective February 17, 2014.

DATED: JAN 16 2014

  
\_\_\_\_\_  
DOREATHEA JOHNSON  
Deputy Director, Legal Affairs  
Department of Consumer Affairs

1 KAMALA D. HARRIS  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 ADRIAN R. CONTRERAS  
Deputy Attorney General  
4 State Bar No. 267200  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2634  
7 Facsimile: (619) 645-2061  
E-mail: Adrian.Contreras@doj.ca.gov  
8 *Attorneys for Complainant*

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

12  
13 In the Matter of the Accusation Against:

14 **COASTAL FUNERAL SERVICES;**  
**SIDNEY P. HUNT, MANAGER OF**  
15 **RECORD**  
2102 Business Center Drive, #130  
16 Irvine, CA 92612

17 **Funeral Establishment License No. FD 1739**

18 **&**

19 **SIDNEY P. HUNT,**  
2102 Business Center Drive, #130  
20 Irvine, CA 92612

21 **Funeral Director License No. FDR 1135**

22 Respondents.  
23

Case No. A1 2012 300

OAH No. 2013100860

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

24 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
25 interest and the responsibilities of the Director of Consumer Affairs and the Cemetery and  
26 Funeral Bureau the parties hereby agree to the following Stipulated Surrender of License and  
27 Disciplinary Order which will be submitted to the Director for the Director's approval and  
28 adoption as the final disposition of the First Amended Accusation.

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PARTIES

1. Lisa M. Moore (Complainant) is the Bureau Chief of the Cemetery and Funeral Bureau. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Adrian R. Contreras, Deputy Attorney General.

2. Sidney P. Hunt, manager of record of Coastal Funeral Services (collectively Respondent), is represented in this proceeding by attorney Todd J. Bloomfield, whose address is 16133 Ventura Boulevard, Suite 1180, Encino, CA 91436.

3. On or about May 11, 2001, the Cemetery and Funeral Bureau issued Funeral Establishment License No. FD 1739 to Respondent. The Funeral Establishment License was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. A1 2012 300 and will expire on May 31, 2014, unless renewed.

4. On or about November 13, 1997, the Cemetery and Funeral Bureau issued Funeral Director License No. FDR 1135 to Respondent. The Funeral Director License was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. A1 2012 300 and will expire on November 30, 2014, unless renewed.

JURISDICTION

5. First Amended Accusation No. A1 2012 300 was filed before the Director of Consumer Affairs (Director), for the Cemetery and Funeral Bureau (Bureau), and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on November 1, 2013. Respondent timely contested the First Amended Accusation. A copy of First Amended Accusation No. A1 2012 300 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in First Amended Accusation No. A1 2012 300. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.



1 agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon  
2 it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated  
3 Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall  
4 be inadmissible in any legal action between the parties, and the Director shall not be disqualified  
5 from further action by having considered this matter.

6 13. The parties understand and agree that Portable Document Format (PDF) and facsimile  
7 copies of this Stipulated Surrender of License and Order, including Portable Document Format  
8 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

9 14. This Stipulated Surrender of License and Order is intended by the parties to be an  
10 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
11 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
12 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
13 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
14 executed by an authorized representative of each of the parties.

15 15. In consideration of the foregoing admissions and stipulations, the parties agree that  
16 the Director may, without further notice or formal proceeding, issue and enter the following  
17 Order:

18 **ORDER**

19 IT IS HEREBY ORDERED that Funeral Establishment License No. FD 1739 and Funeral  
20 Director License No. FDR 1135 issued to Respondent Sidney P. Hunt, manager of record of  
21 Coastal Funeral Services, are surrendered and accepted by the Director of Consumer Affairs.

22 1. The surrender of Respondent's Funeral Establishment License and Funeral Director  
23 License and the acceptance of the surrendered licenses by the Bureau shall constitute the  
24 imposition of discipline against Respondent. This stipulation constitutes a record of the discipline  
25 and shall become a part of Respondent's license history with the Cemetery and Funeral Bureau.

26 2. Respondent shall lose all rights and privileges as a Funeral Director and Funeral  
27 Establishment in California as of the effective date of the Director's Decision and Order.

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1 3. Respondent shall cause to be delivered to the Bureau his wall certificates on or before  
2 the effective date of the Decision and Order.

3 4. If Respondent ever applies for licensure or petitions for reinstatement in the State of  
4 California, the Bureau shall treat it as a new application for licensure. Respondent must comply  
5 with all the laws, regulations and procedures for licensure in effect at the time the application or  
6 petition is filed, and all of the charges and allegations contained in First Amended Accusation No.  
7 A1 2012 300 shall be deemed to be true, correct and admitted by Respondent when the Director  
8 determines whether to grant or deny the application or petition.

9 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
10 amount of \$13,387.57 before issuance of a new or reinstated license.

11 6. If Respondent should ever apply or reapply for a new license or certification, or  
12 petition for reinstatement of a license, by any other health care licensing agency in the State of  
13 California, all of the charges and allegations contained in First Amended Accusation No. A1 2012  
14 300 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any  
15 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

16 ACCEPTANCE

17 I have carefully read the above Stipulated Surrender of License and Order and have fully  
18 discussed it with my attorney, Todd J. Bloomfield. I understand the stipulation and the effect it  
19 will have on my Funeral Establishment License and Funeral Director License. I enter into this  
20 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
21 be bound by the Decision and Order of the Director of Consumer Affairs.

22  
23 DATED: 12/23/13

*Sidney P. Hunt*  
SIDNEY P. HUNT, MANAGER OF RECORD  
AND AUTHORIZED AGENT OF COASTAL  
FUNERAL SERVICES  
Respondent

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I have read and fully discussed with Respondent Sidney P. Hunt, manager of record of Coastal Funeral Services, the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 12/23/13

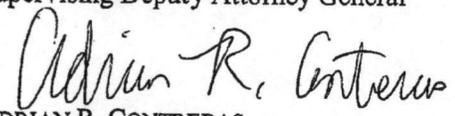
  
TODD J. BLOOMFIELD  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs.

Dated: 12/23/13

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
JAMES M. LEDAKIS  
Supervising Deputy Attorney General

  
ADRIAN R. CONTRERAS  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**First Amended Accusation No. A1 2012 300**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 ADRIAN R. CONTRERAS  
Deputy Attorney General  
4 State Bar No. 267200  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2634  
7 Facsimile: (619) 645-2061  
E-mail: Adrian.Contreras@doj.ca.gov  
8 *Attorneys for Complainant*

9 **BEFORE THE**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **FOR THE CEMETERY AND FUNERAL BUREAU**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. A1 2012 300

14 **COASTAL FUNERAL SERVICES;**  
15 **SIDNEY P. HUNT, MANAGER OF**  
16 **RECORD**  
2102 Business Center Drive, #130  
Irvine, California 92612

**FIRST AMENDED**  
**ACCUSATION**

17 **Funeral Establishment License No. FD 1739**

18 &

19 **SIDNEY P. HUNT,**  
20 2102 Business Center Drive, #130  
Irvine, California 92612

21 **Funeral Director License No. FDR 1135**

22 Respondents.

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1 Complainant alleges:

2 **PARTIES**

3 1. Lisa M. Moore (Complainant) brings this First Amended Accusation solely in her  
4 official capacity as the Bureau Chief of the Cemetery and Funeral Bureau, Department of  
5 Consumer Affairs (the Bureau).<sup>1</sup>

6 2. On or about May 11, 2001, the Cemetery and Funeral Bureau issued Funeral  
7 Establishment License Number FD 1739 to Coastal Funeral Services; Sidney P. Hunt, manager of  
8 record (Coastal Funeral). The Funeral Establishment License was in full force and effect at all  
9 times relevant to the charges brought herein and will expire on May 31, 2014, unless renewed.

10 3. On or about November 13, 1997, the Cemetery and Funeral Bureau issued Funeral  
11 Director License Number FDR 1135 to Sidney P. Hunt (Hunt). The Funeral Director License was  
12 in full force and effect at all times relevant to the charges brought herein and will expire on  
13 November 30, 2013, unless renewed.

14 **JURISDICTION**

15 4. This First Amended Accusation is brought before the Director of Consumer Affairs  
16 (Director) for the Cemetery and Funeral Bureau, under the authority of the following laws. All  
17 section references are to the Business and Professions Code unless otherwise indicated.

18 5. Section 118, subdivision (b), of the Code provides that the suspension, expiration,  
19 surrender, cancellation of a license shall not deprive the Director of jurisdiction to proceed with a  
20 disciplinary action during the period within which the license may be renewed, restored, reissued  
21 or reinstated.

22 6. Section 7725.2 states:

23 "Except as otherwise provided in this article, a license that has expired may be renewed at  
24 any time within five years after its expiration on filing of an application for renewal on a form

25 \_\_\_\_\_  
26 <sup>1</sup> 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 prescribed by the bureau and payment of all accrued and unpaid renewal fees. If the license is not  
2 renewed within 30 days after its expiration the licensee, as a condition precedent to renewal, shall  
3 also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be  
4 effective on the date on which the application is filed, on the date on which all renewal fees are  
5 paid, or on the date on which the delinquency fee, if any, is paid, whichever last occurs. If so  
6 renewed, the license shall continue in effect through the date provided in Section 7725 that next  
7 occurs after the effective date of the renewal, when it shall expire if it is not again renewed.

8 "If a license is not renewed within one year following its expiration, the bureau may require  
9 as a condition of renewal that the holder of the license pass an examination on the appropriate  
10 subjects provided by this chapter."

11 7. Section 7686 of the Code states, in pertinent part, that the bureau may suspend or  
12 revoke licenses, after proper notice and hearing to the licensee, if the licensee has been found  
13 guilty by the bureau of any of the acts or omissions constituting grounds for disciplinary action.  
14 The proceedings under this article shall be conducted in accordance with Chapter 5 of Part 1 of  
15 Division 3 of Title 2 of the Government Code, 1 and the bureau shall have all the powers granted  
16 therein.

17 8. Section 7686.5 states:

18 "All accusations against licensees shall be filed with the bureau within two years after the  
19 performance of the act or omission alleged as the ground for disciplinary action; provided,  
20 however, that the foregoing provision shall not constitute a defense to an accusation alleging  
21 fraud or misrepresentation as a ground for disciplinary action. The cause for disciplinary action in  
22 such case shall not be deemed to have accrued until discovery, by the bureau, of the facts  
23 constituting the fraud or misrepresentation, and, in such case, the accusation shall be filed within  
24 three years after such discovery."

### 25 STATUTORY PROVISIONS

26 9. Section 22 of the Code states:

27 "(a) 'Board' as used in any provisions of this Code, refers to the board in which the  
28 administration of the provision is vested, and unless otherwise expressly provided, shall include

1 'bureau,' 'commission,' 'committee,' 'department,' 'division,' 'examining committee,' 'program,' and  
2 'agency.'

3 "(b) Whenever the regulatory program of a board that is subject to review by the Joint  
4 Committee on Boards, Commissions, and Consumer Protection, as provided for in Division 1.2  
5 (commencing with Section 473), is taken over by the department, that program shall be  
6 designated as a 'bureau.'"

7 10. Section 145 of the Code states:

8 "The Legislature finds and declares that:

9 "(a) Unlicensed activity in the professions and vocations regulated by the Department of  
10 Consumer Affairs is a threat to the health, welfare, and safety of the people of the State of  
11 California."

12 "..."

13 11. Section 7615 of the Code states:

14 "A funeral director is a person engaged in or conducting, or holding himself or herself out  
15 as engaged in any of the following:

16 "(a) Preparing for the transportation or burial or disposal, or directing and supervising for  
17 transportation or burial or disposal of human remains.

18 "(b) Maintaining an establishment for the preparation for the transportation or disposition or  
19 for the care of human remains.

20 "(c) Using, in connection with his or her name, the words "funeral director," or  
21 "undertaker," or "mortician," or any other title implying that he or she is engaged as a funeral  
22 director."

23 12. Section 7616 of the Code states:

24 "(a) A licensed funeral establishment is a place of business conducted in a building or  
25 separate portion of a building having a specific street address or location and devoted exclusively  
26 to those activities as are incident, convenient, or related to the preparation and arrangements,  
27 financial and otherwise, for the funeral, transportation, burial or other disposition of human  
28 remains and including, but not limited to, either of the following:

1           “(1) A suitable room for the storage of human remains.

2           “(2) A preparation room equipped with a sanitary flooring and necessary drainage and  
3 ventilation and containing necessary instruments and supplies for the preparation, sanitation, or  
4 embalming of human remains for burial or transportation.

5           “(b) Licensed funeral establishments under common ownership or by contractual agreement  
6 within close geographical proximity of each other shall be deemed to be in compliance with the  
7 requirements of paragraph (1) or (2) of subdivision (a) if at least one of the establishments has a  
8 room described in those paragraphs.

9           “(c) Except as provided in Section 7609, and except accredited mortuary science programs  
10 engaged in teaching students the art of embalming, no person shall operate or maintain or hold  
11 himself or herself out as operating or maintaining any of the facilities specified in paragraph (2)  
12 of subdivision (a), unless he or she is licensed as a funeral director.

13           “...”

14           13. Section 7617 of the Code states:

15           “The business of a licensed funeral establishment shall be conducted and engaged in at a  
16 fixed place or facility.

17           “No person, partnership, association, corporation, or other organization shall open or  
18 maintain a place or establishment at which to engage in or conduct, or hold himself or herself or  
19 itself out as engaging in or conducting, the business of a funeral establishment without a license.”

20           14. Section 7616.2 of the Code states:

21           “A licensed funeral establishment shall at all times employ a licensed funeral director to  
22 manage, direct, or control its business or profession. Notwithstanding any other provisions of this  
23 chapter, licensed funeral establishments within close geographical proximity of each other, may  
24 request the bureau to allow a licensed funeral director to manage, direct, or control the business or  
25 profession of more than one facility.”

26           ///

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1       15. Section 7619.3 of the Code states:

2            “No licensed funeral director shall engage in or conduct, or hold himself or herself out as  
3 engaging in or conducting, the activities of a funeral director without being employed by, or  
4 without being a sole proprietor of, a licensed funeral establishment.”

5       16. Section 7635 of the Code states:

6            “(a) Any person employed by, or an agent of, a licensed funeral establishment, who  
7 consults with the family or representatives of a family of a deceased person for the purpose of  
8 arranging for services as set forth in subdivision (a) of Section 7615, shall receive documented  
9 training and instruction which results in a demonstrated knowledge of all applicable federal and  
10 state laws, rules, and regulations including those provisions dealing with vital statistics, the  
11 coroner, anatomical gifts, and other laws, rules, and regulations pertaining to the duties of a  
12 funeral director. A written outline of the training program, including documented evidence of the  
13 training time, place, and participants, shall be maintained in the funeral establishment and shall be  
14 available for inspection and comment by an inspector of the bureau.

15           “(b) This section shall not apply to anyone who has successfully passed the funeral  
16 director's examination pursuant to Section 7622.”

17       17. Section 7692 of the Code states:

18            “Misrepresentation or fraud in the conduct of the business or the profession of a funeral  
19 director or embalmer constitutes a ground for disciplinary action.”

20       18. Section 7699 of the Code states:

21            “Aiding or abetting an unlicensed person to practice funeral directing or embalming  
22 constitutes a ground for disciplinary action.”

23       19. Section 7703 of the Code states:

24            “Violation of any of the provisions of this chapter or of the rules and regulations adopted  
25 pursuant to this chapter constitutes a ground for disciplinary action.”

26       20. Section 7707 of the Code states:

27            “Gross negligence, gross incompetence or unprofessional conduct in the practice of funeral  
28 directing or embalming constitutes a ground for disciplinary action.”

1       21. Section 7745 of the Code states:

2       “Every funeral establishment shall present to the survivor of the deceased who is handling  
3 the funeral arrangements or the responsible party a copy of any preneed agreement which has  
4 been signed and paid for in full, or in part by, or on behalf of the deceased and is in the possession  
5 of the funeral establishment. The copy may be presented in person, by certified mail, or by  
6 facsimile transmission, as agreed upon by the survivor of the deceased or the responsible party. A  
7 funeral establishment that knowingly fails to present a preneed agreement to the survivor of the  
8 deceased or the responsible party shall be liable for a civil fine equal to three times the cost of the  
9 preneed agreement, or one thousand dollars (\$1,000), whichever is greater.”

10       22. Section 7100 of the Health and Safety Code states:

11       “(a) The right to control the disposition of the remains of a deceased person, the location  
12 and conditions of interment, and arrangements for funeral goods and services to be provided,  
13 unless other directions have been given by the decedent pursuant to Section 7100.1, vests in, and  
14 the duty of disposition and the liability for the reasonable cost of disposition of the remains  
15 devolves upon, the following in the order named:

16       “(1) An agent under a power of attorney for health care who has the right and duty of  
17 disposition under Division 4.7 (commencing with Section 4600) of the Probate Code, except that  
18 the agent is liable for the costs of disposition only in either of the following cases:

19       “(A) Where the agent makes a specific agreement to pay the costs of disposition.

20       “(B) Where, in the absence of a specific agreement, the agent makes decisions concerning  
21 disposition that incur costs, in which case the agent is liable only for the reasonable costs incurred  
22 as a result of the agent's decisions, to the extent that the decedent's estate or other appropriate  
23 fund is insufficient.

24       “(2) The competent surviving spouse.

25       “(3) The sole surviving competent adult child of the decedent or, if there is more than one  
26 competent adult child of the decedent, the majority of the surviving competent adult children.  
27 However, less than the majority of the surviving competent adult children shall be vested with the  
28 rights and duties of this section if they have used reasonable efforts to notify all other surviving

1 competent adult children of their instructions and are not aware of any opposition to those  
2 instructions by the majority of all surviving competent adult children.

3 “(4) The surviving competent parent or parents of the decedent. If one of the surviving  
4 competent parents is absent, the remaining competent parent shall be vested with the rights and  
5 duties of this section after reasonable efforts have been unsuccessful in locating the absent  
6 surviving competent parent.

7 “(5) The sole surviving competent adult sibling of the decedent or, if there is more than one  
8 surviving competent adult sibling of the decedent, the majority of the surviving competent adult  
9 siblings. However, less than the majority of the surviving competent adult siblings shall be vested  
10 with the rights and duties of this section if they have used reasonable efforts to notify all other  
11 surviving competent adult siblings of their instructions and are not aware of any opposition to  
12 those instructions by the majority of all surviving competent adult siblings.

13 “(6) The surviving competent adult person or persons respectively in the next degrees of  
14 kinship or, if there is more than one surviving competent adult person of the same degree of  
15 kinship, the majority of those persons. Less than the majority of surviving competent adult  
16 persons of the same degree of kinship shall be vested with the rights and duties of this section if  
17 those persons have used reasonable efforts to notify all other surviving competent adult persons  
18 of the same degree of kinship of their instructions and are not aware of any opposition to those  
19 instructions by the majority of all surviving competent adult persons of the same degree of  
20 kinship.

21 “(7) A conservator of the person appointed under Part 3 (commencing with Section 1800)  
22 of Division 4 of the Probate Code when the decedent has sufficient assets.

23 “(8) A conservator of the estate appointed under Part 3 (commencing with Section 1800) of  
24 Division 4 of the Probate Code when the decedent has sufficient assets.

25 “(9) The public administrator when the deceased has sufficient assets.

26 “...  
27  
28







1 licensed funeral director and had him talk with several patients about his services. In fact, the  
2 public guardian or public administrators should have been notified.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Aiding and Abetting Unlicensed Activity)**

5 32. Coastal Funeral and Hunt are subject to disciplinary action under section 7699 of the  
6 Code in that they aided or abetted Wilhelm, an unlicensed funeral director, to practice funeral  
7 directing and Guardian of Funds Foundation, an unlicensed funeral establishment, to operate as a  
8 funeral establishment within the meaning of the Funeral Directors and Embalmers Law.  
9 Complainant re-alleges and incorporates by reference the allegations set forth above in  
10 paragraphs 27-31. The circumstances are as follows:

11 33. Respondents provided to Wilhelm and Guardian of Funds and/or accepted from them  
12 State of California forms required for use in the course of the completion of at-need funeral  
13 arrangements.

14 34. Respondents provided professional services for decedents who funded Guardian of  
15 Funds trusts sold to consumers by Wilhelm.

16 35. Respondents engaged the services of Wilhelm as their representative without ensuring  
17 that Wilhelm had passed the funeral director test or received documented training as required  
18 under Code section 7635.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Misrepresentation or Fraud)**

21 36. Coastal Funeral and Hunt are subject to disciplinary action under section 7692 of the  
22 Code in that they committed misrepresentation or fraud in the conduct of the business or the  
23 profession of a funeral director or embalmer. Complainant re-alleges and incorporates by  
24 reference the allegations set forth above in paragraphs 27-31. Coastal Funeral and Hunt  
25 committed misrepresentation or fraud to the following clients by overcharging for services and  
26 merchandise as follows:

27 37. **Mary B.:** Respondents charged more than Coastal's General Price List allowed for  
28 her removal.



1 Law. Complainant re-alleges and incorporates by reference the allegations set forth above in  
2 paragraphs 27-31. Hunt's failure to supervise and control includes the following:

3 47. Several of the contracts were not signed or acknowledged by those with the right to  
4 control the decedent's disposition. Wilhelm completed documents that should have been  
5 acknowledged by Hunt or other trained representatives of Coastal.

6 48. There were no signatures on many of Coastal's contracts because Hunt did not  
7 personally meet with the people with the right to control disposition for the decedent.

8 49. Many of the required forms were not signed by the decedent's next-of-kin and a  
9 Coastal representative.

10 50. Wilhelm was not trained to make at-need arrangements.

11 51. Hunt prepared the Coastal contracts but he did not know why Wilhelm's initials  
12 appeared on the contracts as the purchaser.

13 **FOURTH CAUSE FOR DISCIPLINE**

14 **(Unprofessional Conduct)**

15 52. Hunt is subject to disciplinary action under section 7707 for unprofessional conduct  
16 in the practice of funeral directing. Complainant re-alleges and incorporates by reference the  
17 allegations set forth above in paragraphs 27-31. The circumstances are as follows:

18 53. Hunt knowingly engaged the services of Wilhelm as a representative of Coastal to  
19 complete at-need arrangements without ensuring that Wilhelm had passed the funeral director test  
20 or received documented training as required under Code section 7635.

21 54. Hunt failed to present a Coastal General Price List to the person with the right to  
22 control the disposition of a decedent before beginning the discussion of terms, prices, or  
23 conditions for multiple decedents.

24 55. Hunt failed to present a Coastal Casket Price List to the person with the right to  
25 control the disposition of a decedent before beginning the discussion of caskets or alternative  
26 containers for multiple decedents.

27 56. Hunt failed to disclose to the person with the right to control the disposition of a  
28 decedent that the funeral establishment possessed a funded preneed trust agreement with

1 Guardian of Funds and that those funds would be applied to the Coastal contact balance for  
2 multiple decedents.

3 57. Hunt indicated on the Disclosure of Preneed Agreement form for multiple clients that  
4 the decedent "Does not" have a funded preneed agreement when in fact the decedent had a  
5 funded Guardian of Funds trust agreement having funds intended to be used to pay for the goods  
6 and services provided by Coastal.

7 58. Hunt failed to use the Disclosure of Preneed Agreement form for every decedent and  
8 to execute it completely.

9 59. Hunt failed to use the Authorization for Disposition With or Without Embalming  
10 form for every decedent and to execute it completely.

11 60. Hunt failed to use the Declaration for the Disposition of Cremated Remains form for  
12 every decedent with cremation arrangements and to execute it completely for multiple decedents.

13 61. Hunt failed to report a death to the Office of the Public Administrator when a client  
14 died intestate or without next of kin residing in California.

15 62. Hunt failed to obtain a Durable Power of Attorney or other similar health care  
16 directive allowing Wilhelm to direct the disposition of multiple decedents.

17 63. Hunt allowed Wilhelm to sign various forms, including multiple cremation  
18 authorizations, for decedents as the person with the right to control the disposition of that  
19 decedent under Health and Safety Code section 7100.

20 **PRAYER**

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

- 23 1. Revoking or suspending Funeral Establishment License Number FD 1739, issued to  
24 Sidney P. Hunt, manager of record of Coastal Funeral Services;
- 25 2. Revoking or suspending Funeral Director License Number FDR 1135, issued to  
26 Sidney P. Hunt, manager of record of Coastal Funeral Services;

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3. Ordering Sidney P. Hunt and Coastal Funeral Services to pay the Cemetery and  
Funeral Bureau the reasonable costs of the investigation and enforcement of this case, pursuant to  
Business and Professions Code section 125.3; and

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

DATED: October 31, 2013

Lisa M. Moore

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

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