



CEMETERY AND FUNERAL BUREAU

1625 N. Market Blvd., Suite S-208, Sacramento, CA 95834
(916) 574-7870 | emailcfb@dca.ca.gov | www.cfb.ca.gov



(Read the instructions beginning on Page 8 before completing this report.)

2022 PRENEED FUNERAL TRUST FUND REPORT

FUNERAL ESTABLISHMENT: _____

LICENSE NUMBER: FD

ADDRESS: _____

Check One

- ☐ Calendar Year – Beginning January 1, 2022 and ending December 31, 2022
- ☐ Fiscal Year – Beginning _____ and ending on _____
- ☐ Final Report – Beginning _____ and ending on _____
- Assignment Report – Beginning _____ and ending on _____

IMPORTANT

1. This report must be filed with the Cemetery and Funeral Bureau on or before May 1, 2023. Pursuant to BPC section 7729(j) the fee for timely filing is \$500.00.
2. Any report received or postmarked after May 1, 2023, will be deemed to be late. Pursuant to BPC section 7729(j) the fee for a late filing of any report shall be 150 percent of the timely fee or \$750.00.
3. A final preneed trust fund report is required upon the transfer of license or cessation of business. A final report, and the applicable report fee, must accompany the Application for Assignment of Funeral Establishment License. Reporting forms will be mailed upon request.
4. Two (2) or more funeral establishments who utilize a common trust fund may cause the trustees of the fund to file one (1) combined report. A combined report must disclose each funeral establishment's summary of trust transactions (page 4) separately. The fee for timely filing of a combined report is \$500.00 and for a late report is \$750.00.

FOR OFFICIAL USE ONLY

Reviewer: _____	Date Received: _____
	____p/c ____b/c ____m/o ____csh
Date: _____	Amount: _____
	Receipt No: _____

(Read the instructions before completing this report.)

QUESTIONNAIRE

1. Type of Business Organization:

☐ Individual ☐ Partnership ☐ Corporation

2. Are you also a licensed cemetery authority?

☐ YES ☐ NO

3. Is this trust active (i.e., receiving payments and/or adding new trustors)?

☐ YES ☐ NO

If yes, please attach a blank copy of the current trust agreement to this report.

4. How are trust funds invested?

☐ Individual Passbooks ☐ Commingled Savings
☐ Commingled Investments ☐ Other Explain)

5. Is the entire corpus returned upon revocation?

☐ YES ☐ NO (If NO, please explain.)

6. Are requests for revocation honored within 15 days?

☐ YES ☐ NO (If NO, please explain.)

7. Were any investments in default for more than sixty (60) days?

☐ YES ☐ NO (If YES, please explain.)

8. Have individual beneficiary ledger accounts been established?

☐ YES ☐ NO (If NO, please explain.)

9. Do actual expenses exceed the 4% allowable annual trust administration fee limitation?

☐ YES ☐ NO (If NO, please explain.)

10. Have all funds collected been deposited into trust within thirty (30) days?

☐ YES ☐ NO (If NO, please explain.)

11. Where any funds escheated to the State as unclaimed property?

YES NO

12. List all trustees and include each individual's residence or business address and telephone numbers (not the funeral establishment address and telephone number). Identify any and all relationships with individual trustees who are designated as NON-FIRM MEMBERS, including business and personal relationships.

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
a.	_____	_____	(____)_____
	Firm Member or Non-Firm Member		
b.	_____	_____	(____)_____
	(Non-Firm Member		
c.	_____	_____	(____)_____
	(Non-Firm Member		
d.	_____	_____	(____)_____
	(Non-Firm Member		
e.	_____	_____	(____)_____
	(Non-Firm Member		

13. How are the trustees selected?

- a) ☐ By the licensee
- b) ☐ By the depositor
- c) ☐ Other (Please explain) _____

14. Where, **in California**, are the books and records of the trust funds are available for inspection or audit by the Cemetery and Funeral Bureau?

Name of Custodian: _____

Name of Entity or Location: _____

Address: _____ City _____ ZIP _____

15. Who prepared this report?

Name: _____ Telephone: (____)_____

Address: _____ City _____ ZIP _____

16. Who is the authorized contact person to whom questions regarding the contents of this report should be directed.

Name: _____ Telephone: (____)_____

Email: _____

2022 PRENEED FUNERAL TRUST FUND REPORT
SUMMARY OF TRUST TRANSACTIONS

	CORPUS	INCOME/ EXPENSE	TOTAL
BEGINNING BALANCES:	+ _____	+ _____	+ _____
ADD:			
Corpus Received	+ _____	+ _____	+ _____
Transferred In	+ _____	+ _____	+ _____
Income Earned this Period	+ _____	+ _____	+ _____
SUBTRACT:	Funds From Corpus Applied to:	Funds From Income Applied to:	
Serviced Accounts	- _____	- _____	- _____
Canceled Accounts	- _____	- _____	- _____
Escheated Accounts	- _____	- _____	- _____
Transferred Out Accounts	- _____	- _____	- _____
Administration Fees (Pg 5)	- _____	- _____	- _____
Taxes	- _____	- _____	- _____
Revocation Fees	- _____	- _____	- _____
_____	- _____	- _____	- _____
_____	- _____	- _____	- _____
ENDING BALANCES:	= _____	= _____	= _____

ENDING BALANCE AS OF 12/31/2022, END OF FISCAL
YEAR OR CLOSED DATE - MARKET VALUE = _____

Total Number of Trustors at the Beginning of the Year _____

ADD: New Trustors + _____

Transferred In Trustors + _____

SUBTRACT: Serviced Accounts - _____

Canceled Accounts - _____

Escheated Accounts - _____

Transferred Out Trustors - _____

Total Number of Trustors at the End of the Year = _____

2022 PRENEED FUNERAL TRUST FUND REPORT

ADMINISTRATION FEE SUMMARY

	<u>DESCRIPTION (if applicable)</u>	<u>AMOUNT</u>
INVESTMENT FEES		
FILING FEES		
ATTORNEY FEES		
BOOKKEEPING FEES		
AUDITING FEES		
ADMINISTRATIVE FEES		
TRUSTEE FEES		
TOTAL ADMINISTRATION EXPENSES INCURRED THIS PERIOD		
TOTAL ADMINISTRATION FEES RECOVERED THIS PERIOD		
AMOUNT WITHDRAWN OR <UNRECOVERED EXPENSES ACCRUED>		

NOTE: The annual trust administration fee may not exceed 4% of the year-end balance of corpus plus prior years' accumulated income, and may only be recovered from the income received during the reporting period (16 CCR section 1265).

TRUST FUND INVESTMENTS

A. Individual Passbooks (List by Financial Institution):

FINANCIAL INSTITUTION & LOCATION	NO. OF ACCTS	AVERAGE INT. RATE	AMOUNT
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
A1 Total Income Earned this Period	_____		
A2 Total Ending Corpus	_____		

B. Commingled Checking and/or Savings Accounts (List by Financial Institution):

FINANCIAL INSTITUTION & LOCATION	ACCOUNT NUMBER	AMOUNT	ANNUAL RETURN
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
B1 Total Income Earned this Period	_____		
B2 Total Ending Corpus Listed this Period	_____		

C. Commingled Investments (Bonds, Trust Deeds, Guaranteed Securities, etc.):

Attach a schedule of assets showing the ORIGINAL COST and MARKET VALUE as of 12/31/2022, fiscal year end or closed date. Provide an income statement that includes realized gains and losses.

VERIFICATIONS

BOTH VERIFICATIONS ARE REQUIRED, EXCEPT AS NOTED IN THE INSTRUCTIONS

A. OWNER, PARTNERS, OR CORPORATE OFFICERS:

I/We hereby certify or declare under penalty of perjury, under the laws of the State of California, that, to the best of my/our knowledge and belief, the foregoing report, including all attachments thereto, is complete, true and correct.

1. Signature: _____ Date: _____

 Print Name: _____ Title: _____

2. Signature: _____ Date: _____

 Print Name: _____ Title: _____

Name of the Funeral Establishment: _____

License Number: FD- _____

BOTH VERIFICATIONS ARE REQUIRED, (EXCEPT AS NOTED IN THE INSTRUCTIONS)

B. TRUSTEES:

I/We hereby certify or declare under penalty of perjury, under the laws of the State of California, that, to the best of my/our knowledge and belief, the foregoing report, including all attachments thereto, is complete, true and correct.

1. Signature: _____ Date: _____

 Print Name: _____ Title: _____

2. Signature: _____ Date: _____

 Print Name: _____ Title: _____

2022 PRENEED FUNERAL TRUST FUND REPORT

INSTRUCTIONS

These instructions may be detached and disposed of or retained after completion of the report. **Do not return the instructions with the completed report.**

PAGE 1

Funeral Establishment – Name of Funeral Establishment as listed on FD license or Common Trust name. A Common Trust is defined by 16 CCR 1269(f) as two (2) or more funeral establishments who utilize a common trust fund to hold and administer payments received under pre-need contracts may cause the trustee of that common trust fund to file one (1) combined annual report regarding all such pre-need contracts, provided each funeral establishment's information is disclosed separately.

License Number – The license number as issued by the Bureau or N/A or multiple for a Common Trust

Address – Address as listed on FD license or address for the Common Trust

Reporting Period (check one):

- Calendar Year - Beginning January 1, 2022 and ending December 31, 2022. Select this option if the funeral establishment's fiscal year is the same as the calendar year. This is the most common option.
- Fiscal Year - Beginning ____ and ending on _____. Select this option if the funeral establishment has received written approval by Bureau as indicated in 16 CCR section 1269 to use a fiscal year which indicates that the funeral establishment's fiscal year is not the same as the calendar year.
- Final Report - Beginning ____ and ending on _____. Select this option if the funeral establishment is closing and ceasing business operations as indicated in 16 CCR section 1267.1 and 1274. Indicate the normal start of the accounting period and the last date the funeral establishment operated. In order for the closure to be effective, the Bureau's licensing unit must be notified of the closure and all closure documents received.
- Assignment Report - Beginning ____ and ending on _____. Select this option if the funeral establishment license is being assigned or transferred due to more than 50% change in equitable interest in the ownership of the licensed funeral establishment as indicated in BPC section 7630 and 16 CCR sections 1213 and 1269. Indicate the normal start of the accounting period and the last date of ownership. This form should be signed by the current owner or designated manager of record and submitted with the Application for Assignment of Funeral Establishment. In order for the assignment or transfer of the license to be effective, the Application for Assignment of Funeral Establishment **must** be submitted and approved by the Bureau.

PAGES 2–3

Answer all questions and provide all required information. Provide explanations as required and/or necessary.

2022 PRENEED FUNERAL TRUST FUND REPORT

ITEM 3 Include a copy of the current trust agreement report if the trust is active. The trust will be considered active if corpus payments are being received and/or new trustors are being added.

ITEM 11 Indicate if any preneed funds have been transferred/escheated to the State Controller's Office as unclaimed property. BPC section 7737

ITEM 12 The "trustee" must be either a bank or trust company authorized to act as a trustee in California; or not less than three (3) individuals. Only one of the individual trustees may be an employee, partner, officer, owner, director, or agent of the funeral director. If friends and/or family of the trustor/depositor are appointed trustees on individual passbook-type accounts, please indicate that fact in this section. BPC section 7736

List all trustees and their individual addresses and telephone numbers. Do not use the funeral director's address and telephone number for the non-firm member trustees.

A change in trustees is required to be reported within thirty (30) days after the effective date of change on a Notification of Change form accompanied by the required fee. 16 CCR section 1271

ITEM 14 Indicate who is responsible for maintaining the trust books and records in California and where those records are maintained. If they are maintained at the funeral establishment, you need only enter the words "on site" on the line asking for the name of the entity or location. If the books and records are maintained at a location other than the funeral establishment, enter the appropriate information. 16 CCR section 1267

ITEM 15 Indicate who prepared the report and how that person may be contacted.

ITEM 16 Indicate the name, telephone number and email address (as applicable) of the contact person who is authorized to answer questions regarding the report.

PAGE 4

The **beginning balances** should match the prior year's **ending balances**. If these figures do not match, attach a detailed explanation with supporting documentation.

"Corpus Received" is the corpus received from the sale of new preneed trust contracts.

"Transferred In" is the corpus received or transferred from another funeral establishment as a result of dissolution, closure, sale, or revocation. BPC section 7737(c)(a)(1)

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“Income Earned this Period” is the amount of gross income or earnings derived from all trust investments listed on Page 6. BPC section 7735

“Funds From Corpus Applied to: Serviced Accounts” is the corpus delivered to the funeral establishment due to the death of the beneficiary. BPC section 7737(a)(1)

“Funds From Corpus Applied to: Canceled Accounts” is the corpus delivered to the trustor or legally appointed representative of the trustor as a result of a written notice of cancelation. BPC section 7737(a)(2)

“Funds From Corpus Applied to: Escheated Accounts” is the corpus delivered to the State Controller’s Office as unclaimed property. BPC section 7737 BPC section 7737(a)(3)

“Funds From Corpus Applied to: Transferred Out Accounts” is the corpus removed or transferred to another funeral establishment as a result of dissolution, closure, sale, or revocation. BPC section 7737(c)(a)(1)

“Funds From Income Applied to: Serviced Accounts” is the total amount of ncome, both accumulated and current, refunded to the trustor upon revocation. BPC section 7735(a)(1)

“Funds From Income Applied to: Canceled Accounts” is the total amount of income, both accumulated and current, refunded to the trustor upon revocation. BPC section 7735(a)(2)

“Funds From Income Applied to: Escheated Accounts” is the total amount of income, both accumulated and current, escheated to the State Controller’s Office as unclaimed property. BPC section 7737(a)(3)

“Funds From Income Applied to: Transferred Out Accounts” is the income removed or transferred to another funeral establishment as a result of dissolution, closure, sale, or revocation. BPC section 7737(c)(a)(1)

“Funds From Income Applied to: Administration Fees (Pg 5)” is the total amount of current year’s income withdrawn for the annual trust administration fee as detailed on Page 5. BPC section 7735

“Funds From Income Applied to: Taxes” a trustee may, at its election, pay taxes on the earnings on any trust pursuant to Section 17760.5 of the Revenue and Taxation Code. In no event, however, shall taxes paid on the earnings of any trust be considered part of the fees or reserves authorized by this section. BPC section 7735

“Funds From Income Applied to: Revocation Fees” is the total amount of income, both accumulated and current, retained as a revocation fee upon cancellation or

2022 PRENEED FUNERAL TRUST FUND REPORT

escheatment of an individual trustor account. BPC section 7735(a)(2) and BPC section 7735(a)(4)

“ENDING BALANCE AS OF 12/31, END OF FISCAL YEAR OR CLOSED DATE - MARKET VALUE” is the market value of the trust as of the calendar or fiscal year end or the date the establishment closed.

Common Trusts shall provide this information in total and for each individual funeral establishment. 16 CCR section 1269(f)

PAGE 5

Detail all actual expenses attributable to the administration of the trust and enter the total as “Total Administrative Expenses Incurred This Period.” BPC section 7735

Enter the total amount withdrawn from the current year’s income for recovery of the annual administration fee as “Total Administration Fees Recovered This Period.”

The total annual trust administration fee withdrawal may not exceed 4% of the year-end balance of corpus plus prior year’s accumulated income and may only be recovered from current year’s income.

To calculate the total allowable withdrawal, add the total beginning balance (corpus plus income/expense, which should equal the prior year’s total ending balance) from Page 4 to the ending balance of corpus received this period, also from Page 4, and multiply the result by 0.04. 16 CCR section 1265

Subtract the “Total Administration Fee Recovered” from the “Total Administration Expenses Incurred” and enter the difference as accrued unrecovered expenses or as an excess withdrawal where the allowable total withdrawal exceeds actual expenses incurred.

PAGE 6

ITEM A Complete this section if trust corpus is deposited into individual saving accounts.

ITEM B Complete this section if trust corpus is deposited into commingled checking and/saving accounts.

ITEM C Complete this section if trust corpus is deposited into commingled investment accounts.

Provide detail of trust investments as indicated. Do not provide a complete list of transaction detail; a transaction summary is preferred. 16 CCR section 1263

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ITEM A Verification must be completed for all reports, except combined reports filed pursuant to 16 CCR section 1269 f.

This verification shall be completed and signed by the owner, the partners or, in the case of a corporation, two (2) officers thereof, including the president or vice-president and one other officer of the corporation.

ITEM B Verification must be completed for all reports, including combined reports filed pursuant to 16 CCR section 1269 f, except as provided below.

This verification shall be completed and signed by two (2) individual, non-firm member trustees, if individuals act as trustee; or by an authorized representative of the institutional trustee if a bank or trust company acts as trustee.

In cases where individual passbook-type accounts are used, and the depositor and /or family or friends of the depositor act as trustees, along with one member for the firm, Verification B is not required.

In cases where trust funds have been commingled for purposes of investment, an independent audit report prepared by a Certified Public Accountant or a Public Accountant currently licensed in the State of California, certifying compliance with the provisions of Article 9, Chapter 12, Division 3 of the Business and Professions Code and Title 16, Chapter 12, Article 8 of the California Code of Regulations must accompany this report. **In addition, any findings of noncompliance with existing law regarding preneed trust funds must be identified by the auditor in a separate report for review and action by the Bureau.** Audits and reports of noncompliance shall be filed simultaneously Business and Professions Code section 7737.3 and California Code of Regulations section 1269 d. 10



NOTICE ON COLLECTION OF PERSONAL INFORMATION

Collection and Use of Personal Information

The Department of Consumer Affairs Cemetery and Funeral Bureau (Bureau) collects the personal information requested on this form in accordance with Business and Professions Code (BPC) sections 30, 114.5, 115.4, 115.5, 144, 144.5, 480, the Cemetery and Funeral Act (BPC section 7600, et. seq.), and the Information Practices Act (Civ. Code section 1798, et seq.). 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.

Failure to provide any of the requested information will result in the application being deemed incomplete pursuant to California Code of Regulations, title 16, sections 1254, 2328 and 2329. Incomplete applications are subject to abandonment one year from the date the applicant is notified of deficiencies.

In addition, BPC sections 30 and Public Law 94-455 (42 U.S.C.A. 405 (c)(2)(C)) authorize the collection of your Federal Employer Identification Number (FEIN) or Social Security Number (SSN) at the time of licensure. The information will be used for purposes of tax or child support enforcement, and verification of licensure and examination status. If you fail to disclose your FEIN or SSN, you will be reported to the Franchise Tax Board, which may assess a \$100.00 penalty against you.

Access to Personal Information

The Bureau is responsible for maintaining the information contained within this application. You may request a copy of or review the records maintained by the Bureau that contain your personal information, as permitted by the Information Practices Act. You may submit your request to the Bureau's Custodian of Records listed in the contact information section below.

Possible Disclosure of Personal Information

The Bureau makes every effort to protect the personal information you provide us. The information you provide, however, may be disclosed under the following circumstances:

- In response to a Public Records Act request (Government Code Section 6250, et seq.),
- 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.