

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

---

<b>IN THE MATTER OF:</b>	{	<b>ADMINISTRATIVE</b>
<b>TOWNES FUNERAL HOME, LLC</b>	}	<b>PROCEEDING NUMBER:</b>
<b>14342 HIGHWAY 8 WEST</b>	{	
<b>GRENADA, MISSISSIPPI 38901</b>	}	<b>LPR-19-3651</b>
	{	
	}	
<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. Townes Funeral Home, LLC (“Townes”) is a preneed provider that is registered with the Mississippi Secretary of State’s Office. Registration number 120000434.

2. Respondent hereby admits to the following violations of the Act:
  - a. Townes, in violation of Mississippi Code Annotated Section 75-63-55(3), did not fund at least Eleven (11) preneed sales by depositing the funds in trust or securing an insurance product.
  - b. Townes, in violation of Mississippi Code Annotated Section 75-63-81(2), did not send the Ten Dollar (\$10.00) per contract life Loss Recovery fee to the Secretary of State's Office on at least Eleven (11) separate occasions.
  - c. Townes, in violation of Mississippi Code Annotated Section 75-63-55(9), sold at least Eleven (11) preneed contracts on forms that were not approved by the Division.
  - d. Townes, in violation of Mississippi Code Annotated Section 75-63-63, sold at least Eleven (11) preneed contracts that were not portable.
  - e. Townes, in violation of Mississippi Code Annotated Section 75-63-65(2), engaged in the business of selling preneed contracts with at least One (1) or more agents not registered with the Secretary of State's Office.
3. Townes agrees to follow the laws contained in the Act and the regulations promulgated thereunder.
4. Townes agrees to purchase insurance policies or annuities for any individuals who purchased preneed goods and services from Townes by the close of business on November 22, 2019. A list of all known individuals who purchased preneed goods and services from Townes and the amounts that should be secured by insurance policies or annuities for each individual is attached as Exhibit A.

5. Townes will remit upon execution of this Order an administrative fine to the Secretary of State in the amount of Five Thousand Dollars (\$5,000.00), 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 November 22, 2019.
6. 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.
7. 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.
8. Respondent understands that the Division retains jurisdiction over the matters addressed in this Consent Order until all obligations by Respondent are fulfilled.
9. 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 31<sup>st</sup> day of October 2019.

TOWNES FUNERAL HOME, LLC

BY: Sammy Townes  
Sammy Townes

Owner

Date: 10-31-19

C. DELBERT HOSEMANN, JR.

SECRETARY OF STATE

In his Official Capacity

BY: Amy C. Foster  
Amy C. Foster

Senior Attorney/Interim Assistant Secretary of State  
Regulation and Enforcement

Date: 11/6/19



**State of Mississippi  
Mississippi Secretary of State's Office  
C. Delbert Hosemann, Jr.**

**PAYMENT BATCH DEPOSIT ITEMS- DEPOSIT REGISTER**

**Batch Status: Closed**

**BATCH NUMBER = 008633**

PDT: 11/5/2019 2:51PM

Validation #	Date Paid	Cash	Check	Payer Name	GL Code
4247437	11/05/2019	\$0.00	\$5,000.00	townes funeral home llc	2999000000-43500001-100011180-W1118000007

**GL CODE: 2999000000-43500001-100011180W1118000007: CASH=\$0.00, CHECK=\$5,000.00, TOTAL = \$5,000.00**

BATCH 008633 Item Count = 1
BATCH 008633 TOTAL = \$5,000.00
Posted By: Emma Marshall

**End of Report**

04247437



NOV -5 PM 12:27

DELBERT HOSEMANN  
*Secretary of State*

October 23, 2019

Mr. Sammy Townes  
Townes Funeral Home, LLC  
14342 Highway 8 West  
Grenada, MS 38901

CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED

Re: Consent Order  
In the matter of: Townes Funeral Home, LLC  
SOS Cause No.: LPR-19-3651

Mr. Townes,

The enclosed Consent Order is provided to you as an option to resolve an administrative action that the Secretary of State's Office intends to bring regarding your violation of the preneed laws. Please understand that this is offered as a means to resolve the charges and you are **not required** to sign and return the same.

If you do not want to resolve the charges with the Consent Order, you only need to write a letter to me requesting a hearing on the charges by Wednesday, November 6, 2019. You will then receive a Notice of Hearing informing you of the date and time of the requested hearing.

The offer of resolution of the charges by Consent Order is valid until the close of business Wednesday, November 6, 2019. The offer can be accepted by signing the enclosed Consent Order and forwarding the same to me.

Please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Amy C. Foster".

**Amy C. Foster**  
*Senior Attorney/Interim Assistant Secretary of State*  
*Regulation and Enforcement Division*  
Mississippi Secretary of State's Office

Enclosure