

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

IN THE MATTER OF:	ADMINISTRATIVE
REDMON FUNERAL HOME AND BURIAL	PROCEEDING NUMBER:
ASSOCIATION, INC.	
632 NORTH BROADWAY	LPR-19-3818
GREENVILLE, MS 38701	
DBA OAKRIDGE CEMETERY	
WEST BEE BEE STREET	
HOLLANDALE, MS 38701	
DBA DELTA MEMORIAL GARDENS	
500 CLEVELAND STREET	
GREENVILLE, MS 38701	
DBA LAKEWOOD CEMETERY	
800 BLOCK NORTH PICKETT STREET	
GREENVILLE, MS 38701	
REDMON'S HEAVENLY REST, INC.	
DBA HEAVENLY REST CEMETERY	
19381 HIGHWAY 61 NORTH	
LYON, MS 38645	
<i>Respondents</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 the Cemetery Law, Mississippi Code Annotated Section 41-43-31 to 41-43-57 ("Law"), and Respondents do hereby enter into this Consent Order ("Order"). This Order is entered into by the Division and the Respondents in lieu of the issuance of formal charges by the Division alleging a violation of the Act.

II. Agreement

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

1. Redmon Funeral Home and Burial Association, Inc., DBA Oakridge Cemetery, DBA Delta Memorial Gardens, DBA Lakewood Cemetery, and Redmon's Heavenly Rest, Inc. DBA Heavenly Rest Cemetery ("Redmon") are preneed providers that are licensed by the Division.
2. Redmon runs four (4) perpetual care cemeteries which are registered with the Division.
3. Respondents hereby admit to the following violations of the Act:
 - a. Redmon, in violation of Mississippi Code Annotated Section 75-63-55(3), did not secure monies taken in for several preneed sales by depositing the funds in trust. This failure represents Fifty-Two Thousand Three Hundred Two Dollars and Forty-One Cents (\$52,302.41) in consumer funds which were not deposited into trust as required by the Act.
 - b. Redmon, in violation of Mississippi Code Annotated Section 41-43-37, did not deposit fifteen percent (15%) of the sales price of ground interments into perpetual care trust on several occasions. These violations represent Four Thousand Dollars and Two Cents (\$4,000.20) in perpetual care trust deficiencies.
4. Redmon agrees to follow the laws contained in the Act and the Law and the regulations promulgated thereunder.
5. Redmon acknowledges that all Redmon-owned entities will be held accountable for following all laws contained in the Act and the Law and the regulations promulgated thereunder for the period between the end of the examination period (April 30, 2017) and the present day. Redmon also acknowledges that all Redmon-owned entities will be held

accountable for following all laws contained in the Act and the Law and the regulations promulgated thereunder from the present day forward.

6. Redmon will fully fund all of the preneed and perpetual care deficiencies found by the Division's examiners for the examination period of January 1, 2012 through April 30, 2017.

Specifically, the amounts listed below:

- a. In the Oakridge preneed trust: \$1,198.50
- b. In the Delta Memorial preneed trust: \$9,309.41
- c. In the Lakewood preneed trust: \$22,743.02
- d. In the Heavenly Rest preneed trust: \$19,051.48
- e. In the Delta Memorial perpetual care trust: \$992.20
- f. In the Lakewood perpetual care trust: \$2,149.51
- g. In the Heavenly Rest perpetual care trust: \$858.49

These amounts shall be deposited in the respective trusts by the close of business on October 1, 2020. Proof of deposit of these funds should be sent to the Division monthly or as often as deposits are made, whichever is less frequent. The Division will verify all deposits with the banking institutions where the funds are held.

7. Redmon will remit upon execution of this Order an administrative fine to the Secretary of State in the amount of Eight Thousand Dollars (\$8,000.00), made payable to the Secretary of State's Office. This fine is for violations of the Act and the Law as authorized in Mississippi Code Annotated Section 75-63-69(1)(b) and Mississippi Code Annotated Section 41-43-53 respectively. This fine is due to the Secretary of State's Office no later than the close of business on November 15, 2019.
8. 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.
9. 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.

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 19th day of November ~~October~~ 2019.

REDMON FUNERAL HOME AND BURIAL
ASSOCIATION, INC.
DBA OAKRIDGE CEMETERY
DBA DELTA MEMORIAL GARDENS
DBA LAKEWOOD CEMETERY

and

REDMON'S HEAVENLY REST, INC.
DBA HEAVENLY REST CEMETERY

BY: 

Otis Redmon
President and Owner

Date: 11-4-19

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: 11/6/19