



STATE OF MICHIGAN  
LANSING

GRETCHEN WHITMER  
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS  
DIRECTOR

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

**Complaint No.: 337387**

Complainant,

v

SHERWOOD FUNERAL HOME & CREMATION  
SERVICES LLC  
SHERWOOD FUNERAL HOME, LLC, OWNER  
Prepaid Funeral and Cemetery Sales  
Registration No. 34-01-001187

Respondent.

**FINAL ORDER**

1. This matter came before the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department") under the Michigan Prepaid Funeral and Cemetery Sales Act, MCL 328.211 to 328.235 (the "Act"), and its associated administrative rules.
2. The director of the Corporations, Securities & Commercial Licensing Bureau reviewed the Stipulation on behalf of the Department in accordance with sections 78 and 92(1) of the Michigan Administrative Procedures Act of 1969, (the "APA"), MCL 24.278 and MCL 24.292(1).
3. Respondent Sherwood Funeral Home & Cremation Services LLC, Registration No. 34-01-001187, agreed with the requirements, conditions, and terms set forth in the attached Stipulation, signed by Respondent's Manager, Christopher Ty Sherwood, on June 25, 2019.

4. The director of the Corporations, Securities & Commercial Licensing Bureau, under the APA and the Act, considered and found the Stipulation acceptable and incorporates it by reference in this Final Order.

**This Final Order is effective on the date mailed.**

Given under my hand at Okemos, Michigan, this 26<sup>th</sup> day of June, 2019.

By: 

\_\_\_\_\_  
Julia Dale, Director  
Corporations, Securities & Commercial Licensing Bureau

Date mailed: July 1, 2019

Proof of Compliance Should be filed with:

Department of Licensing and Regulatory Affairs  
Corporations, Securities & Commercial Licensing Bureau  
Final Order Monitoring – Securities & Audit Division  
P.O. Box 30018  
Lansing, MI 48909  
Telephone: (517) 241-9180

This is the last and final page of the Final Order in the matter of Sherwood Funeral Home & Cremation Services LLC, Complaint No. 337387.

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

DEPARTMENT OF LICENSING AND  
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CORPORATIONS, SECURITIES &  
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SHERWOOD FUNERAL HOME & CREMATION SERVICES LLC  
SHERWOOD FUNERAL HOME, LLC, Owner  
Prepaid Funeral and Cemetery Sales  
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Respondent.

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STIPULATION

A formal complaint ("Complaint"), dated October 15, 2018, was issued by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department") against Sherwood Funeral Home & Cremation Services LLC, Sherwood Funeral Home, LLC, Owner ("Respondent") alleging violations of the Prepaid Funeral and Cemetery Sales Act ("Prepaid Act"), MCL 328.211 *et seq.*

On October 15, 2018, the Department also issued formal complaint nos. 337484 and 337485 against the mortuary science establishment license of Respondent, license no. 45-02-003499, and the mortuary science license of its designated manager, Christopher Ty Sherwood, license no. 45-01-007264, alleging violations of the Prepaid

Act and the Occupational Code, MCL 339.101 *et seq.* This Stipulation only addresses admissions and sanctions against Respondent's registration under the Prepaid Act. A separate Stipulation concerning complaint nos. 337484 and 337485 was signed by Christopher Ty Sherwood on behalf of himself and on behalf of Sherwood Funeral Home, LLC and is pending review by the Board of Examiners in Mortuary Science.

A compliance conference was held on January 16, 2019, which included the following participants: Eric M. St. Onge, Assistant Attorney General for the Department; Securities & Audit Division Director Timothy L. Teague, Audit Section Manager Tyra Tyler, and Auditor Jose Quintero on behalf of the Department; Mark Ransford on behalf of the Board of Examiners in Mortuary Science (the "Board"); and Christopher Ty Sherwood on behalf of himself and on behalf of Respondent. To resolve the Complaint, the parties agree to the following:

1. Respondent admits to the following factual allegations and violations alleged in the Complaint:

- A. From August 28, 2018, through August 30, 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 § 20(1) of the Prepaid Act, MCL 328.230(1).
- B. Respondent had the following duties in connection with the funds received for prepaid funeral arrangements:
  - (1) to deposit the monies received with an authorized escrow agent, MCL 328.222(1); and
  - (2) to deposit the monies received with an authorized escrow agent within thirty (30) days of receipt, MCL 328.222(6).

- C. As of July 31, 2018, Respondents failed to deposit at least \$72,364.00 received for prepaid funeral goods or services related to 18 prepaid contracts with an authorized escrow agent, contrary to § 12(1) of the Prepaid Act, MCL 328.222(1).
- D. As of July 31, 2018, Respondents failed to deposit at least \$72,364.00 received for prepaid funeral goods or services related to 18 prepaid funeral contracts with an authorized escrow agent within 30 days of receipt, contrary to § 12(6) of the Prepaid Act, MCL 328.222(6).

2. Respondent's Prepaid Funeral and Cemetery Sales Registration No. 34-01-001187 is REVOKED FOR MINIMUM OF THREE YEARS, effective on the mailing date of the Final Order in this matter. In addition, any further registration applications submitted by Respondent under the Prepaid Act during that time period will be denied.

3. Respondent shall remove all references to prepaid contracts from its website and advertising within 60 days of the mailing date of the Final Order in this matter.

4. Within 60 days of the mailing date of the Final Order in this matter, Respondent must either assign all the remaining prepaid contracts in its possession to another individual or entity that is actively registered under the Prepaid Act or cancel those contracts and issue a refund to the contract buyers that includes all amounts received by Respondent from the contract buyers along with all accrued interest. If Respondent chooses to assign the existing prepaid contracts in its possession to another registrant, neither Respondent nor its licensed manager, Christopher Ty Sherwood, can serve as the provider of the funeral goods or services.

Additionally, Respondent must notify the contract buyers and the Department of the assignment within 30 days.

5. Within 90 days of the mailing date of the Final Order in this matter, Respondent must submit written proof of having complied with each requirement of this Stipulation, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporation, Securities, & Commercial Licensing Bureau, Securities & Audit Division – Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909. Ph: (517) 241-9180; Fax (517) 373-8488. Proof of compliance with paragraph 4 must include either a copy of the fully executed assignment agreement along with copies of the correspondence sent to all contract buyers informing them of the assignment and their right to cancel their contract and receive a full refund or copies of the front and back of all checks used to refund contract buyers showing that all amounts received by Respondent along with all accrued interest was refunded to the contract buyers.

6. If Respondent fails to comply with any provision of this Stipulation in the time required, the Department reserves the right to initiate additional disciplinary administrative proceedings against Respondent and/or to continue to deny Respondent's registration applications made under the Prepaid Act, until compliance is made to the satisfaction of the Department.

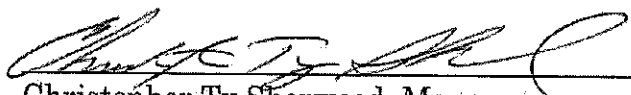
7. The Director of the Securities & Audit Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before the Stipulation is forwarded to the Director of the Corporations,

Securities & Commercial Licensing Bureau for final approval and the issuance of a Final Order. Should the Securities & Audit Division Director, or that person's designee, or the Director of the Corporations, Securities & Commercial Licensing Bureau reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, under the Prepaid Act, its associated administrative rules, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the charges.

Agreed to:

**On behalf of Sherwood Funeral Home, LLC**



Christopher Ty Sherwood, Manager  
Sherwood Funeral Home & Cremation Services, LLC

Date: 5/25/19

LF: 2018-0235049-A/Sherwood Funeral Home & Cremation Services, 337387/Stipulation – to Settle Prepaid – 2019-05-01