STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
CEMETERY AND FUNERAL BUREAU
1625 N. Market Blvd., Suite S-208, Sacramento, CA 95834
P 916.574.7870 F 916.928.7988 www.cfb.ca.gov

2018 PRENEED FUNERAL TRUST FUND DECLARATION OF NON-REPORTING STATUS

Complete form and mail to the letterhead address; no fee is required.

Funeral Establishment Name: _____

Funeral Establishment License Number: FD_____

Reporting Period (check one)**:**

☐ **Calendar Year** – Beginning January 1, 2018 and ending December 31, 2018

☐ **Fiscal Year** – Beginning _____ and ending on _____

☐ **Final Report** – Beginning _____ and ending on _____

The funeral establishment may file this Declaration based on the following (check all that apply):

☐ The funeral establishment does not have any pre-need sales of funeral goods or services. (If this box is checked, do not check any of the following boxes)

☐ Pursuant to California Code of Regulations (CCR) Section 1261, the funeral establishment is exempt from annual trust reporting requirements. The client/consumer directly deposits his or her own money in a bank or savings institution trust account in the name of the client as trustee for the funeral establishment, provided that, until death, the client retains the exclusive power to hold, manage, pledge, and invest the funds and may revoke the tentative trust and withdraw the funds at any time. There is no delivery of money whatsoever to the funeral establishment to pay for the services or goods until funeral goods and services have been provided.

☐ The consumer purchases insurance for preneed funeral services and/or merchandise. The payments are made payable by the consumer to the insurance company. The funeral establishment does not receive any cash or money payable to them from the consumer for payments on the insurance policies, and does not deposit the payments into their funeral establishment accounts. **List insurance companies** (i.e., Homesteaders, CNA, etc.). _____

☐ The pre-need funeral trusts are administered under a common trust fund containing two or more funeral establishments pursuant to CCR Section 1269(f). The funeral establishment has caused the trustee of the common trust fund to file one combined annual report, which discloses the funeral establishment's information separately. **The combined report is filed by (trustee name(s)**:_____

I certify under penalty of perjury, under the laws of the State of California, that the information presented above is complete, true, and correct to the best of my knowledge and belief.

Bureau Use Only

_____ AUTHORIZED SIGNATURE

_____ DATE

_____ PRINT NAME

_____ TITLE

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Instructions

Business and Professions Code (BPC) section 7746 requires all funeral establishments that are exempt from filing an annual preneed trust report (form 21P-4A), or whose preneed trust funds are reported in a combined preneed trust report, to annually file a Declaration of Non-Reporting Status (Declaration) (form 02NR). The Declaration must be **filed by May 1, 2019** and upon the transfer of ownership or the cessation of business. CCR Section 1277 defines a preneed arrangement as "written instruction regarding goods or services or both goods and services for final disposition of human remains when the goods or services are not provided until the time of death, and may be either unfunded or paid for in advance of need".

For funeral establishments filing their final report, you must check the box for "Final Report" and report the normal start of the accounting period, but indicate the last date the funeral establishment operated.

CCR Section 1274 states that if, for any reason, a licensed funeral establishment or licensed funeral director is unable to perform the funeral services prior to or upon the death of the beneficiary of a preneed trust agreement, then the trustee shall pay all trust corpus and net income to the beneficiary, trustor, or the legal representative of either the beneficiary or trustor without the imposition of any revocation charge. If the appropriate individual cannot be located to refund the trust funds, then the funds should be escheated to the California State Controller's Office. At the request of the beneficiary/trustor(consumer), the funds may remain in the trust and the beneficiary/trustor may designate a new funeral establishment to provide the services and retain the services of the trustee.

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NOTICE ON COLLECTION OF PERSONAL INFORMATION

Collection and Use of Personal Information

The Cemetery and Funeral Bureau (Bureau) of the Department of Consumer Affairs collects the personal information requested on this form in accordance with Business and Professions Code sections 30, 144, 7600 et. seq., and the Information Practices Act. The Bureau uses this information principally to identify and evaluate applicants for licensure, issue and renew licenses, and enforce licensing and reporting standards set by law and regulation.

Mandatory Submission

Submission of the requested information is mandatory unless otherwise noted on the application and/or form. The Bureau cannot consider your application for licensure or renewal unless you provide all of the requested information.

Access to Personal Information

You may review the records maintained by the Bureau that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information

We make every effort to protect the personal information you provide us. The information you provide, however, may be disclosed in the following circumstances:

- In response to a Public Records Act request (Government Code Section 6250 and following), as allowed by the Information Practices Act (Civil Code Section 1798 and following);
- To another government agency as required by State or Federal law; or,
- In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information

For questions about this notice or access to your records, you may contact the Custodian of Records, Cemetery and Funeral Bureau at 1625 North Market Boulevard, Suite S-208, Sacramento, CA 95834, by phone at (916) 574-7870, or by e-mail at emailcfb@dca.ca.gov. For questions about the Department's Privacy Policy, you may contact the Department of Consumer Affairs at 1625 North Market Boulevard, Sacramento, CA 95834, by phone at (800) 952-5210, or by e-mail at dca@dca.ca.gov.