

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

IN THE MATTER OF:	{	ADMINISTRATIVE
CENTURY FUNERAL HOME	}	PROCEEDING NUMBER:
727 WEBSTER AVENUE	{	
P.O. BOX 28	}	
YAZOO CITY, MISSISSIPPI 38194	}	LPR-19-3844
	}	
	}	
<i>Respondent</i>	}	

CONSENT ORDER

I. Jurisdiction

Finding it appropriate and in the public interest, the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi (“Division”), on behalf of the Secretary of State, having the power to administer and provide for the Mississippi Preneed Cemetery and Funeral Registration Act, Mississippi Code Annotated Section 75-63-51 to 75-63-75 (“Act”), and Respondent do hereby enter into this Consent Order (“Order”). This Order is entered into by the Division and the Respondent in lieu of the issuance of formal charges by the Division alleging a violation of the Act.

II. Agreement

Respondent admits the jurisdiction of the Division as to all parties and matters herein under the authority of the Act. In consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree, stipulate, and undertake as follows:

1. Century Funeral Home (“Century”) is a preneed provider that is not registered with the Mississippi Secretary of State’s Office.
2. Respondent hereby admits to the following violations of the Act:

- a. Century, in violation of Mississippi Code Annotated Section 75-63-65(1), sold at least Fifty-Six (56) preneed contracts while not being registered to sell preneed merchandise and services with the Division.
 - b. Century, in violation of Mississippi Code Annotated Section 75-63-55(3), did not fund at least Fifty-Six (56) preneed sales by depositing the funds in trust or securing an insurance policy.
 - c. Century, in violation of Mississippi Code Annotated Section 75-63-55(1), sold at least Fifty-Six (56) preneed contracts on forms that were not approved by the Division.
3. Century agrees to follow the laws contained in the Act and the regulations promulgated thereunder.
4. Century agrees to fund the preneed contracts by means of trust or insurance for all individuals who purchased preneed goods and services by the close of business Friday April 23, 2021. Preneed contracts must be funded by either trust or through insurance. If funded by trust, the total amount to be trusted is One-Hundred and Sixty Thousand One-Hundred and Nineteen Dollars and Ninety Cents (\$160,119.90) which represents Eighty-Five Percent (85%) of consumer funds received by Century which is the percentage required to be trusted by the Act. If funded through insurance, the total amount to be insured is One-Hundred and Ninety-Five Thousand Thirty-Eight Dollars and Fifty-Eight Cents (\$195,038.58) which represents One Hundred Percent (100%) of consumer funds received by Century. A list of all known individuals who purchased preneed goods and services from Century, the amount paid in by each

individual, and the amount that should be trusted for each individual is attached as Exhibit A.

5. Century agrees to Cease and Desist selling preneed merchandise and services while not licensed by the Division. Century further agrees to cease and desist in accepting monies associated with any and all preneed contracts.
6. Century will remit upon execution of this Order an administrative fine to the Secretary of State in the amount of Six Thousand Dollars (\$6,000.00), made payable to the Secretary of State's Office. This fine is for violations of the Act as authorized in Mississippi Code Annotated Section 75-63-69(1)(b) and is due to the Secretary of State's Office no later than the close of business on December 31, 2019.
7. Respondent is aware of the right to a hearing on this matter at which Respondent may be represented by counsel, present evidence, and cross-examine witnesses.
Respondent hereby irrevocably waives the right to such a hearing.
8. Respondent understands that the entry of this Order represents the settlement of an impending regulatory charge by the Division and Respondent as of the date of this Order.
9. Respondent understands that the Division retains jurisdiction over the matters addressed in this Consent Order until all obligations by Respondent are fulfilled.
10. Respondent understands that the Division retains jurisdiction over any and all instances of the sale of preneed goods and services not addressed specifically in this Order.

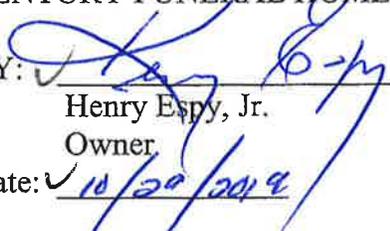
III. Acknowledgement

The parties acknowledge that they have read this Order in its entirety and fully understand the rights, terms, and obligations of each contained herein. The parties also acknowledge that they have been vested with the express authority to enter into this Order. The parties further acknowledge that they have not been threatened or otherwise coerced into entering into this Order.

The undersigned hereby acknowledge and agree to the terms and conditions of the foregoing Order by written consent.

So Agreed, this the 4th day of ~~October~~ ^{November} 2019.

CENTURY FUNERAL HOME

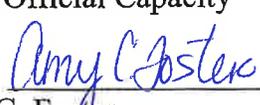
BY: 

Henry Espy, Jr.

Owner

Date: 10/20/2019

C. DELBERT HOSEMANN, JR.
SECRETARY OF STATE
In his Official Capacity

BY: 

Amy C. Foster

Senior Attorney/Interim Assistant Secretary of State
Regulation and Enforcement

Date: 11/4/19