

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF:

**L HODGES FUNERAL SERVICE, LLC }
38-F HIGHWAY 334 }
OXFORD, MS 38655 }**

**Administrative Proceeding
Number: LPR-17-2660**

Respondent

FINAL ORDER

This cause came before the hearing officer on November 2, 2017. On January 20, 2018, the appointed hearing officer submitted his Report and Recommendation, attached as Exhibit A. The Respondent was sent the recommendation and given fourteen (14) days to respond. At the time of this Order, no response has been received. The above-styled cause stands ready for final adjudication via this Final Order.

Findings of Fact

1. The Secretary of State has the authority to administer and to provide for the enforcement of all provisions of the Preneed Cemetery and Funeral Registration Act (“Act”), Mississippi Code Annotated § 75-63-51, *et seq.* which governs persons operating in the preneed funeral business in the State of Mississippi.
2. As a provider of preneed funeral services, L Hodges Funeral Service, LLC (“Hodges”) is subject to the requirements of the Act and regulations promulgated thereunder.
3. The Secretary of State, Regulation and Enforcement Division (“Division”) has jurisdiction over the parties and subject matter herein.
4. Hodges is a Limited Liability Company which was registered with the Business Services Division of the Secretary of State’s Office on January 2, 2017. The sole officer and director listed for Hodges is LaVera D. Hodges who is listed as a Manager.

5. Ms. LaVera Hodges formerly was the President of Hodges Funeral Home, Inc. whose registration to sell preneed merchandise and/or services was revoked by this Office over ten years ago on May 24, 2006. The 'Final Cease and Desist Order, Order Revoking Registration, and Order Imposing Administrative Penalty' lists several violations of the Act and the rules promulgated thereunder. It also orders a fine to be paid to the Secretary of State's Office in the amount of Five Thousand Dollars (\$5,000.00) which we have no record of ever being paid. This indebtedness to the State, as a stand-alone violation, is sufficient cause unto itself to be denied a license to sell preneed goods and services under Mississippi Code Annotated § 75-63-56(g).
6. In October of 2014, LaVera Hodges sold or transferred her funeral home book of business for preneed obligations to Coleman Funeral Home of Oxford, MS. In early 2015, this Office initiated a review of this transfer of the book of business. This Office determined that Ms. Hodges transferred **unfunded** preneed liabilities to Coleman Funeral home in the amount of Sixty-Six Thousand Six Hundred Thirty Dollars and Sixty-Four Cents (\$66,630.64).
7. On January 2, 2017, LaVera Hodges registered a new company, L Hodges Funeral Service, LLC with the Business Services Division of the Secretary of State's Office. On May 8, 2017, the Division received an application to sell preneed merchandise and service from Ms. LaVera Hodges on behalf of L Hodges Funeral Service LLC. Hodges was denied a license to sell preneed based on the information in paragraphs 5 and 6 above via a letter sent on June 2, 2017. That denial was communicated to Hodges again after a period of time during which Hodges could have requested a hearing via letter dated June 26, 2017.

8. Subsequent to these letters, the Division discovered that Hodges was advertising preneed sales on the company's website. For this reason, Hodges was examined on July 13, 2017. The examiner returned with seven (7) preneed contracts from individuals who were still living and who were sold preneed contracts by Hodges. These contracts were from March, April, and June of 2017. Hodges was not registered to sell preneed at any of these times. Moreover, these contracts were written on forms that were not approved by the Division.
9. Notice of these violations was communicated to Hodges in a letter ("findings letter") dated August 1, 2017. In the findings letter, Hodges was given an opportunity to refute these violations. On August 16, 2017, a letter was received from Hodges which requested a hearing about the violated alleged in the findings letter.
10. A hearing was held on this matter on November 2, 2017 with Hon. W. Thomas Siler, Jr. serving as hearing officer.
11. Subsequent to the hearing, on November 30, 2017, the Division received payment from Hodges in the amount of Seven Thousand Dollars (\$7,000.00) accompanied by a copy of the first page of the Notice of Hearing in this matter.

Conclusions of Law

12. Hodges' sale of seven (7) preneed contracts for funeral merchandise and services while not being registered with the Division is a violation of Mississippi Code Annotated § 75-63-65(1).
13. Hodges' sale of seven (7) preneed contracts for funeral merchandise and services on forms that were not approved by the Division is a violation of Mississippi Code Annotated § 75-63-55(1).

THEREFORE, for the reasons stated herein and pursuant to the authority granted by Mississippi Code Annotated § 75-63-69(1)(a), it is hereby **ORDERED** that Hodges shall **CEASE AND DESIST** all preneed sales. It is illegal for Hodges to sell any and all preneed services and merchandise.

FURTHERMORE, pursuant to the authority granted by Mississippi Code Annotated § 75-63-69(1)(b)(i), it is **ORDERED** that an administrative penalty in the amount of Seven Thousand Dollars (\$7,000.00) shall be paid to the Secretary of State for the above-described violations of the Act against Hodges. However, the Secretary of State takes notice that this penalty has already been paid and does not Order any additional penalty against Hodges.

SO ORDERED and ADJUDGED.

This, the 5th day of March, 2018.


C. DELBERT HOSEMANN, JR.
In his Official Capacity as
Secretary of State
State of Mississippi

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE

REGULATION AND ENFORCEMENT

IN THE MATTER OF:

L HODGES FUNERAL SERVICE, LLC
38-F HIGHWAY 334
OXFORD, MS

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ADMINISTRATION
PROCEEDING NO.:
LPR-17-2660

REPORT AND RECOMMENDATION

A Notice of Hearing was sent from the Office of the Secretary of State for the State of Mississippi to Ms. LaVera Hodges, the owner and operator of L Hodges Funeral Service, LLC, on September 29, 2017. The Hearing was scheduled to take place at the Mississippi Secretary of State's Office on November 2, 2017 at 1:00 p.m.

Ms. Amy C. Foster appeared at said Hearing location on November 2, 2017, as counsel for the Secretary of State's Office. Ms. LaVera Hodges appeared at said hearing as well. Ms. Hodges was not represented by counsel. The Hearing began, at the parties joint consent at approximately 12:50 p.m. The Secretary of State put on its case-in-chief, which consisted of one (1) witness, Mr. Dave Scott, and thirteen (13) separate exhibits. Thereafter, L Hodges Funeral Service, LLC put on its case-in-chief consisting of the testimony of Ms. Hodges and her employee, Mr. Zedrick Fondren. All parties were permitted to elicit all testimony and introduce all evidence they desired.

After hearing and considering all the evidence presented, the Administrative Hearing Officer makes the following Report and Recommendation:

FINDINGS OF FACT

1. L Hodges Funeral Service, LLC is a Limited Liability Company which was registered with the Mississippi Secretary of State on January 2, 2017. (Ex. S-5). The sole officer and director listed for L Hodges Funeral Service, LLC is LaVera D. Hodges, who is listed as a



Manager. *Id.* The only address listed on the filing is 612-A County Road 255, Oxford, MS 38655.

2. Before the creation and registration of L Hodges Funeral Home Service, LLC, a company was registered with the Mississippi Secretary of State by the name of Hodges Funeral Home, Inc., on May 5, 1981. (Ex. S-1). The President of Hodges Funeral Home, Inc. was LeVera Hodges, a resident of Oxford, Mississippi.

3. Ms. Hodges testified at the hearing that she was President of her family business until she was diagnosed with cancer in December, 2005. (Tr. 44) In January, 2006, she began cancer treatment and did not work in the business again for a number of years. (Tr. 44-45) During the time she was managing her health issues, an individual by the name of Kenneth Robinson (now deceased), a licensed agent, handled insurance matters for the business. (Tr. 44)

4. On May 20, 2006, the Mississippi Secretary of State's Office issued Hodges Funeral Home, Inc. a Final Cease and Desist Order, Order Revoking Registration and Order Imposing Administrative Penalty. (Ex. S-2) In this series of Orders, the Mississippi Secretary of State found that Hodges Funeral Home, Inc.:

- a. Failed to submit its 2004 Annual Report on time;
- b. Did not notify the Division of Business Regulation and Enforcement of its terminated agents or changes to its registration application; and
- c. Trust payments were not deposited into trust accounts in the time frame requirements of the law.

As a result of these findings, the Secretary of State's Office entered an Order that Hodges Funeral Home, Inc. cease and desist from selling pre-need contracts as defined by Miss. Code Ann. § 75-63-51 *et seq.* The Secretary of State also revoked Hodges Funeral Home, Inc.'s registration as well as the registration of all its agents. Finally, the Secretary of State ordered

Hodges Funeral Home, Inc. to pay an administrative penalty of five thousand dollars (\$5,000.00). (Ex. S-2) Hodges Funeral Home, Inc. was administratively dissolved on January 17, 2007. (Mississippi Secretary of State Web Site). The \$5,000.00 penalty was never paid. (Tr. 13)

5. According to Ms. Hodges' testimony, she began operating the funeral home business by herself again in 2010. (Tr. 45) Although the record is not entirely clear on this issue, a reasonable inference from the record is that when she began operating the funeral home business again in 2010, she operated it under the Hodges Funeral Home, Inc. name, even though it was administratively dissolved in 2007. (Tr. 45)

6. Sometime in 2014, Ms. Hodges was approached by an individual by the name of Tom Fowlkes who presented her an offer to either purchase certain assets of the funeral home or became the funeral home's "financial backer," depending on the interpretation of the evidence. *Compare* Tr. 46 – 47 where Ms. Hodges testifies Mr. Fowlkes offered to become her "financial backer" to Ex. S-3 (where Ms. Hodges and Chastity Jones executed an agreement with Tom Fowlkes entitled "Acquisition of Certain Assets and Business Operations & Employment").

7. In early 2015, the Secretary of State's Office became aware that an entity referred to as Hodges-Freeman Funeral Home, LaVera Hodges and Chastity Jones entered into an agreement in 2014 to sell certain assets and business operations to Coleman Funeral Homes of Oxford, LLC. *See* Exhibit S-3 and Tr. 15 – 16. The Administrative Hearing Officer takes judicial notice of the fact the Mississippi Secretary of State's Web Site does not have an administrative record on an entity known as Hodges-Freeman Funeral Home. It is apparent from reviewing the Agreement memorializing the sale that pre-need services and contracts were sold to Coleman in 2014 by LaVera Hodges and Chastity Jones. Ex. S-3.

8. Neither Ms. Hodges or Hodges-Freeman Funeral Home notified the Secretary of State's Office of the change of ownership or control as required by Miss. Code Ann. §75-63-77, nor did the Secretary of State pre-approve the sale. (Tr. 15) (Tr. 14 – 15) It is unclear in the record of the hearing as to the ownership interest of Hodges-Freeman Funeral Home, the identity of Chastity Jones or her relationship to these events. Nonetheless, it is clear Ms. Hodges was involved in the sale of assets and operations to Coleman Funeral Homes of Oxford, LLC (Tr. 44 – 47), and she in fact signed the agreement memorializing the sale. Ex. S-3.

9. Upon learning of the sale of assets and business operations of Hodges-Freeman Funeral Home to Coleman, the Secretary of State began an investigation of the situation sometime in early 2015. (Tr. 14) On June 10, 2015, Mr. Dave Scott, the Assistant Secretary of State in charge of Regulations and Enforcement, wrote Gray Tollison, the attorney involved in the sale, and informed him of the notification and approval deficiencies. Mr. Scott also informed Mr. Tollison there was a \$66,630.64 deficiency in the total funding of Hodges-Freeman's pre-need clients. Ex. S-3. Mr. Scott requested an addendum to the Agreement that fully accommodated all of the pre-need contracts. *Id.* Mr. Scott also had one (1) or two (2) face-to-face meetings with Mr. Tollison regarding the same issue. (Tr. 16) Unsigned copies of the addendum are attached to Exhibits S-3 and S-13. Mr. Scott testified the addendum was executed by all parties (Tr. 18), but a signed copy of the addendum was not made part of the record.

10. On August 6, 2015, Mr. Scott wrote Mr. Tollison and informed him that, in light of Coleman's agreement to fully assume the liabilities associated with Hodges-Freeman's unfunded pre-needs contracts, the Secretary of State would not pursue prosecution or a civil enforcement action against Ms. Hodges or Coleman. Ex. S-4, Tr. 20-22.

11. On January 2, 2017, Ms. Hodges registered a new company, L Hodges Funeral Service, LLC with the Secretary of State's Office. (Ex. S-5; Tr. 22-24). In May, 2017, Ms.

Hodges submitted a Pre-Need Registration Form to the Secretary of State's Office. *See* Ex. S-6; Tr. 24-25. The Pre-Need Registration Form is filed with the Secretary of State's Office when the applicant is seeking to acquire a license to sell pre-need goods and services. (Tr. 24-25). When the Pre-Need Registration Form is received, the Secretary of State's Office then evaluates whether a license should be provided. (Tr. 25-26).

12. Mr. Scott conducted the evaluation of the Pre-Need Registration Form filed by Ms. Hodges. In doing so, he considered the violations established in the 2006 Final Cease and Desist Order (Ex. S-2) as well as the unauthorized sale of pre-need contracts by Ms. Hodges to Coleman. Mr. Scott was aware that the 2006 Final Cease and Desist Order ordering Hodges Funeral Home to cease and desist selling pre-need sales to the public. (Tr. 26). He was also aware the license previously issued to Hodges Funeral Home was revoked and he was aware there was an unpaid administrative penalty owed to the State by Hodges Funeral Home of \$5,000.00. (Tr. 26-27). And, he was aware Ms. Hodges had transferred a large book of unfunded pre-need contracts in 2014 about which Coleman Funeral Homes was unaware. (Tr. 27). Finally, he was aware that Ms. Hodges was a central figure in these events.

13. Based on these considerations, the Secretary of State's Office denied Ms. Hodges and L Hodges Funeral Services a license to sell pre-need products. (Tr. 28). On June 2, 2017, Amy Foster, a Senior Attorney in the Secretary of State's Regulation and Enforcement Division, sent Ms. Hodges a letter informing her that her application for registration to sell pre-need products was denied. (Ex. S-7) The letter informed Ms. Hodges she could request a hearing on the matter by writing a letter stating her request by June 16, 2017. *Id.* (Tr. 28-29) Ms. Hodges did not make a timely response to Ms. Foster's June letter. (Tr. 29-31). On June 26, 2017, Ms. Foster sent a second letter to Ms. Hodges which, once again, notified her that the application for registration was denied and that the denial was final since she did not appeal. (Ex. S-8) (Tr. 31).

This letter specifically stated that Ms. Hodges was not licensed to sell pre-need funeral merchandise and services. (Ex. S-8).

14. At some point in the summer of 2017, after the June 26 letter was sent to Ms. Hodges, an examiner at the Secretary of State's Office performed a routine web site search and discovered the information contained in the record as Ex. S-9, which provides that L Hodges Funeral Service was offering pre-need merchandise and services to the public. (Tr. 32-33). At this point, Mr. Scott sent an examiner to L Hodges Funeral Services, unannounced, to review its books and records. (Tr. 33-34). The examiner returned with seven (7) pre-need contracts from individuals who were still living and who were sold pre-need contracts by L Hodges Funeral Services. (Ex. S-10; Tr. 35-36). These contracts were from March, April and June of 2017. (Ex. S-10). Neither Ms. Hodges nor L Hodges Funeral Service was licensed to sell pre-need services or merchandise during any of these times. (Tr. 35-36). To add to the circumstances, the pre-need contracts utilized by L Hodges Funeral Service were not pre-approved by the Secretary of State. (Tr. 36-37).

15. On August 1, 2017, Billy C. Luckey, Division Director of the Regulation and Enforcement Division, sent Ms. Hodges a letter setting forth the findings made as a result of the examination of the books and records of L Hodges Funeral Service. *See* Ex. S-11 and Tr. 37-39. The letter sets forth the following findings:

- a. L Hodges Funeral Service is not licensed to sell pre-need merchandise or services as required by Miss. Code Ann. §75-63-65(1);
- b. The pre-need contracts sold by L Hodges Funeral Services were sold by an individual who was not registered with the Secretary of State to sell pre-need contracts and is in violation of Miss. Code Ann. §75-63-65(4); and

- c. The pre-need contracts sold by L Hodges Funeral Services were not on a form pre-approved by the Secretary of State in violation of Miss. Code Ann. §75-63-55(1).

Ex. S-11. Mr. Luckey's letter informed Ms. Hodges she could present any evidence or documentation she had to rebut the findings, but that she must do so by August 16, 2017. (*Id.*) (Tr. 38-39).

16. Ms. Hodges responded on August 16, 2017. (*See* Tr. 39 and Ex. S-12). In her letter, Ms. Hodges indicated she did not receive the Secretary of State's letter of June 2, 2017 until June 28, 2017. She also stated she had no knowledge of the \$5,000.00 penalty imposed on Hodges Funeral Home in 2006 because she was then in cancer treatments and did not return to work until February, 2007, after which she discovered many mis-handled matters during her absence. She denied she had sold her business to Coleman. She also stated that she hired Zedrick Fondren in November, 2016 and she believed he was registered to sell pre-need funeral services. She stated she was unaware that L Hodges could not sell pre-need funeral services and merchandise and that when she became aware of that fact, she began the process of acquiring the proper registration. *Id.* (Tr. 39-40).

17. On September 29, 2017, Ms. Foster sent a letter to Ms. Hodges giving her notice that a hearing would be conducted on the findings of the Secretary of State's Regulation and Enforcement Division regarding pre-need contracts. *See* Ex. S-13. Specifically, the September 29th letter provided that it was the Division's intent to seek a Cease and Desist Order for Pre-Need sales and a monthly penalty against L Hodges Funeral Service in the amount of \$7,000.00. The hearing was scheduled for November 2, 2017. (Tr. 42).

18. Ms. Hodges appeared at the hearing along with Zedrick Fondren, whom she introduced as her Office Manager and whom she testified was a licensed insurance agent. (Tr.

48). Ms. Hodges also testified, “I accept the responsibility of every – of all of the presented documentation about the – everything that’s gone on with the Hodges Funeral Home and L Hodges Funeral Service.” She also testified she was “here because we really, really, really want it to be done in the right way to sell the pre-need insurance.” (Tr. 44; *see also* Tr. 49)

19. Ms. Hodges testified that following her cancer treatments, she did not realize she lost her personal insurance license until 2010. (Tr. 45) She testified that she could not sell pre-need contracts, but she wanted to continue the funeral service for the community. (Tr. 45-46) She testified that when she was approached by Tom Fowlkes, she thought he was offering to be her financial backer. (Tr. 46) Apparently, she believed she was not selling Mr. Fowlkes anything. (Tr. 46) She also testified Mr. Fowlkes was aware of all the pre-need liabilities. (Tr. 47) She testified further that although she knew she could not sell pre-need services or merchandise, she thought Mr. Fondren was licensed to sell pre-need services and merchandise. (Tr. 47-49)

20. Mr. Fondren testified he was licensed to sell pre-need funeral services and merchandise through Security National. (Tr. 50-51). He later learned that even though he was properly registered, L Hodges Funeral Services was not registered and he could not sell pre-need services or merchandise for L Hodges. (Tr. 51-53)

21. On cross-examination, the Secretary of State’s Office established there were individuals who were sold pre-need funeral services or merchandise who were not listed on the summaries attached to the Agreement between Coleman Funeral Home of Oxford, LLC and Ms. Hodges, Chastity Jones and Hodges-Freeman Funeral Home. (Tr. 58-60)

CONCLUSIONS OF LAW

A. JURISDICTION

The Secretary of State is vested with the authority to deny, suspend, revoke cancel or non-renew any registration of any person or entity selling pre-need funeral services or merchandise in violation of state law. Miss. Code Ann. § 75-63-56. The Secretary of State is also authorized to seek cease and desist orders and impose administrative penalties against individuals, corporations or partnerships which violate the law up to \$1,000 for each offense. Miss. Code Ann. § 75-63-64. The Secretary of State, therefore, has jurisdiction over this matter.

B. LEGAL CONCLUSIONS

1. Laws regulating the sale of pre-need funeral services and merchandise are passed to protect the consumer. Innocent consumers can be easily exploited by sellers of pre-need funeral services and merchandise because many consumers do not have the ability or means to know whether the money they are spending is actually being handled in a competent, honest fashion and whether the money paid or even the business to which it is paid, will be in existence when the actual need for the funeral services or merchandise is needed.

2. Mississippi adopted a law regulating the pre-need funeral services and merchandise originally in 2002. The law was called the Pre-need Cemetery and Funeral Registration Act (“Act”) and is codified at Miss. Code Ann. §§ 75-63-51. The law has since been amended in 2008, 2009 and 2012. The Act requires individuals and businesses that sell pre-need funeral services and merchandise to, among other things: (1) evidence pre-need sales on a written form approved by the Secretary of State’s Office (75-63-55); (2) make timely deposits of funds received from purchases of pre-need services or merchandise (75-63-59); (3) register with the Secretary of State’s Office; (4) requires all individuals who sell pre-need contracts to register with the Secretary of State’s Office (75-63-65); (5) provides that only a

registered pre-need establishment can sponsor a person for registration (*id.*); and (6) requires any seller of pre-need services or merchandise that sells or transfers all or a portion of its interest in any pre-need contract or its business or business assets must file a verified charge of ownership application and obtain the Secretary of State's approval of the sale. (75-63-77)

In her testimony, Ms. Hodges candidly accepted responsibility for everything presented in the documentary evidence concerning her various companies. As she testified:

As my letter stated, I accepted the responsibility of every – all of the presented documentation about the – everything that's gone on with the Hodges Funeral Home and L Hodges Funeral Service. But, as of today, I'm here because we really, really, really want it to be done in the right way to sell the pre-need insurance.

(Tr. 44).¹ Ms. Hodges made no effort to put any documentary evidence in the record disputing any of the Secretary of State's claims.

Instead, Ms. Hodge's presentation consisted of describing how her fight with cancer caused her to be away from the business for a number of years and how she was unaware her insurance license was revoked and that she was unaware Hodges Funeral Home was fined \$5,000 in 2006 and that the fine had not been paid. She also testified she was unaware of the requirements that she had to maintain a license to sell insurance and that she was required to utilize pre-need contracts on forms that were approved by the Secretary of State's Office.

In essence, Ms. Hodges relies on the fact that she was ignorant of the legal requirements impacting her business, but that she wanted to operate her business the right way. Finally, she makes the case that her community has funeral service needs that she very much wants to serve and seeks an opportunity to conduct business "in the right way."

¹ Ms. Hodges quibbled with certain details later in her testimony (e.g., she disagreed about the purchaser of Hodges-Freeman Funeral Home not being aware of all the pre-need contracts before purchasing the business (Tr. 47)), but she essentially admitted to having violated the law in every respect submitted by the Secretary of State.

It is the opinion of this Administrative Hearing Officer that Ms. Hodges appears sincere in her desire to serve her community. Furthermore, she contends it was her illness and general unfamiliarity with Mississippi's laws as they evolved that resulted in her failure to comply with the numerous legal requirements she admittedly failed to follow rather than any malicious intent to profit from by-passing the law's requirements.

Nonetheless, the Pre-need Cemetery and Funeral Registration Act was enacted for a reason. It is apparent to the Hearing Officer that the reason for the Act's passage was principally for the protection of consumers. Regardless of the pre-need seller's intentions, protecting the consumers' interests is of paramount importance. Sellers of pre-need funeral merchandise and services must comply with the law and the Secretary of State is required to enforce the law as written. After-the-fact explanations about why certain legal requirements were not met, no matter how sincere and truthful, cannot be used to excuse the violation of the law.

This Hearing Officer reaches the following conclusions:

1. Ms. Hodges, was President of Hodges Funeral Home, Inc. at the time it was the subject of a Final Cease and Desist Order requiring it to cease selling pre-need contracts and merchandise as well as when its registration to sell pre-need contracts was revoked and when it was fined \$5,000.00, which was never paid;
2. Ms. Hodges once again operated a funeral home beginning in 2010 and sold the business in some form (at the point of sale, the business was operating under the name Hodges-Freeman Funeral Home) to Coleman Funeral Homes of Oxford, LLC in 2014;
3. The sale of Hodges-Freeman also involved the transfer of pre-need contracts which were not reported to the Secretary of State's Office and which required the Secretary of State's Office to take action to protect the interests of these individuals who purchased the pre-need contracts; and

4. Ms. Hodges registered for a new company, L Hodges Funeral Services, LLC with the Secretary of State's Office on January 2, 2017, which proceeded to sell pre-need funeral merchandise, services and insurance to consumers despite the fact Mrs. Hodges she did not have a license to do so and were sold by an individual who was not registered by the Secretary of State to sell pre-need contracts and were sold on forms that had not been approved by the Secretary of State's Office.

5. Ms. Hodges was personally involved in all of the situations described above.

6. As a result of these conclusions, the Hearing Officer upholds the fines imposed on Ms. Hodges of \$7,000.00 and upholds the Order for Ms. Hodges and L Hodges Funeral Service, Inc. to immediately cease and desist selling pre-need funeral services, merchandise and insurance.



W. THOMAS SILER, JR.
ADMINISTRATIVE HEARING OFFICER