

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS,  
CORPORATIONS, SECURITIES & COMMERCIAL  
LICENSING BUREAU

Complainant,

v

RAYMOND E. CANTRELL II  
Mortuary Science  
License No. 45-01-006254

Complaint No: 338756

Respondent.

/

FORMAL COMPLAINT

The Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau (Department), Complainant, under the Occupational Code (Occupational Code), MCL 328.101 *et seq.*, and its associated administrative rules, alleges as follows:

1. Raymond E. Cantrell II (Respondent), was previously licensed as a mortuary science practitioner under the Occupational Code. Attached as Exhibit 1 is a certification of Respondent's license status under the Occupational Code.

2. At all times relevant to this complaint, Respondent served as an Officer and Director of Cantrell Funeral Home, Incorporated ("Cantrell"). Attached as Exhibit 2 is a copy of an annual report filed by Cantrell with the Department's Corporation's Division listing Respondent as Secretary, Treasurer, and Director. Cantrell has, at some times relevant to this Complaint, been licensed as a mortuary science establishment, under Article 18 of the Occupational Code, MCL 339.1801 *et seq.* (License No. 45-02-000604). Attached as Exhibit 3 is a certification of

Cantrell's license status under the Occupational Code. Cantrell also has, at some times relevant to this Complaint, been registered under the Prepaid Funeral and Cemetery Sales Act, MCL 328.211 *et seq.* (Prepaid Act) (Registration No. 34-01-000033). Attached as Exhibit 4 is a certification of Cantrell's registration status under the Prepaid Act.

3. At all times relevant to this complaint, Respondent was the individual directing the day-to-day decisions concerning the operation of the Cantrell, including the operation of Cantrell's activities governed by the Occupational Code and Prepaid Act.<sup>1</sup>

4. A Complaint against Respondent, alleging violations of the Prepaid Act, was filed with the Department.

5. On September 30, 2017, while Respondent was directing the operations of Cantrell, its registration under the Prepaid Act expired.

6. From March 15, 2018 through March 23, 2018, Department personnel conducted an investigation of Cantrell's activities and an examination of the books, records, contracts, and other documents relating to prepaid funeral contracts, under MCL 328.230(1).

7. As a result of the findings of that investigation, the Department summarily suspended Cantrell's registration under the Prepaid Act on April 25, 2018. A copy of the April 25, 2018 Order of Summary Suspension and supporting Affidavit is attached as Exhibit 5.

8. Between April 3, 2018 and October 2, 2018, Chas. Verheyden, Inc., M.L., and S.R. filed statements of complaint against Cantrell conforming to the requirements of § 20 of the Prepaid Act, MCL 328.230, with the Department. Each complaint concerned prepaid funeral contracts the

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<sup>1</sup> Previously, Raymond E. Cantrell served as Cantrell's designated manager, until on or about October 27, 2016, when he died at the age of 96. On or about May 30, 2017, Mr. Raymond E. Cantrell's widow and the trustee of the Raymond E. Cantrell Revocable Trust, Annetta Cantrell, transferred all of the common capital stock of Cantrell owned by the Trust (50% of the issued and outstanding common capital stock of the corporation) to Respondent. Jameca LaJoyce Boone served as designated manager of Cantrell until her mortuary science license and Cantrell's mortuary science license were summarily suspended on April 25, 2018.

individuals or their family members entered with Cantrell and funds each complainant or members of their family remitted to Cantrell during the time that Respondent was directing Cantrell's operations.

9. § 6(1) of the Prepaid Act, MCL 328.216(1), provides that:

A person shall not sell, provide, or agree to provide merchandise or funeral or cemetery services pursuant to a prepaid contract unless that person is registered with the department as provided in this section and has received a certificate of registration.

10. Under § 12 of the Prepaid Act, MCL 328.222, Cantrell had the following duties in connection with the funds received for prepaid funeral arrangements:

(a) to deposit the monies received with an authorized escrow agent, MCL 328.222(1); and

(b) to deposit the monies received with an escrow agent within thirty (30) days of receipt, MCL 328.222(6).

11. § 18(1)(c) of the Prepaid Act, MCL 328.228(1)(c) prohibits a person from "[a]dvertis[ing] or offer[ing] merchandise or funeral or cemetery services for the sale before the death of a prospective contract beneficiary in a manner which false, misleading, deceptive, or unfair."

12. Under Mich Admin Code, R 339.35, upon Cantrell's Prepaid Act registration entering lapsed status, Cantrell was required to either (1) "Assign prepaid contracts to another registrant within 60 days," notifying the department and the contract buyers within 30 days of the assignment or (2) cancel the prepaid contracts and issue the contract buyers a refund.

13. After Cantrell's Prepaid Act registration expired and entered into lapsed status and while Respondent was directing Cantrell's operations, Cantrell continued to engage in activities requiring a registration under the Prepaid Act, while not registered with the Department, contrary to MCL 328.216(1).

14. As of April 13, 2018, while Respondent was directing Cantrell's operations, Cantrell's website, <http://www.cantrellfuneralhome.com/pre-arrangements>, offered "pre-arrangements" including an offer for prospective customers to "pay[] for your funeral in advance," when it did not hold a registration under the Prepaid Act to do so, in a manner that is false, misleading, deceptive, or unfair, contrary to MCL 328.228(1)(c). Attached as Exhibit 6 is a copy of printouts from Respondent's website.

15. As a result of the March 2018 investigation, the Department determined that during the time that Respondent was directing Cantrell's operations, Cantrell failed to assign at least 125 prepaid contracts to another registrant within 60 days of the expiration of its Prepaid Act registration or cancel those prepaid contracts and issue a refund to the contract buyers, contrary to Mich Admin Code, R 339.35.

16. As a result of the March 2018 investigation, the Department determined that during the time that Respondent was directing Cantrell's operations, Cantrell failed to deposit at least \$2,130.00 received for prepaid funeral goods or services related to seven prepaid funeral contracts with an authorized escrow agent, contrary to MCL 328.222(1).<sup>2</sup>

17. As a result of the March 2018 investigation, the Department determined that during the time that Respondent was directing Cantrell's operations, Cantrell failed to deposit at least \$2,130.00 received for prepaid funeral goods or services related to seven prepaid funeral contracts with an authorized escrow agent within thirty days of receipt, contrary to MCL 328.222(6).

18. Regarding the complaint filed against Cantrell by M.L., an October 17, 2017, prepaid funeral contract for B.W.'s benefit, to date, Cantrell, failed to deposit \$300.00 received during the

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<sup>2</sup> The amounts alleged in this paragraph include all amounts alleged to have not been escrowed in the complaint filed against Cantrell by Chas. Verheyden, Inc. As of the date of issuance of this complaint, \$1,330.00 of this amount remains outstanding.

time that Respondent was directing its operations for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>3</sup>

19. Regarding the complaint filed against Cantrell by S.R., a July 26, 2013, prepaid contract for Z.M.'s benefit, to date, Cantrell, failed to deposit \$495.00 received during the time that Respondent was directing its operations for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

20. During the time that Respondent was directing Cantrell's operations, Cantrell violated the Prepaid Act, contrary to MCL 328.228(1)(g).

21. Under § 21 of the Prepaid Act, MCL 328.231, a violation of the Prepaid Act by a person who is licensed under Article 18 of the Occupational Code is considered a violation of Article 18 of the Occupational Code, and the violator is subject to penalties under the Occupational Code.

22. As the individual directing Cantrell's operations, Respondent is responsible for its violations of the Prepaid Act and is, therefore, subject to penalties under the Occupational Code.

23. Respondent's actions in failing to ensure that Cantrell deposited prepaid funeral contract funds with an authorized escrow agent and in failing to ensure that Cantrell ceased selling and advertising the availability of prepaid contracts after its registration entered into lapsed status, constitute fraud, deceit, or dishonesty in the practice of mortuary science, contrary to MCL 339.604(b).

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<sup>3</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$660.00 of B.W.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 16 and 17. The \$300 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review. On or about August 31, 2018, complaining person, M.L., indicated that Cantrell refunded him \$832.50. Therefore, \$127.50 of monies paid for B.W.'s contract remains outstanding.

24. Respondent's actions in failing to ensure that Cantrell deposited prepaid funeral contract funds with an authorized escrow agent and in failing to ensure that Cantrell ceased selling and advertising the availability of prepaid contracts after its registration entered into lapsed status, demonstrates incompetence in the practice of mortuary science, contrary to MCL 339.604(g).

Based upon the above conduct, Respondent acted contrary to MCL 328.222(1) & (6), MCL 328.228(1)(c) & (1)(g), Mich Admin Code, R 339.35, and MCL 339.604(b) & (g) constituting grounds for the assessment of a penalty, as defined in MCL 339.602. Complainant, the Department, is commencing proceedings under the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and the Occupational Code to determine whether disciplinary action should be taken by the Department for the reasons set forth above.

MICHIGAN DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS

BY Timothy L. Teague  
Timothy L. Teague, Director  
Securities and Audit Division  
Corporations, Securities & Commercial Licensing  
Bureau

Date Signed: 12.21.18

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs  
Corporations, Securities & Commercial Licensing Bureau  
Regulatory Compliance Division  
P.O. Box 30018  
Lansing, MI 48909

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS,  
CORPORATIONS, SECURITIES & COMMERCIAL  
LICENSING BUREAU

Complainant,

v

JAMECA LAJOYCE BOONE  
Mortuary Science  
License No. 45-01-006945

Complaint Nos: 335562, 337044,  
338186, & 338229

Respondent.

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FORMAL COMPLAINT

The Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau (Department), Complainant, under the Occupational Code (Occupational Code), MCL 328.101 *et seq.*, and its associated administrative rules, alleges as follows:

1. Jameca LaJoyce Boone (Respondent), has, at some times relevant to this Complaint, been licensed as a mortuary science practitioner. Attached as Exhibit 1 is a certification of Respondent's license status under the Occupational Code.
2. On February 16, 2017 Respondent was designated as the manager of Cantrell Funeral Home, Incorporated (Cantrell) under Article 18 of the Occupational Code.<sup>1</sup>

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<sup>1</sup> Previously, Raymond E. Cantrell served as Cantrell's designated manager, until on or about October 27, 2016, when he died at the age of 96. On or about May 30, 2017, Mr. Raymond E. Cantrell's widow and the trustee of the Raymond E. Cantrell Revocable Trust, Annetta Cantrell, transferred all of the common capital stock of Cantrell owned by the Trust (50% of the issued and outstanding common capital stock of the corporation) to Mr. Raymond E. Cantrell's son, Raymond E. Cantrell, II. Respondent served as designated manager of Cantrell until her mortuary science license and Cantrell's mortuary science license were summarily suspended on April 25, 2018.

3. Cantrell has, at some times relevant to this Complaint, been licensed as a mortuary science establishment, under Article 18 of the Occupational Code, MCL 339.1801 *et seq.* (License No. 45-02-000604). Attached as Exhibit 2 is a certification of Cantrell's license status under the Occupational Code. Cantrell also has, at some times relevant to this Complaint, been registered under the Prepaid Funeral and Cemetery Sales Act, MCL 328.211 *et seq.* (Prepaid Act) (Registration No. 34-01-000033). Attached as Exhibit 3 is a certification of Cantrell's registration status under the Prepaid Act.

4. As Cantrell's designated manager, Respondent was responsible for the operation and management of the establishment, including ensuring its compliance with all applicable rules and regulations under the Occupational Code and Prepaid Act, MCL 339.1809 and Mich Admin Code, R 339.18937

5. A Complaint against Respondent, alleging violations of the Prepaid Act, was filed with the Department.

6. Cantrell's registration under the Prepaid Act expired on September 30, 2017 and entered into lapsed status while Respondent was serving as Cantrell's designated manager.

7. From March 15, 2018 through March 23, 2018, Department personnel conducted an investigation of Cantrell's activities and an examination of the books, records, contracts, and other documents relating to prepaid funeral contracts, under MCL 328.230(1).

8. As a result of the findings of that investigation, the Department summarily suspended Cantrell's registration under the Prepaid Act on April 25, 2018. A copy of the April 25, 2018 Order of Summary Suspension and supporting Affidavit is attached as Exhibit 4.

9. Between April 3, 2018 and October 2, 2018, Chas. Verheyden, Inc., M.L., and S.R. filed statements of complaint against Cantrell conforming to the requirements of § 20 of the Prepaid Act, MCL 328.230, with the Department. Each complaint concerned prepaid funeral contracts the



individuals or their family members entered with Cantrell and funds each complainant or members of their family remitted to Cantrell during the time that Respondent was serving as Cantrell's designated manager in connection with those prepaid contracts.

10. § 6(1) of the Prepaid Act, MCL 328.216(1), provides that:

A person shall not sell, provide, or agree to provide merchandise or funeral or cemetery services pursuant to a prepaid contract unless that person is registered with the department as provided in this section and has received a certificate of registration.

11. Under § 12 of the Prepaid Act, MCL 328.222, Cantrell had the following duties in connection with the funds received for prepaid funeral arrangements:

(a) to deposit the monies received with an authorized escrow agent, MCL 328.222(1); and

(b) to deposit the monies received with an escrow agent within thirty (30) days of receipt, MCL 328.222(6).

12. § 18(1)(c) of the Prepaid Act, MCL 328.228(1)(c) prohibits a person from "[a]dvertis[ing] or offer[ing] merchandise or funeral or cemetery services for the sale before the death of a prospective contract beneficiary in a manner which false, misleading, deceptive, or unfair."

13. Under Mich Admin Code, R 339.35, upon Cantrell's Prepaid Act registration entering lapsed status, Cantrell was required to either (1) "Assign prepaid contracts to another registrant within 60 days," notifying the department and the contract buyers within 30 days of the assignment or (2) cancel the prepaid contracts and issue the contract buyers a refund.

14. After Cantrell's Prepaid Act registration expired and entered into lapsed status and while Respondent was serving as Cantrell's designated manager, Cantrell continued to engage in activities requiring a registration under the Prepaid Act, while not registered with the Department, contrary to MCL 328.216(1).

15. As of April 13, 2018, while Respondent was serving as its designated manager, Cantrell's website, <http://www.cantrellfuneralhome.com/pre-arrangements>, offered "pre-arrangements" including an offer for prospective customers to "pay[] for your funeral in advance," when it did not hold a registration under the Prepaid Act to do so, in a manner that is false, misleading, deceptive, or unfair, contrary to MCL 328.228(1)(c). Attached as Exhibit 5 is a copy of printouts from Respondent's website.

16. As a result of the March 2018 investigation, the Department determined that during the time that Respondent was serving as Cantrell's designated manager, Cantrell failed to assign at least 125 prepaid contracts to another registrant within 60 days of the expiration of its Prepaid Act registration or cancel those prepaid contracts and issue a refund to the contract buyers, contrary to Mich Admin Code, R 339.35.

17. As a result of the March 2018 investigation, the Department determined that during the time that Respondent was serving as Cantrell's designated manager, Cantrell failed to deposit at least \$2,130.00 received for prepaid funeral goods or services related to seven prepaid funeral contracts with an authorized escrow agent, contrary to MCL 328.222(1).<sup>2</sup>

18. As a result of the March 2018 investigation, the Department determined that during the time that Respondent was serving as Cantrell's designated manager, Cantrell failed to deposit at least \$2,130.00 received for prepaid funeral goods or services related to seven prepaid funeral contracts with an authorized escrow agent within thirty days of receipt, contrary to MCL 328.222(6).

19. Regarding Complaint No. 337043, an October 17, 2017, prepaid funeral contract for B.W.'s benefit, to date, Cantrell failed to deposit \$300.00 received during the time that Respondent

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<sup>2</sup> The amounts alleged in this paragraph include all amounts alleged to have not been escrowed in Complaint No. 338229. As of the date of issuance of this complaint, \$1,330.00 of this amount remains outstanding.

was serving as its designated manager for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>3</sup>

20. Regarding Complaint No. 338185, a July 26, 2013, prepaid contract for Z.M.'s benefit, to date, Cantrell, failed to deposit \$495.00 received during the time that Respondent was serving as its designated manager for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

21. During the time that Respondent was serving as its designated manager, Cantrell violated the Prepaid Act, contrary to MCL 328.228(1)(g).

22. Under § 21 of the Prepaid Act, MCL 328.231, a violation of the Prepaid Act by a person who is licensed under Article 18 of the Occupational Code is considered a violation of Article 18 of the Occupational Code, and the violator is subject to penalties under the Occupational Code.

23. As Cantrell's designated manager, Respondent is responsible for its violations of the Prepaid Act and is, therefore, subject to penalties under the Occupational Code.

24. Respondent's actions in failing to ensure that Cantrell deposited prepaid funeral contract funds with an authorized escrow agent and in failing to ensure that Cantrell ceased selling and advertising the availability of prepaid contracts after its registration entered into lapsed status, constitute fraud, deceit, or dishonesty in the practice of mortuary science, contrary to MCL 339.604(b).

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<sup>3</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$660.00 of B.W.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 17 and 18. The \$300 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review. On or about August 31, 2018, complaining person, M.L., indicated that Cantrell refunded him \$832.50. Therefore, \$127.50 of monies paid for B.W.'s contract remains outstanding.

25. Respondent's actions in failing to ensure that Cantrell deposited prepaid funeral contract funds with an authorized escrow agent and in failing to ensure that Cantrell ceased selling and advertising the availability of prepaid contracts after its registration entered into lapsed status, demonstrates incompetence in the practice of mortuary science, contrary to MCL 339.604(g).

Based upon the above conduct, Respondent acted contrary to MCL 328.222(1) & (6), MCL 328.228(1)(c) & (1)(g), Mich Admin Code, R 339.35, and MCL 339.604(b) & (g) constituting grounds for the assessment of a penalty, as defined in MCL 339.602. Complainant, the Department, is commencing proceedings under the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and the Occupational Code to determine whether disciplinary action should be taken by the Department for the reasons set forth above.

MICHIGAN DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS

BY Timothy L. Teague  
Timothy L. Teague, Director  
Securities and Audit Division  
Corporations, Securities & Commercial Licensing  
Bureau

Date Signed: 12.21.18

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs  
Corporations, Securities & Commercial Licensing Bureau  
Regulatory Compliance Division  
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STATE OF MICHIGAN  
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CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS,  
CORPORATIONS, SECURITIES & COMMERCIAL  
LICENSING BUREAU

Complainant,

v

CANTRELL FUNERAL HOME, INCORPORATED  
Mortuary Science Establishment  
License No. 45-02-000604

Complaint No. 331451

and

JAMECA LAJOYCE BOONE  
Mortuary Science  
License No. 45-01-006945

Complaint No. 335762

and

RAYMOND E. CANTRELL II  
Mortuary Science  
License No. 45-01-006254

Complaint No. 338755

Respondents.

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FORMAL COMPLAINT

The Department of Licensing and Regulatory Affairs (Department), Corporations,  
Securities & Commercial Licensing Bureau, Complainant, under the Occupational Code  
(Occupational Code), MCL 328.101 *et seq.*, and its associated administrative rules, alleges as  
follows:

## FACTUAL ALLEGATIONS

1. Cantrell Funeral Home, Incorporated (CFH), has, at some times relevant to this Complaint, been licensed as a mortuary science establishment, under Article 18 of the Occupational Code, MCL 339.1801 *et seq.* Attached as Exhibit 1 is a certification of CFH's license status under the Occupational Code.

2. Raymond E. Cantrell (License No. 45-01-004306) (Cantrell Sr.) was the designated manager of CFH from its inception, until on or about October 27, 2016, when he died at the age of 96.

3. On or about May 30, 2017, Cantrell Sr.'s widow and the trustee of the Raymond E. Cantrell Revocable Trust, Annetta Cantrell,<sup>1</sup> transferred all of the common capital stock of CFH owned by the Trust (50% of the issued and outstanding common capital stock of the corporation) to Cantrell Sr.'s son, Raymond E. Cantrell, II (Cantrell II).

4. Cantrell II, at no time relevant to this Complaint, was licensed as a mortuary science practitioner. He was licensed as a mortuary science practitioner under the Occupational Code from 1985 until his license lapsed due to nonrenewal in 2003. His license was also suspended for failure to comply with a final order in 2002. He eventually complied with the final order and the suspension was lifted in August 2017 during Cantrell II's attempt to obtain relicensure. Attached as Exhibit 2 is a certification of Cantrell II's license status and disciplinary history under the Occupational Code.

5. On June 29, 2017, Cantrell Funeral Home, Incorporated filed an annual report with the Department's Corporations Division designating Raymond E. Cantrell, II Secretary,

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<sup>1</sup> Annetta Cantrell was never licensed under Article 18 of the Occupational Code. She is the Resident Agent of Q A Cantrell Funeral Services, LLC, an entity that holds Mortuary Science Establishment license no. 45-02-003929 under Article 18 of the Occupational Code. It is located at 22121 Kelly Road, in Eastpointe, MI. The designated manager of Q A Cantrell Funeral Services, LLC is Quanika Samone Cantrell (License No. 45-01-007641). She is the daughter of Cantrell Sr. and Annetta Cantrell.

Treasurer, and Director. Shortly thereafter, on July 5, 2017, a Certificate of Change of Resident Agent was filed with Corporations Division changing its Resident Agent from Raymond E. Cantrell, Sr. to Raymond E. Cantrell, II.

6. Jameca LaJoyce Boone (Boone) has, at some times relevant to this Complaint, been licensed as a mortuary science practitioner and was the designated manager of CFH from February 16, 2017, until her mortuary science license and the establishment's mortuary science license were summarily suspended on April 25, 2018. Attached as Exhibit 3 is a certification of Boone's license status under the Occupational Code.

7. On January 10, 2017, L.H.(I) filed a statement of complaint against CFH conforming to the requirements of MCL 339.501, allegations violations of the Occupational Code, with the Department. A copy of the complaint is attached as Exhibit 4.

8. On March 23, 2017, Department personnel inspected CFH's facility located at 10400 Mack Avenue, in Detroit, Michigan. The Department determined that the results of the inspection were unsatisfactory. A copy of the Funeral Establishment Inspection Report is attached as Exhibit 5.

9. During the inspection of CFH's embalming room, Department staff observed that the paint on the walls was peeling, and the tile on the floors was deteriorating. Additionally, CFH's ventilation system was inoperable.

10. On November 29, 2017, Department personnel attempted to again inspect CFH's facility. However, an employee of the funeral home, Garry Turner, contacted Cantrell II, who directed Garry Turner to refuse to allow the Department employee to conduct the inspection but to instruct her to return the following week.

11. Department personnel next inspected CFH's facility on December 20, 2017, and February 14, 2018. The results of both inspections were unsatisfactory. Copies of the Funeral Home Inspection Reports are attached as Exhibit 6.

12. During the December 20, 2017 and February 14, 2018 inspections, Department personnel continued to note peeling paint on the walls and deteriorating tile on the floors, as well as a non-operating ventilation system. Additionally, Department personnel observed stains and cracks on the walls and stained protective gear.

13. Department personnel returned to inspect CFH's facility on April 10, 2018. The results of the inspection were unsatisfactory for the same reasons noted during the December 20, 2017, and February 14, 2018, inspections. A copy of the Funeral Home Inspection Report is attached as Exhibit 7.

14. During the April 10, 2018 inspection, Cantrell II represented that the embalming room's ventilation system was built into the heating and cooling system. Department personnel asked Cantrell II to provide documentation that the system met the requirements of Mich Admin Code, R 339.18931(1)(e). To date, the documentation has not been provided.

15. Additionally, during the April 10, 2018 inspection, Department personnel observed two embalmed bodies in caskets being stored in the garage. The first body was that of D.B.(I), and the second was that of L.B. When Department personnel inquired as to the dates of death of D.B.(I) and L.B., Cantrell II responded that D.B.(I)'s date of death was in October 2017, and that L.B.'s date of death was in December 2017.

16. Cantrell II represented that CFH did not supervise the final disposition of these bodies, because their next-of-kin or funeral representatives still owed CFH money.



17. The bodies of D.B.(I), L.B., and D.B.(II) were within CFH's possession for longer than 60 days. Documentation showed that CFH agreed to supervise the final disposition of the bodies.

18. As with the bodies of D.B.(I) and L.B., Cantrell II represented to the Department that the reason for delay in supervising the final disposition of D.B.(II)'s body was because his next-of-kin or funeral representative had not paid CFH.

19. D.B.(I)'s death certificate lacked information regarding final disposition, and CFH did not provide the missing information to the state Vital Records Office.

20. Based on the above, on April 25, 2018, the Department determined that an imminent threat to the public health, safety, or general welfare existed requiring emergency action and ordered the summary suspension of CFH's license and the license of its designed manager, Boone, within five days from the hand delivery of that Order.

21. That same date, Department personnel performed another inspection of CFH's facility. The results of the inspection were unsatisfactory. A copy of the Funeral Home Inspection Report is attached as Exhibit 8.

22. Department personnel continued to observe peeling paint on the walls. CFH did not have documentation that it had a ventilation system that met the requirements of Mich Admin Code, R 339.18931(1)(e). Department personnel also observed standing water mixed with an unidentified chemical in the basement of the facility.<sup>2</sup>

23. During the inspection, Department personnel observed 23 bodies located throughout the facility. Three were in caskets in the facility's garage. Four were in caskets in the facility's chapel. Four were in cremation boxes in the hallway, and two were located in the

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<sup>2</sup> The Department reported this finding to the Department of Environmental Quality and to the City of Detroit.

embalming room. Another body was in a casket in an unlocked hearse parked outside in warming temperatures. The body of a child was stacked on filing cabinets in a hallway. The other bodies were in additional rooms throughout the facility. None was refrigerated.

24. One of the caskets had blood stains in it and appeared to have previously been used multiple times in connection with the disposition of a dead human body.

25. Two of the bodies were in an advanced stage of decomposition and covered in what appeared to be mold. Department personnel observed a third body with an unknown fluid covering the facial area.

26. Department personnel also discovered numerous cremated remains in various locations throughout the facility. Several were stored on a pallet in the basement of the facility. Others were stored on the floor behind a cabinet, and still others were stored inside the cabinet and at various other locations throughout the facility.

27. Following the above discoveries, the Department issued a First Superseding Order of Summary Suspension ordering the immediate suspension of the licenses, and that any body found on CFH's premises and all cremated remains be immediately surrendered to the Department via its agent, Preferred Removal Services, Inc., a facility with adequate and appropriate refrigeration equipment and storage.<sup>3</sup>

28. The Department then undertook efforts to contact the next-of-kin or funeral representative for each deceased individual for which final disposition had not yet occurred. In several instances, the next-of-kin or funeral representative informed the Department that CFH told them that it would supervise the final disposition of their deceased loved ones following a memorial service.

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<sup>3</sup> During the inspection, and prior to the issuance of the First Superseding Order of Summary Suspension, two of the bodies were transferred by CFH's staff to Meadowcrest Memorial & Crematorium Association, Inc.

29. Specifically, CFH told the families of O.W. and M.J. that it would supervise their final dispositions, but CFH instead returned their bodies to its facility on Mack Avenue in Detroit without doing so.

30. CFH did not timely file death certificates and did not use Michigan's Electronic Death Registration System.

31. L.B.'s date of death was December 29, 2017, and her death certificate was not filed until February 22, 2018. L.H.(II)'s date of death was January 16, 2018, and her death certificate was not filed until February 02, 2018. In both cases, the late filings were not accompanied by any explanation for the lateness. A copy of their death certificates are attached as Exhibit 9.

32. Additionally, in the case of J.H., a one month old infant who died in February 2018, CFH indicated on her death certificate that she was buried at Mt. Olivet cemetery when her remains were, in fact, being stored at CFH's facility on Mack Avenue. A copy of her death certificate is attached as Exhibit 10.

33. On May 1, 2018, the Department requested that CFH and Boone provide "copies of all death certificates in the funeral establishment's and its manager's possession for persons whose date of death was January 1, 2017, or later, whether they were completed or filed with the county of death or not." The Department also requested "an inventory of the cremated remains found at the funeral establishment [on April 25, 2018] that includes name of deceased, date of death, and name and contact information of their next-of-kin or 'funeral representative' for each set of cremated remains."

34. On May 7, 2018, Raymond E. Cantrell II faxed some of the requested information to the Department, but it was largely incomplete. At the time, Cantrell II explained that the

incompleteness could be due, in part, to the large number of break-ins, burglaries, and vandalism that CFH's facility experienced since the Department suspended the establishment's license.

35. Detroit Police Department records indicate that several reports of break-ins at CFH's facility were reported to the Detroit Police Department on April 27, May 3, May 30, May 31, June 5, and June 13, 2018. Copper plumbing, electrical wiring, multiple televisions, a chainsaw, a \$500 laptop, multiple iPads, and clothing were reported missing. During the May 3 break-in, all of the bathroom sinks were broken, and the water pipes busted, causing the establishment to flood. Just before the April 27 break-in, Cantrell II's adult daughter reported received a threatening call from a family member right before a car load of individuals arrived and began banging on the windows of the residence attached the establishment and ringing the doorbell before entering the establishment without permission.

36. On June 28, 2018, the Department issued a Second Superseding Order of Summary Suspension ordering CFH and Boone to proceed with the certification and filing of death certificates for all bodies for which it achieved final disposition before the service of the April 25, 2018 First Superseding Order of Summary Suspension within 10 days. In the alternative, they were ordered to transfer each partially completed death certificate within its possession to another licensed mortuary science establishment within 10 days of a written request from the next-of-kin or funeral representative of the deceased for which they did not yet achieve final disposition.

37. To date, no one on behalf of Boone or CFH filed a petition to dissolve the orders of summary suspension nor otherwise responded in writing to the allegations in the supporting Affidavit.

38. On July 13, 2018, the Department served a subpoena to CFH and Boone ordering that the information referenced in paragraph 33 be delivered to the Department by August 3,

2018. Boone responded to the subpoena indicating that she had no access to the documentation, but CFH did not respond in any manner to the Subpoena.

39. On August 28, 2018, the Department received a call from an individual claiming that Cantrell Sr.'s widow, Annetta Cantrell, is their aunt. This individual claimed to have overheard Annetta Cantrell disclose to other family members that she hid or directed others to hide the bodies of babies and infants throughout CFH's facility on Mack Avenue in Detroit to get Cantrell II in trouble but later worried about getting into trouble herself, because she was unable to break in to retrieve the bodies. The tipster refused to provide his or her identifying information.

40. Annetta Cantrell declined the Department's requests for interview.

41. On August 29, 2018, Department personnel inspected the establishment. During the inspection, the Department personnel found a temporary cremated remains container containing the body of a fetus. The body was labeled, and the Department was able to identify the next-of-kin or funeral representative and assist them in obtaining final disposition for their loved one. Despite a four-hour search of the facility, accompanied by another licensed funeral director and two Michigan State Police troopers, no other remains were discovered that day.

42. In or about September 2018, Wayne County sold CFH's building via an auction as a result of unpaid property taxes.

43. On October 12, 2018, the Department received an anonymous letter describing a specific hidden location in the facility at Mack Avenue in Detroit where the author claimed Annetta Cantrell or others directed by Annetta Cantrell hid several infant corpses.

44. On the evening of October 12, 2018, Department personnel obtained access to the facility on Mack Avenue in Detroit. By this time, CFH no longer owned the building, and the new owner allowed the Department access. Department personnel went to the location specified

in the anonymous letter. Once there, Department personnel verified that there was a casket containing two uncremated human remains and a cardboard box containing nine uncremated human remains in that location. In total, Department personnel found 11 uncremated human remains of either infants or fetuses that evening. Two of the remains were in the casket and the rest were in the cardboard box.

45. Upon making this discovery, the Department called the Wayne County Medical Examiner's Office, the Detroit Police Department, and 9-1-1. A Crime Scene Investigation Team from the Detroit Police Department soon arrived at the facility.

46. The Michigan State Police was also notified, and it sent a cadaver dog and handler to the facility to ensure there were no additional human remains present. The cadaver dog did not locate any additional human remains, but it did locate a bucket in the basement of the facility that contained bodily fluids.

47. Bodily fluids are included in the definition of "medical waste" in Part 138 of the Public Health Code, MCL 333.13805(8)(b).

48. The bucket was not labeled with a biohazard symbol or the words "medical waste" or "pathological waste."

49. The Wayne County Medical Examiner's Office removed the 11 human remains discovered at the facility on October 12, 2018, for closer examination.

50. To date, seven of the 11 remains found on the evening of October 12, 2018, are identified.

51. The Department determined, based on a review of CFH's records, that CFH received funds from the Department of Health and Human Service's State Emergency Relief program to provide for the final disposition of each of the seven remains.

52. The dates of death of the seven identified remains pre-date when Boone was designated CFH's manager and when Cantrell II inherited the business in February and May 2017.

53. The Department interviewed Cantrell II's wife, Michelle Cantrell, Boone, and CFH's employees or former employees Stanley Thompson, Brandon Campbell, and Anthony Butler. Each one denied any knowledge of the 11 remains. Other employees or former employees of CFH did not respond to requests for interview or otherwise declined to participate in an interview.

54. In the months after the Department served the Order of Summary Suspension more unclaimed cremated remains continued to be discovered throughout the facility. To date, a total of approximately 220 unclaimed cremated remains were recovered from the facility.

55. On December 4, 2018, Department personnel interviewed Boone. Boone reported that she began working part-time for CFH in 1996, when Cantrell Sr. was the licensed manager, continued working there on a more full time basis in December 2016 after his death when Annetta Cantrell ran the day-to-day operations of the establishment, and that she was designated CFH's manager when Cantrell II acquired ownership of CFH in 2017. She reported that she agreed to serve in this capacity on a temporary basis, until Cantrell II could become relicensed. For a time, she was actively present at the establishment. However, Boone acknowledged that, since August 2017, she had not been present at CFH's facility on Mack Avenue in Detroit.

56. According to Boone, from August 2017 until April 25, 2018, when CFH's license was summarily suspended, Cantrell II exclusively directed the day-to-day operations of the establishment, including those operations regulated under the Occupational Code.

57. Section 601 of the Occupational Code, MCL 339.601, states the following, in relevant part:

(1) A person shall not engage in or attempt to engage in the practice of an occupation regulated under this act or use a title designated in this act unless the person possesses a license or registration issued by the department for the occupation.

\* \* \*

(3) Subject to section 411, a person whose license or registration is suspended, revoked, or lapsed, as determined by the records of the department, is considered unlicensed or unregistered.

(4) Except as otherwise provided for in section 735, a person, school, or institution that violates subsection (1) or (2) is guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or imprisonment for not more than 90 days, or both.

(5) Except as otherwise provided for in section 735, a person, school, or institution that violates subsection (1) or (2) a second or any subsequent time is guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 1 year, or both.

58. Section 604 of the Occupational Code, MCL 339.604, provides the following, in relevant parts:

A person who violates 1 or more of the following shall be subject to the penalties prescribed in section 602:

\* \* \*

(b) Practices fraud, deceit, or dishonesty in practicing an occupation.

(c) Violates a rule of conduct of an occupation.

(d) Demonstrates a lack of good moral character

(e) Commits an act of gross negligence in practicing an occupation.

\* \* \*

(g) Commits an act which demonstrates incompetence.

(h) Violates any other provision of this act or a rule promulgated under this act for which a penalty is not otherwise prescribed.

(i) Fails to comply with a subpoena issued under this act.



\* \* \*

(l) Aids or abets another person in the unlicensed practice of an occupation.

59. Section 1809 of the Occupational Code, MCL 339.1809, provides the following, in relevant parts:

(4) The department and the board may inspect the premises in which funeral directing is conducted or where embalming is practiced or where an applicant proposes to practice.

(5) A funeral establishment shall contain a preparation room equipped with tile, cement, or composition floor and necessary drainage and ventilation, and contain each necessary instrument or supply for the preparation and embalming of a dead human body for burial, transportation, or other disposition.

60. Section 1810 of the Occupational Code, MCL 339.1810, provides the following, in relevant parts:

(1) A person shall be subject to the penalties of article 6 if the person commits 1 of the following:

\* \* \*

(d) Aiding or abetting an unlicensed person to engage in the practice of funeral directing or embalming.

\* \* \*

(g) Using a casket or part of a casket which has been previously used as a receptacle for, or in connection with, the burial or other disposition of a dead human body.

(h) A violation of a state law or municipal or county ordinance or regulation affecting the handling, custody, care or transportation of a dead human body.

\* \* \*

(l) Knowingly making a false statement on a certificate of death.

\* \* \*

(q) Failure to comply with part 138 of the public health code, 1978 PA 368, MCL 333.13801 to 333.13831.

61. Mich Admin Code, R 339.18931 states the following, in relevant parts:

(3) The embalming room shall be kept in a clean and sanitary condition at all times. Instruments shall be cleaned and sterilized after each use.

(4) An embalming room shall have all of the following:

\* \* \*

(b) Walls and ceiling made of or covered by washable and waterproof material.

\* \* \*

(e) A fan that is capable of moving 250 cubic feet of air per minute.

62. Mich Admin Code, R 339.18933 states the following, in relevant parts:

(1) A representative of the department shall be permitted to inspect a funeral establishment to ascertain that the establishment is in compliance with the law and these rules.

\* \* \*

(3) A funeral establishment may be inspected at any time when the inspection is part of the investigation of a complaint.

63. Mich Admin Code, R 339.18937 states the following, in relevant parts:

(1) Each funeral establishment shall have in its direct employment a mortuary science licensee who is designated as the establishment's manager.

(2) A manager shall be employed on a full-time basis and shall be available at all times for funeral-related purposes.

64. Section 2843(3) of the Public Health Code, MCL 333.2843(3), provides as follows:

A death record shall be certified by a funeral director who is licensed under article 18 of the occupational code . . . and shall be filed with the local registrar of the district where the death occurred within 72 hours after the death.

65. Section 2894(1) of the Public Health Code, MCL 333.2894(1), provides as follows:

A person shall not:

\* \* \*

(b) Willfully and knowingly make a false statement in a vital record or report required to be filed under this code, or in an application for an amendment or for a certified copy of a vital record.

66. Section 2898 of the Public Health Code, MCL 333.2898, states:

A person who violates section 2894 is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$1,000.00, or both.

67. Mich Admin Code, R 325.3209(1) provides as follows:

Certificates . . . of death filed after 72 hours, but within 1 year of the date of death, shall be filed on the standard form in the manner prescribed in section 2822 of the code. Each certificate so filed shall be accompanied by a written explanation for the lateness of the filing.

68. Mich Admin Code, R 325.3210(3) provides as follows:

A supplemental report providing the information missing from the original certificate shall be filed by the person responsible for obtaining the missing information with the state registrar as soon as possible, but in all cases within 60 days after the date of death the death occurred.

69. Section 13809 in Part 138 of the Public Health Code, MCL 333.13809, provides the following, in relevant parts:

A producing facility that does not incinerate medical waste onsite shall do all of the following to contain medical waste:

\* \* \*

(b) Separate the categories of medical waste at the point of origin into appropriate containers that are labelled as required under subdivision (c).

(c) Label the containers required under subdivision (b) with a biohazard symbol or the words "medical waste" or "pathological waste" in letters not less than 1 inch high.

\* \* \*

(f) Store medical waste in such a manner that prevents putrefaction and also prevents infectious agents from coming in contact with the air or with individuals.

70. Section 160c of the Michigan Penal Code, MCL 750.160c, provides as follows:

(1) A person shall not do any of the following:

(a) After agreeing to provide the services of a funeral director, fail or refuse to properly supervise the final disposition of that dead human body.

\* \* \*

(2) A person who violates this section is guilty of a crime as follows:

(a) If the failure or refusal to properly supervise the final disposition of a dead human body or the failure or refusal to properly dispose of the dead human body occurs more than 60 days but not more than 180 days after the date the person takes possession of the dead human body, the person is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$10,000.00, or both.

LEGAL ALLEGATIONS AGAINST  
CANTRELL FUNERAL HOME, INCORPORATED  
COMPLAINT NO. 331451

71. By having cracked walls with peeling paint in its embalming room, CFH did not have an embalming room with walls made of or covered by washable and waterproof material, contrary to Mich Admin Code, R 339.18931(4)(b).

72. By not having a working fan in its embalming room, CFH did not have a preparation room equipped with necessary ventilation, contrary to MCL 339.1809(5).

73. CFH did not have an embalming room containing a fan capable of moving 250 cubic feet of air per minute, contrary to Mich Admin Code, R 339.18931(4)(e).

74. On November 29, 2017, CFH refused to grant Department personnel access to inspect its premises to ascertain whether the establishment was in compliance with the law and

applicable rules in response to the investigation of a statement of complaint, contrary to MCL 333.1809(4) and Mich Admin Code, R 18933(1) & (3).

75. By having stained walls and stained protective gear, CFH did not keep its embalming room in a clean and sanitary condition at all times, contrary to Mich Admin Code, R 339.18931(3).

76. After agreeing to provide the services of a funeral director to the family members of D.B.(I), L.B., and D.B.(II), as well as to the family members of the 12 infants and fetuses whose remains were found by the Department on August 29, 2018, and October 12, 2018, CFH failed or refused to properly supervise the final disposition of their bodies for more than 60 days and, in some cases, more than 180 days, after CFH took possession of their bodies, contrary to MCL 750.160c and MCL 339.1810(1)(h).

77. CFH did not file certificates of death within 72 hours after the death, contrary to MCL 333.2843(3) and MCL 339.1810(1)(h).

78. CFH failed to include with a certificate of death filed after 72 hours after death a written explanation for the lateness of the filing, contrary to Mich Admin Code, R 325.3209(1) and MCL 339.1810(1)(h).

79. Concerning the body of D.B.(1), CFH failed to file a supplemental report providing information missing from the original death certificate, the place of final disposition, within 60 days of the date the death occurred, contrary to Mich Admin Code, R 325.3210(3) and MCL 339.1810(1)(h).

80. CFH willfully and knowingly made false statements on J.H.'s death certificate, a vital record required to be filed under the Public Health Code, by representing that she was buried at Mt. Olivet Cemetery when, in fact, her remains were being stored at CFH's facility on

Mack Avenue, contrary to MCL 333.2894(1)(b), MCL 333.2894, MCL 333.2898, MCL 339.1810(1)(h), and MCL 339.1810(1)(l).

81. CFH failed to comply with a subpoena issued under the Occupational Code, contrary to MCL 339.604(i).

82. CFH stored human remains in a casket which had previously been used in connection with the disposition of a dead human body, contrary to MCL 339.1810(1)(g).

83. By storing bodily fluids in a bucket in the basement of its facility that was not labeled with a biohazard symbol or the words "medical waste" or "pathological waste," CFH did not store medical waste in the manner prescribed by MCL 333.13809, representing its failure to comply with part 138 of the Public Health Code, contrary to MCL 339.1810(1)(q).

84. From at least October 26, 2016, to February 16, 2017, and again from August 2017 until its license was suspended, CFH did not have in its direct employment an individual employed on a full-time basis who was actively licensed under the Occupational Code and available at all times for funeral related purposes, contrary to Mich Admin Code, R 339.18937.

85. CFH engaged in numerous acts of fraud, deceit, and dishonesty in the practice of mortuary science, contrary to MCL 339.604(b), including but not limited to:

- a) Representing to next-of-kin or funeral representatives that it would supervise the final disposition of their loved ones after the completion of memorial services, but then proceeding to return the bodies to its facility where they were stored in a grossly negligent and incompetent manner.
- b) Representing on filed death certificates that the final disposition of deceased individuals had occurred when, in fact, CFH was storing those individual's bodies at its facility in a grossly negligent and incompetent manner.
- c) Representing to the Department of Health and Human Services in applications for State Emergency Relief funds that it would use the funds to supervise the final disposition of deceased infants and fetuses when, in fact, it retained the funds while storing the remains of multiple infants and fetuses in one container and hiding the container in a concealed location in its facility.

- d) Representing to the Department that Boone, an individual licensed under the Occupational Code, was managing its activities regulated under the Occupational Code, when, in fact, all of its activities regulated under the Occupational Code were directed by Cantrell II, an individual who did not maintain an active license under the Occupational Code.

86. CFH engaged in numerous acts of gross negligence in practicing mortuary science, contrary to MCL 339.604(e), and in numerous acts of incompetence, contrary to MCL 339.604(g), including but not limited to:

- a) Conducting the embalming of numerous deceased human bodies in a room that contained walls with cracks and peeling paint that were not washable and waterproof.
- b) Conducting the embalming of numerous deceased human bodies in a room that did not contain a fan capable of moving 250 cubic feet of air per minute.
- c) Storing deceased human bodies in a disrespectful and callous manner in various locations throughout its facility in a manner and for a length of time that resulted in several of the bodies reaching an advanced stage of decomposition.
- d) Storing deceased human bodies and failing to supervise their final disposition after agreeing to provide the services of a funeral director for more than 60 days, and in some cases, more than 180 days, after the bodies came into its possession.
- e) Failing to have an inventory of all cremated remains in its possession and storing these unclaimed cremated remains all throughout its facility in a disrespectful and callous manner.
- f) Obtaining State Emergency Relief funds for the purpose of supervising the final disposition of deceased infants and fetuses and failing to achieve their final disposition while instead stacking multiple remains into one container and hiding them in its facility.
- g) Operating a funeral establishment without an individual actively licensed with the Department under the Occupational Code employed on a full-time basis and available for funeral-related purposes.
- h) Allowing an individual without an active license issued by the Department under the Occupational Code to direct its day-to-day operations regulated under the Occupational Code.

87. CFH violated a rule of conduct of an occupation, contrary to MCL 339.604(c).

88. CFH violated a provision of the Occupational Code or rule promulgated under the Occupational Code for which a penalty is not otherwise prescribed, contrary to MCL 339.604(h).

LEGAL ALLEGATIONS AGAINST JAMECA LAJOYCE BOONE  
COMPLAINT NO. 335762

89. As CFH's designated manager, Boone was responsible for the operation and management of the establishment, including ensuring its compliance with all applicable rules and regulations under the Occupational Code. MCL 339.1809 and Mich Admin Code, R 339.18937.

90. By allowing CFH to have cracked walls with peeling paint in its embalming room, Boone failed to ensure that CFH had an embalming room with walls made of or covered by washable and waterproof material, contrary to Mich Admin Code, R 339.18931(4)(b).

91. By not ensuring that there was a working fan in CFH's embalming room, Boone failed to ensure that CFH had a preparation room equipped with necessary ventilation, contrary to MCL 339.1809(5).

92. Boone failed to ensure that CFH had an embalming room containing a fan capable of moving 250 cubic feet of air per minute, contrary to Mich Admin Code, R 339.18931(4)(e).

93. Boone failed to ensure that CFH granted Department personnel access to inspect CFH's premises to ascertain whether the establishment was in compliance with the law and applicable rules in response to the investigation of a statement of complaint, contrary to MCL 333.1809(4) and Mich Admin Code, R 18933(1) & (3).

94. By allowing CFH to have stained walls and stained protective gear, Boone failed to ensure that CFH maintained its embalming room in a clean and sanitary condition at all times, contrary to Mich Admin Code, R 339.18931(3).

95. Boone failed to ensure that CFH, after agreeing to provide the services of a funeral director to the family members of D.B.(I), L.B., and D.B.(II), properly supervised the



final disposition of their bodies within 60 days after CFH took possession of their bodies, contrary to MCL 750.160c and MCL 339.1810(1)(h).

96. Boone failed to ensure that CFH filed certificates of death for bodies within 72 hours after the death, contrary to MCL 333.2843(3) and MCL 339.1810(1)(h).

97. Boone failed to ensure that CFH included with a certificate of death filed after 72 hours a written explanation for the lateness of the filing, contrary to Mich Admin Code, R 325.3209(1) and MCL 339.1810(1)(h).

98. Boone failed to ensure that CFH filed a supplemental report providing information missing from D.B.(I)'s original death certificate within 60 days of the date the death occurred, contrary to Mich Admin Code, R 325.3210(3) and MCL 339.1810(1)(h).

99. As CFH's designated manager, Boone is responsible for CFH's actions in willfully and knowingly making false statements on J.H.'s death certificate, a vital record required to be filed under the Public Health Code, by representing that she was buried at Mt. Olivet Cemetery when, in fact, her remains were being stored at CFH's facility on Mack Avenue, contrary to MCL 333.2894(1)(b), MCL 339.1810(1)(h), and MCL 339.1810(1)(l).

100. Boone failed to ensure that CFH did not store human remains in a casket which had previously been used in connection with the disposition of a dead human body, contrary to MCL 339.1810(1)(g).

101. By failing to prevent CFH from storing bodily fluids in a bucket in the basement of its facility that was not labeled with a biohazard symbol or the words "medical waste" or "pathological waste," Boone failed to ensure that CFH stored medical waste in the manner prescribed by MCL 333.13809, representing a failure to comply with part 138 of the Public Health Code, contrary to MCL 339.1810(1)(q).

102. From August 2017 until its license was suspended, Boone allowed herself to be listed with the Department as CFH's designated manager while not being present at the establishment and available at all times for funeral related purposes, contrary to Mich Admin Code, R 339.18937.

103. Boone aided or abetted Cantrell II, a person who did not maintain an active license under the Occupational Code, in the practice of mortuary science, contrary to MCL 339.604(l) and MCL 339.1810(1)(d).

104. As CFH's designated manager, Boone is responsible for the following acts of fraud, deceit, and dishonesty in the practice of mortuary science committed by CFH during the time that she was listed as its designated manager, contrary to MCL 339.604(b):

- a) Representing to individuals that it would supervise the final disposition of their loved ones after the completion of memorial services, but then proceeding to return the bodies to its facility where they were stored in a grossly negligent and incompetent manner.
- b) Representing on filed death certificates that the final disposition of deceased individuals had occurred when in fact CFH was storing those individual's bodies at its facility in a grossly negligent and incompetent manner.

105. Boone directly engaged in fraud, deceit, and dishonesty in the practice of mortuary science by being listed as CFH's designated manager when she was not directing the operations of CFH's activities regulated under the Occupational Code and was not present at CFH's facility.

106. As CFH's Licensed Manager, Boone is responsible for the following acts of gross negligence in practicing mortuary science committed by CFH, contrary to MCL 339.604(e), and for numerous acts of incompetence committed by CFH, contrary to MCL 339.604(g):

- a) Conducting the embalming of numerous deceased human bodies in a room that contained walls with cracks and peeling paint that were not washable and waterproof.

- b) Conducting the embalming of numerous deceased human bodies in a room that did not contain a fan capable of moving 250 cubic feet of air per minute.
- c) Storing deceased human bodies in a disrespectful and callous manner in various locations throughout its facility in a manner and for a length of time that resulted in several of the bodies reaching an advanced stage of decomposition.
- d) Storing deceased human bodies and failing to supervise their final disposition after agreeing to provide the services of a funeral director for more than 60 days after the bodies came into its possession.
- e) Failing to have an inventory of all cremated remains in its possession and storing these unclaimed cremated remains all throughout its facility, often in hidden compartments, in a disrespectful and callous manner.

107. Boone directly committed acts of gross negligence in the practice of mortuary science, contrary to MCL 339.604(e), and demonstrated incompetence, contrary to MCL 339.604(g), by allowing an individual without an active license issued by the Department under the Occupational Code, Cantrell II, to direct the operations of CFH, a funeral establishment that she was designated as the manager of, including CFH's activities regulated under the Occupational Code while she was wholly absent from the facility and not in any way involved with its management.

108. Boone violated a rule of conduct of an occupation, contrary to MCL 339.604(c).

109. Boone violated a provision of the Occupational Code or rule promulgated under the Occupational Code for which a penalty is not otherwise prescribed, contrary to MCL 339.604(h).

LEGAL ALLEGATIONS AGAINST RAYMOND CANTRELL II  
COMPLAINT NO. 338755

110. Cantrell II, in directing the operations of CFH that were regulated under the Occupational Code without being actively licensed as a mortuary science practitioner, engaged in the practice of mortuary science without possessing a license issued by the Department for the practice of mortuary science, contrary to MCL 339.601(1).

111. By allowing CFH to have cracked walls with peeling paint in its embalming room, Cantrell II failed to ensure that CFH had an embalming room with walls made of or covered by washable and waterproof material, contrary to Mich Admin Code, R 339.18931(4)(b).

112. By not ensuring that there was a working fan in CFH's embalming room, Cantrell II failed to ensure that CFH had a preparation room equipped with necessary ventilation, contrary to MCL 339.1809(5).

113. Cantrell II failed to ensure that CFH had an embalming room containing a fan capable of moving 250 cubic feet of air per minute, contrary to Mich Admin Code, R 339.18931(4)(e).

114. Cantrell II refused to grant Department personnel access to inspect CFH's premises to ascertain whether the establishment was in compliance with the law and applicable rules based on the investigation of a statement of complaint, contrary to MCL 333.1809(4) and Mich Admin Code, R 18933(1) & (3).

115. By allowing CFH to have stained walls and stained protective gear, Cantrell II failed to ensure that CFH maintained its embalming room in a clean and sanitary condition at all times, contrary to Mich Admin Code, R 339.18931(3).

116. Cantrell II failed to ensure that CFH, after agreeing to provide the services of a funeral director to the family members of D.B.(I), L.B., and D.B.(II), properly supervised the final disposition of their bodies within 60 days after CFH took possession of their bodies, contrary to MCL 750.160c and MCL 339.1810(1)(h).

117. Cantrell II failed to ensure that CFH filed certificates of death for bodies within 72 hours after the death, contrary to MCL 333.2843(3) and MCL 339.1810(1)(h).

118. Cantrell II failed to ensure that CFH included with a certificate of death filed after 72 hours a written explanation for the lateness of the filing, contrary to Mich Admin Code, R 325.3209(1) and MCL 339.1810(1)(h).

119. Cantrell II failed to ensure that CFH filed a supplemental report providing information missing from D.B.(1)'s original death certificate within 60 days of the date the death occurred, contrary to Mich Admin Code, R 325.3210(3) and MCL 339.1810(1)(h).

120. As the individual directing the operations of CFH, Cantrell II was responsible for CFH's actions in willfully and knowingly making false statements on death certificates, vital records required to be filed under the Public Health Code, contrary to MCL 333.2894(1)(b), MCL 339.1810(1)(h), and MCL 339.1810(1)(l).

121. Cantrell II failed to ensure that CFH did not store human remains in a casket which had previously been used in connection with the disposition of a dead human body, contrary to MCL 339.1810(1)(g).

122. By failing to prevent CFH from storing bodily fluids in a bucket in the basement of its facility that was not labeled with a biohazard symbol or the words "medical waste" or "pathological waste," Cantrell II failed to ensure that CFH stored medical waste in the manner prescribed by MCL 333.13809, representing a failure to comply with part 138 of the Public Health Code, contrary to MCL 339.1810(1)(q).

123. Beginning February 16, 2017, and again from August 2017 until its license was suspended, Cantrell II failed to ensure that CFH employed an individual actively licensed as a mortuary science practitioner with the Department and available at all times for funeral related purposes, contrary to Mich Admin Code, R 339.18937.

124. As the individual directing the operations of CFH that were regulated under the Occupational Code, Cantrell II is responsible for the following acts of fraud, deceit, and

dishonesty in the practice of mortuary science committed by CFH during the time that he directed the operations of CFH, contrary to MCL 339.604(b):

- a) Representing to individuals that it would supervise the final disposition of their loved ones after the completion of memorial services, but then proceeding to return the bodies to its facility where they were stored in a grossly negligent and incompetent manner.
- b) Representing on filed death certificates that the final disposition of deceased individuals had occurred when in fact CFH was storing those individual's bodies at its facility in a grossly negligent and incompetent manner.

125. Cantrell II directly engaged in fraud, deceit, and dishonesty in the practice of mortuary science, contrary to MCL 339.604(b), by representing to the Department that Boone was the individual directing the operations of CFH, when he was directing those operations.

126. As the individual directing the operations of CFH that were regulated under the Occupational Code, Cantrell II is responsible for the following acts of gross negligence in practicing mortuary science committed by CFH, contrary to MCL 339.604(e), and for numerous acts of incompetence committed by CFH, contrary to MCL 339.604(g):

- a) Conducting the embalming of numerous deceased human bodies in a room that contained walls with cracks and peeling paint that were not washable and waterproof.
- b) Conducting the embalming of numerous deceased human bodies in a room that did not contain a fan capable of moving 250 cubic feet of air per minute.
- c) Storing deceased human bodies in a disrespectful and callous manner in various locations throughout its facility in a manner and for a length of time that resulted in several of the bodies reaching an advanced stage of decomposition.
- d) Storing deceased human bodies and failing to supervise their final disposition after agreeing to provide the services of a funeral director for more than 60 days after the bodies came into its possession.
- e) Failing to have an inventory of all cremated remains in its possession and storing these unclaimed cremated remains all throughout its facility, often in hidden compartments, in a disrespectful and callous manner.

127. Cantrell II directly committed acts of gross negligence in the practice of mortuary science, contrary to MCL 339.604(e), and demonstrated incompetence, contrary to MCL 339.604(g), by directing the operations of CFH that were regulated under the Occupational Code when he was not licensed to do so.

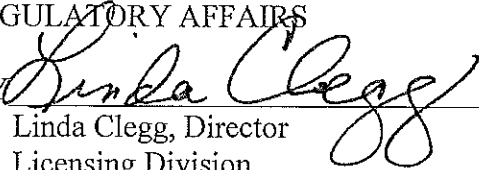
128. Cantrell II violated a rule of conduct of an occupation, contrary to MCL 339.604(c).

129. Cantrell II violated a provision of the Occupational Code or rule promulgated under the Occupational Code for which a penalty is not otherwise prescribed, contrary to MCL 339.604(h).

Based on the above conduct, Respondents acted contrary to MCL 339.601(1) (as to Cantrell II only), MCL 339.604(b), (c), (e), (g), & (h), MCL 339.604(i) (as to CFH only), MCL 339.604(l) (as to Boone only), MCL 339.1809(4) & (5), MCL 339.1810(1)(g), (h), (l), & (q), MCL 339.1810(1)(d) (as to Boone only), Mich Admin Code, R 339.18931(3), (4)(b), & (4)(e), Mich Admin Code, R 339.18933(1) & (3), Mich Admin Code, R 339.18937(1) & (2), MCL 333.2843(3), MCL 333.2894(1)(b), Mich Admin Code, R 325.3209(1), Mich Admin Code, R 325.3210(3), MCL 333.13809, and MCL 750.160c constituting grounds for the assessment of a penalty, as defined in MCL 339.602. Complainant, the Department, is commencing proceedings under the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and the Occupational Code to determine whether disciplinary action should be taken by the Department for the reasons set forth above.

MICHIGAN DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS

BY

  
Linda Clegg, Director

Licensing Division

Corporations, Securities & Commercial Licensing  
Bureau

Date Signed: 12-21-18

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs  
Corporations, Securities & Commercial Licensing Bureau  
Regulatory Compliance Division  
P.O. Box 30018  
Lansing, MI 48909



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING  
AND REGULATORY AFFAIRS,  
CORPORATIONS, SECURITIES &  
COMMERCIAL LICENSING BUREAU,

Complainant,

v

CANTRELL FUNERAL HOME, INCORPORATED  
Prepaid Funeral and Cemetery Sales  
Registration No. 34-01-000033

Respondent.

Complaint Nos: 335471,  
336110, 336174, 336255,  
336662, 336777, 336817,  
336863, 336884, 337241,  
337242, 337408, 337409,  
337410, 337511, 337515,  
337551, 337701, 337703,  
337704, 337788, 337789,  
337840, 337841, 337872,  
338000, 338001, 338002,  
338004, 338005, 338037,  
338098, & 338109

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FORMAL COMPLAINT

The Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau (Department), Complainant, under the Michigan Prepaid Funeral and Cemetery Sales Act, MCL 328.211 *et seq.* (Prepaid Act), alleges as follows:

1. Cantrell Funeral Home, Incorporated (Respondent), has, at times relevant to this Complaint, been registered under the Prepaid Act. Attached as Exhibit 1 is a certification of Respondent's registration status.

2. A Complaint against Respondent, alleging violations of the Prepaid Act, was filed with the Department.

3. Respondent's registration under the Prepaid Act expired on September 30, 2017 and entered into lapsed status. Raymond E. Cantrell served as designated manager of the establishment, until on or about October 27, 2016, when he died at the age of 96. On or about May 30, 2017, Mr. Cantrell's widow and the trustee of the Raymond E. Cantrell Revocable Trust, Annetta Cantrell, transferred all of the common capital stock of

Cantrell Funeral Home, Incorporated owned by the Trust (50% of the issued and outstanding common capital stock of the corporation) to Mr. Cantrell's son, Raymond E. Cantrell, II. Jameca LaJoyce Boone served as designated manager of the establishment from February 16, 2017, until her mortuary science license and the establishment's mortuary science license were summarily suspended on April 25, 2018.

4. From March 15, 2018 through March 23, 2018, Department personnel conducted an investigation of Respondent's activities and an examination of the books, records, contracts, and other documents relating to prepaid funeral contracts, under MCL 328.230(1).

5. As a result of the findings of that investigation, on April 25, 2018 the Department summarily suspended Respondent's registration under the Prepaid Act. A copy of the April 25, 2018 Order of Summary Suspension and supporting Affidavit is attached as Exhibit 2.

6. Between April 3, 2018 and October 2, 2018, Chas. Verheyden, Inc., M.L., C.J., E.P., D.D., K.H., S.R., D.J., B.A., M.P., and D.M., filed statements of complaint against Respondent conforming to the requirements of § 20 of the Prepaid Act, MCL 328.230, with the Department. Each complaint concerned prepaid funeral contracts the individuals or their family members entered into with Respondent.

7. § 6(1) of the Prepaid Act, MCL 328.216(1), provides that:

A person shall not sell, provide, or agree to provide merchandise or funeral or cemetery services pursuant to a prepaid contract unless that person is registered with the department as provided in this section and has received a certificate of registration."

8. Under § 12 of the Prepaid Act, MCL 328.222, Respondent had the following duties in connection with the funds received for prepaid funeral arrangements:

(a) to deposit the monies received with an authorized escrow agent, MCL 328.222(1); and

(b) to deposit the monies received with an escrow agent within thirty (30) days of receipt, MCL 328.222(6).

9. § 18(1)(c) of the Prepaid Act, MCL 328.228(1)(c) prohibits a person from “[a]dvertis[ing] or offer[ing] merchandise or funeral or cemetery services for the sale before the death of a prospective contract beneficiary in a manner which false, misleading, deceptive, or unfair.”

10. Under Mich Admin Code, R 339.35, upon Respondent’s Prepaid Act registration entering lapsed status, Respondent was required to either (1) “Assign prepaid contracts to another registrant within 60 days,” notifying the department and the contract buyers within 30 days of the assignment, or (2) cancel the prepaid contracts and issue the contract buyers a refund.

11. After Respondent’s Prepaid Act registration expired and entered into lapsed status, Respondent continued to engage in activities requiring a registration under the Prepaid Act, while not registered with the Department, contrary to MCL 328.216(1).

12. As of April 13, 2018, Respondent’s website, <http://www.cantrellfuneralhome.com/pre-arrangements>, offered “pre-arrangements” including an offer for prospective customers to “pay[] for your funeral in advance,” when it did not hold a registration under the Preapid Act to do so, in a manner that is false, misleading, deceptive, or unfair, contrary to MCL 328.228(1)(c). Attached as Exhibit 3 is a copy of printouts from Respondent’s website.

13. As a result of the March 2018 investigation, the Department determined that Respondent failed to assign at least 125 prepaid contracts to another registrant within 60 days of the expiration of its Prepaid Act registration or cancel those prepaid contracts and issue a refund to the contract buyers, contrary to Mich Admin Code, R 339.35.

14. As a result of the March 2018 investigation, the Department determined that Respondent failed to deposit at least \$18,674.40 received for prepaid funeral goods or services related to thirteen prepaid funeral contracts with an authorized escrow agent, contrary to MCL 328.222(1).<sup>1</sup>

15. As a result of the March 2018 investigation, Respondent failed to deposit at least \$18,674.40 received for prepaid funeral goods or services related to thirteen prepaid funeral contracts with an authorized escrow agent within thirty days of receipt, contrary to MCL 328.222(6).

16. Regarding Complaint No. 336110, a March 21, 2008, prepaid contract for C.J.'s benefit, to date, Respondent failed to deposit \$2,402.80 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

17. Regarding Complaint No. 336174, a February 1, 2013, prepaid contract for E.P.'s benefit, to date, Respondent failed to deposit \$3,131.50 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

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<sup>1</sup> The amounts alleged in this paragraph include all amounts alleged to have not been escrowed in Complaint Nos. 336255, 336863, 337242, 337515, 337701, 337841, 338000, 338001, & 338005. As of the date of issuance of this Complaint, \$13,874.40 remains outstanding.

18. Regarding Complaint No. 336662, a September 15, 2015, prepaid contract for V.M.'s benefit, to date, Respondent failed to deposit \$6,728.49 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

19. Regarding Complaint No. 336777, an October 28, 2011, prepaid contract for B.T.'s benefit, on or about March 1, 2012, Respondent fraudulently withdrew \$3,472.91 from escrow, including \$3,405.50 received for prepaid funeral goods or services along with interest, and deposited the amounts in its own bank account, thereby failing to hold funds received in connection a prepaid contract in escrow, contrary to MCL 328.222(1).<sup>2</sup>

20. Regarding Complaint No. 336817, a July 26, 2016, prepaid contract for K.H.'s benefit, to date, Respondent failed to deposit \$5,056.54 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

21. Regarding Complaint No. 336884, an October 17, 2017, prepaid funeral contract for B.W.'s benefit, to date, Respondent failed to deposit \$300.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>3</sup>

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<sup>2</sup> Respondent fraudulently withdrew these amounts by forging the signature of complaining person, D.D., on a request to the escrow agent to cancel the prepaid contract and by forging the signature of B.T. on the check made out to B.T. by the escrow agent.

<sup>3</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$660.00 of B.W.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 14 and 15. The \$300 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review. On or about August 31, 2018, complaining person, M.L., indicated that Respondent refunded him \$832.50. Therefore, \$127.50 of monies paid for B.W.'s contract remains outstanding.

22. Regarding Complaint No. 337241, an October 24, 2016, prepaid funeral contract for F.P.'s benefit, to date, Respondent failed to deposit \$1,000.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

23. Regarding Complaint No. 337408, a July 26, 2013, prepaid contract for Z.M.'s benefit, to date, Respondent failed to deposit \$495.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

24. Regarding Complaint No. 337409, an undated prepaid contract for B.K.'s benefit, to date, Respondent failed to deposit \$1,209.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

25. Regarding Complaint No. 337410, a January 20, 2006, prepaid contract for K.T.'s benefit, to date, Respondent failed to deposit \$2,290.26 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

26. Regarding Complaint No. 337511, an October 11, 2016, prepaid contract for O.B.'s benefit, to date, Respondent failed to deposit \$3,353.74 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

27. Regarding Complaint No. 337551, a May 12, 2016, prepaid contract for L.D.'s benefit, to date, Respondent failed to deposit \$6,538.50 received for prepaid

funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>4</sup>

28. Regarding Complaint No. 337703, a July 25, 2014, prepaid contract and a December 21, 2016, prepaid contract, both for D.J.'s benefit, to date, Respondent failed to deposit \$1,500.01 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>5</sup>

29. Regarding Complaint No. 337704, a November 20, 2014, prepaid funeral contract for S.K.'s benefit, to date, Respondent failed to deposit \$1,500.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

30. Regarding Complaint No. 337788, a February 1, 2011, prepaid funeral contract for D.E.'s benefit, to date, Respondent failed to deposit \$164.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

31. Regarding Complaint No. 337789, a July 26, 2013, prepaid contract for J.R.'s benefit and a separate July 26, 2013, contract for S.R.'s benefit, to date, Respondent failed to deposit \$211.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

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<sup>4</sup> Although the funds received for this prepaid contract were never escrowed by Respondent, when L.D. passed away, Respondent did perform services for L.D. pursuant to the contract. Therefore, this amount is no longer outstanding.

<sup>5</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$1,978.90 of D.J.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 14 and 15. The \$1,500.01 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review.

32. Regarding Complaint No. 337840, an August 11, 2011, prepaid funeral contract for D.B.'s benefit, to date, Respondent failed to deposit \$675.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

33. Regarding Complaint No. 337872, a September 1, 2016, prepaid funeral contract for M.J.'s benefit, to date, Respondent failed to deposit \$1,100.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

34. Regarding Complaint No. 338002, an undated prepaid contract for L.K.'s benefit, to date Respondent failed to deposit \$530 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

35. Regarding Complaint No. 338004, a September 17, 2013, prepaid funeral contract for L.L.'s benefit, to date, Respondent failed to deposit \$2,117.50 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>6</sup>

36. Regarding Complaint No. 338037, a February 1, 2010, prepaid contract for M.T.'s benefit, to date, Respondent failed to deposit \$500.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>7</sup>

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<sup>6</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$1,318.00 of L.L.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 14 and 15. The \$2,117.50 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review.

<sup>7</sup> While Respondent received a \$500 check pursuant to this contract, it never cashed the check and the issuer eventually put a stop payment on it. Therefore, this amount is not outstanding.



37. Regarding Complaint No. 338098, a September 19, 2011, prepaid contract for C.C.'s benefit, to date, Respondent failed to deposit \$1,749.70 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

38. Regarding Complaint No. 338109, a May 18, 2015, prepaid contract for G.J.'s benefit, to date, Respondent failed to deposit \$1,291.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

39. Respondent violated the Prepaid Act, contrary to MCL 328.228(1)(g).

Based upon the above conduct, Respondent acted contrary to MCL 328.216(1), MCL 328.222(1) & (6), MCL 328.228(1)(c) & (1)(g), and Mich Admin Code, R 339.35, constituting grounds for the assessment of a penalty, as defined in MCL 328.230 and MCL 328.231.

Complainant, the Department, is commencing proceedings under the Michigan Administrative Procedures Act of 1969, MCL 24.201 *et seq.* (APA), and the Prepaid Act to determine if disciplinary action should be taken for the reasons set forth above. Under MCL 328.231, a violation of the Prepaid Act by a person licensed under article 18 of the Michigan Occupational Code (Occupational Code), MCL 339.1801 *et seq.*, is considered a violation of the Occupational Code, and the violator is also subject to penalties available under the Occupational Code. The Department is commencing additional proceedings under the APA and the Occupational Code against relevant mortuary science license(s) based on the allegations set forth in this Formal Complaint.

The Department reserves the right to refer this matter to the appropriate law enforcement agency at any time after service of this Complaint. A person who converts funds paid pursuant to a prepaid contract to his or her own use or benefit other than as authorized by the Prepaid Act or who fails to escrow or trust funds according to the Prepaid Act is guilty of a felony punishable by a fine of \$5,000.00 or imprisonment of not more than 5 years, or both, for each violation. MCL 328.232(1). A person who violates any other provision of the Prepaid Act is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 1 year, or both, for each violation. MCL 328.232(2).

MICHIGAN DEPARTMENT OF LICENSING  
AND REGULATORY AFFAIRS

BY Timothy L. Teague  
Timothy L. Teague  
Securities & Audit Division Director  
Corporations, Securities & Commercial Licensing Bureau

Dated: 12.21.18

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs  
Corporations, Securities & Commercial Licensing Bureau  
Regulatory Compliance Division  
P.O. Box 30018  
Lansing, MI 48909

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS,  
CORPORATIONS, SECURITIES & COMMERCIAL  
LICENSING BUREAU

Complainant,

v

CANTRELL FUNERAL HOME, INCORPORATED  
Mortuary Science Establishment  
License No. 45-02-000604

Complaint Nos: 335561, 336670,  
336673, 336775, 336786, 336823,  
337043, 337669, 337671, 337673,  
337812, 338088, 338090, 338092,  
338094, 338096, 338107, 338112,  
338177, 338183, 338185, 338224,  
338226, 338228, & 338230

Respondent.

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FORMAL COMPLAINT

The Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau (Department), Complainant, under the Occupational Code (Occupational Code), MCL 328.101 *et seq.*, and its associated administrative rules, alleges as follows:

1. Cantrell Funeral Home, Incorporated (Respondent), has, at some times relevant to this Complaint, been licensed as a mortuary science establishment, under Article 18 of the Occupational Code, MCL 339.1801 *et seq.* Attached as Exhibit 1 is a certification of Respondent's license status under the Occupational Code. Respondent also has, at some times relevant to this Complaint, been registered under the Prepaid Funeral and Cemetery Sales Act, MCL 328.211 *et seq.* (Prepaid Act). Attached as Exhibit 2 is a certification of Respondent's registration status under the Prepaid Act.

2. A Complaint against Respondent, alleging violations of the Prepaid Act, was filed with the Department.

3. Respondent's registration under the Prepaid Act expired on September 30, 2017 and entered into lapsed status. Raymond E. Cantrell served as designated manager of the establishment, until on or about October 27, 2016, when he died at the age of 96. On or about May 30, 2017, Mr. Cantrell's widow and the trustee of the Raymond E. Cantrell Revocable Trust, Annetta Cantrell, transferred all of the common capital stock of Cantrell Funeral Home, Incorporated owned by the Trust (50% of the issued and outstanding common capital stock of the corporation) to Mr. Cantrell's son, Raymond E. Cantrell, II. Jameca LaJoyce Boone served as designated manager of the establishment from February 16, 2017, until her mortuary science license and the establishment's mortuary science license were summarily suspended on April 25, 2018.

4. From March 15, 2018 through March 23, 2018, Department personnel conducted an investigation of Respondent's activities and an examination of the books, records, contracts, and other documents relating to prepaid funeral contracts, under MCL 328.230(1).

5. As a result of the findings of that investigation, the Department summarily suspended Respondent's registration under the Prepaid Act on April 25, 2018. A copy of the April 25, 2018 Order of Summary Suspension and supporting Affidavit is attached as Exhibit 3.

6. Between April 3, 2018 and October 2, 2018, Chas. Verheyden, Inc., M.L., C.J., E.P., D.D., K.H., S.R., D.J., and D.M., filed statements of complaint against Respondent conforming to the requirements of § 20 of the Prepaid Act, MCL 328.230, with the Department. Each complaint concerned prepaid funeral contracts the individuals or their family members entered into with Respondent.

7. § 6(1) of the Prepaid Act, MCL 328.216(1), provides that:

A person shall not sell, provide, or agree to provide merchandise or funeral or cemetery services pursuant to a prepaid contract unless that person is registered with the department as provided in this section and has received a certificate of registration.

8. Under § 12 of the Prepaid Act, MCL 328.222, Respondent had the following duties in connection with the funds received for prepaid funeral arrangements:

(a) to deposit the monies received with an authorized escrow agent, MCL 328.222(1); and

(b) to deposit the monies received with an escrow agent within thirty (30) days of receipt, MCL 328.222(6).

9. § 18(1)(c) of the Prepaid Act, MCL 328.228(1)(c) prohibits a person from “[a]dvertis[ing] or offer[ing] merchandise or funeral or cemetery services for the sale before the death of a prospective contract beneficiary in a manner which false, misleading, deceptive, or unfair.”

10. Under Mich Admin Code, R 339.35, upon Respondent’s Prepaid Act registration entering lapsed status, Respondent was required to either (1) “Assign prepaid contracts to another registrant within 60 days,” notifying the department and the contract buyers within 30 days of the assignment or (2) cancel the prepaid contracts and issue the contract buyers a refund.

11. After Respondent’s Prepaid Act registration expired and entered into lapsed status, Respondent continued to engage in activities requiring a registration under the Prepaid Act, while not registered with the Department, contrary to MCL 328.216(1).

12. As of April 13, 2018, Respondent’s website, <http://www.cantrellfuneralhome.com/pre-arrangements>, offered “pre-arrangements” including an offer for prospective customers to “pay[] for your funeral in advance,” when it did not hold a registration under the Preapid Act to do so, in

a manner that is false, misleading, deceptive, or unfair, contrary to MCL 328.228(1)(c). Attached as Exhibit 4 is a copy of printouts from Respondent's website.

13. As a result of the March 2018 investigation, the Department determined that Respondent failed to assign at least 125 prepaid contracts to another registrant within 60 days of the expiration of its Prepaid Act registration or cancel those prepaid contracts and issue a refund to the contract buyers, contrary to Mich Admin Code, R 339.35.

14. As a result of the March 2018 investigation, the Department determined that Respondent failed to deposit at least \$18,674.40 received for prepaid funeral goods or services related to thirteen prepaid funeral contracts with an authorized escrow agent, contrary to MCL 328.222(1).<sup>1</sup>

15. As a result of the March 2018 investigation, Respondent failed to deposit at least \$18,674.40 received for prepaid funeral goods or services related to thirteen prepaid funeral contracts with an authorized escrow agent within thirty days of receipt, contrary to MCL 328.222(6).

16. Regarding Complaint No. 336670, a March 21, 2008, prepaid contract for C.J.'s benefit, to date, Respondent failed to deposit \$2,402.80 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

17. Regarding Complaint No. 336673, a February 1, 2013, prepaid contract for E.P.'s benefit, to date, Respondent failed to deposit \$3,131.50 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

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<sup>1</sup> The amounts alleged in this paragraph include all amounts alleged to have not been escrowed in Complaint No. 338228. As of the date of issuance of this Complaint, \$13,874.40 remains outstanding.

18. Regarding Complaint No. 336775, a September 15, 2015, prepaid contract for V.M.'s benefit, to date, Respondent failed to deposit \$6,728.49 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

19. Regarding Complaint No. 336786, an October 28, 2011, prepaid contract for B.T.'s benefit, on or about March 1, 2012, Respondent fraudulently withdrew \$3,472.91 from escrow, including \$3,405.50 received for prepaid funeral goods or services along with interest, and deposited the amounts in its own bank account, thereby failing to hold funds received in connection a prepaid contract in escrow, contrary to MCL 328.222(1).<sup>2</sup>

20. Regarding Complaint No. 336823, a July 26, 2016, prepaid contract for K.H.'s benefit, to date, Respondent failed to deposit \$5,056.54 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

21. Regarding Complaint No. 337043, an October 17, 2017, prepaid funeral contract for B.W.'s benefit, to date, Respondent failed to deposit \$300.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>3</sup>

22. Regarding Complaint No. 337669, an undated prepaid contract for B.K.'s benefit, to date, Respondent failed to deposit \$1,209.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

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<sup>2</sup> Respondent fraudulently withdrew these amounts by forging the signature of complaining person, D.D., on a request to the escrow agent to cancel the prepaid contract and by forging the signature of B.T. on the check made out to B.T. by the escrow agent.

<sup>3</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$660.00 of B.W.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 14 and 15. The \$300 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review. On or about August 31, 2018, complaining person, M.L., indicated that Respondent refunded him \$832.50. Therefore, \$127.50 of monies paid for B.W.'s contract remains outstanding.

23. Regarding Complaint No. 337671, a January 20, 2006, prepaid contract for K.T.'s benefit, to date, Respondent failed to deposit \$2,290.26 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

24. Regarding Complaint No. 337673, a May 12, 2016, prepaid contract for L.D.'s benefit, to date, Respondent failed to deposit \$6,538.50 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>4</sup>

25. Regarding Complaint No. 337812, an October 11, 2016, prepaid contract for O.B.'s benefit, to date, Respondent failed to deposit \$3,353.74 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

26. Regarding Complaint No. 338088, an October 24, 2016, prepaid funeral contract for F.P.'s benefit, to date, Respondent failed to deposit \$1,000.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

27. Regarding Complaint No. 338090, a February 1, 2011, prepaid funeral contract for D.E.'s benefit, to date, Respondent failed to deposit \$164.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

28. Regarding Complaint No. 338092, a November 20, 2014, prepaid funeral contract for S.K.'s benefit, to date, Respondent failed to deposit \$1,500.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

29. Regarding Complaint No. 338094, an August 11, 2011, prepaid funeral contract for D.B.'s benefit, to date, Respondent failed to deposit \$675.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

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<sup>4</sup> Although the funds received for this prepaid contract were never escrowed by Respondent, when L.D. passed away, Respondent did perform services for L.D. pursuant to the contract. Therefore, this amount is no longer outstanding.



30. Regarding Complaint No. 338096, an undated prepaid contract for L.K.'s benefit, to date, Respondent failed to deposit \$530 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

31. Regarding Complaint No. 338107, a September 19, 2011, prepaid contract for C.C.'s benefit, to date, Respondent failed to deposit \$1,749.70 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

32. Regarding Complaint No. 338112, a May 18, 2015, prepaid contract for G.J.'s benefit, to date, Respondent failed to deposit \$1,291.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

33. Regarding Complaint No. 338177, a September 1, 2016, prepaid funeral contract for M.J.'s benefit, to date, Respondent failed to deposit \$1,100.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

34. Regarding Complaint No. 338183, a July 26, 2013, prepaid contract for J.R.'s benefit and a separate July 26, 2013 contract for S.R.'s benefit, to date, Respondent failed to deposit \$211.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

35. Regarding Complaint No. 338185, a July 26, 2013, prepaid contract for Z.M.'s benefit, to date, Respondent failed to deposit \$495.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).

36. Regarding Complaint No. 338224, a July 25, 2014, prepaid contract and a December 21, 2016 prepaid contract, both for D.J.'s benefit, to date, Respondent failed to deposit \$1,500.01

received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>5</sup>

37. Regarding Complaint No. 338226, a September 17, 2013, prepaid funeral contract for L.L.'s benefit, to date, Respondent failed to deposit \$2,117.50 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>6</sup>

38. Regarding Complaint No. 338230, a February 1, 2010, prepaid contract for M.T.'s benefit, to date, Respondent failed to deposit \$500.00 received for prepaid funeral goods or services with an authorized escrow agent, contrary to MCL 328.222(1) & (6).<sup>7</sup>

39. Respondent violated the Prepaid Act, contrary to MCL 328.228(1)(g).

40. Under § 21 of the Prepaid Act, MCL 328.231, a violation of the Prepaid Act by a person who is licensed under Article 18 of the Occupational Code is considered a violation of Article 18 of the Occupational Code, and the violator is subject to penalties under the Occupational Code.

41. Respondent's conduct in failing to deposit prepaid funeral contract funds with an authorized escrow agent and, in Complaint No. 336786, fraudulently withdrawing funds from escrow and depositing those funds in its own bank account, constitutes fraud, deceit, or dishonesty in the practice of mortuary science, contrary to MCL 339.604(b).

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<sup>5</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$1,978.90 of D.J.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 14 and 15. The \$1,500.01 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review.

<sup>6</sup> The Department's review of Cantrell's books and records related to prepaid funeral contracts in March 2018 documented that \$1,318.00 of L.L.'s contract funds were not escrowed, and this amount is included in the charges in paragraphs 14 and 15. The \$2,117.50 referenced in this paragraph represents additional amounts discovered to have not been escrowed after the Department's March 2018 review.

<sup>7</sup> While Respondent received a \$500 check pursuant to this contract, it never cashed the check and the issuer eventually put a stop payment on it. Therefore, this amount is not outstanding.

42. Respondent's conduct in failing to deposit prepaid funeral contract funds with an authorized escrow agent demonstrates incompetence in the practice of mortuary science, contrary to MCL 339.604(g).

Based upon the above conduct, Respondent acted contrary to MCL 328.216(1), MCL 328.222(1) & (6), MCL 328.228(1)(c) & (1)(g), Mich Admin Code, R 339.35, and MCL 339.604(b) & (g), constituting grounds for the assessment of a penalty, as defined in MCL 339.602. Complainant, the Department, is commencing proceedings under the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and the Occupational Code to determine whether disciplinary action should be taken by the Department for the reasons set forth above.

MICHIGAN DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS

BY Timothy L. Teague  
Timothy L. Teague, Director  
Securities and Audit Division  
Corporations, Securities & Commercial Licensing  
Bureau

Date Signed: 12.21.18

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs  
Corporations, Securities & Commercial Licensing Bureau  
Regulatory Compliance Division  
P.O. Box 30018  
Lansing, MI 48909