

**Michigan Department of Licensing and Regulatory Affairs**

**Corporations, Securities & Commercial Licensing Bureau  
Securities and Audit Division**

P.O. Box 30018 - Lansing, MI 48909  
Telephone: (517) 335-5237

**DUE: JUNE 30, 2022**

PENALTY: Failure to provide this information may result in disciplinary action. Please Note: This information may be released to the public in accordance with the Freedom of Information Act, 1976 PA 442, as amended.

**2021 CEMETERY ANNUAL REPORT**

**INSTRUCTIONS:**

The annual report is to be submitted in sufficient time to ensure the Corporations, Securities and Commercial Licensing Bureau ("Bureau") receives it by June 30, 2022. The licensee is to complete the annual report. A Michigan licensed Certified Public Accountant (CPA) is to attest to the annual report's accuracy and completeness through examination for issuance of an opinion utilizing the attestation report that is attached.

If you have sold, provided, or agreed to provide merchandise or funeral or cemetery services in accordance with a prepaid contract after December 31, 2004, you must also submit the 2021 Prepaid Funeral and Cemetery Sales Act Annual Report; which is to be submitted in sufficient time to ensure the Bureau receives it by July 15, 2022.

Name of Cemetery		License Number: 22-01- _____	
Mailing Address		Prepaid Funeral and Cemetery Sales Act Registration Number: 34-01- _____	
City	State	Zip Code	
Cemetery Location (if different than mailing address)			
Location Where Records May Be Inspected (if different than mailing address)			
Contact Person		Telephone Number of Contact Person	Contact Person's Email Address
Number of interment rights sold last year	Number of interment rights sold this reporting period (2021)	Number of opening and closings performed last year	Number of openings and closing performed this reporting period (2021)
Number of Acres Cemetery Owns (total)	Number of Acres Dedicated (not paying taxes on)	Number of Acres Developed (in use/platted and ready to use)	
Burial Rights (spaces) Available in Developed Areas		Burial Rights (spaces) Available in Undeveloped Areas	
Endowed Care Trust Fund Income for 2021 or most recent fiscal year, excluding net capital gains. → \$ _____	Cemetery Maintenance Expenses for 2021 or most recent fiscal year. Include salaries, equipment, utilities, repairs, and supplies expended to maintain the cemetery and/or mausoleum(s) → \$ _____	Endowed Care Trust Fund Income (excluding net capital gains, they may not be withdrawn.) Remitted for Cemetery Maintenance Expenses for 2021 or most recent fiscal year. → \$ _____	
Under which Public Act was the Cemetery Established (Formed)? <input type="checkbox"/> 1855 PA 87 (Cemetery Corporations) <input type="checkbox"/> 1869 PA12 (Rural Cemetery) <input type="checkbox"/> Other, Please _____ Specify _____			
Does the cemetery have a functioning crematory? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If yes, crematory registration number: 22-03-</b> _____			
Names and Title of Cemetery Principal Owner, Managing Member, Directors, Officers, and/or General Manager - please list below:		Address(es):	

**Instructions for page 2:**

**All cemeteries, excluding crematories only, are required to submit an Independent Accountant's Report with the cemetery report. The Independent Accountant's Report must be prepared by a Michigan licensed certified public accountant (CPA). NOTE: THE CEMETERY REPORT WILL NOT BE ACCEPTED IF THE INDEPENDENT ACCOUNTANT'S REPORT IS CHANGED, except changes to comply with statements on Standards for Attestation Engagements, such as rendering a qualified opinion, etc.\***

**INDEPENDENT ACCOUNTANT'S REPORT**

We have examined the accuracy and completeness of amounts reported and management's assertions about (name of entity)'s \_\_\_\_\_ compliance with Public Act 251 of 1968 (Cemetery Regulation Act), as amended, and the rules promulgated thereunder; Public Act 87 of 1855 (Cemetery Corporations Act); Public Act 12 of 1869 (Rural Cemetery Corporations Act); and Section 7803 of Public Act 386 of 1998 (Estates and Protected Individuals Code) included in the accompanying 2021 Cemetery Annual Report for the period ending December 31, 2021. (Name of entity)'s \_\_\_\_\_ management is responsible for its assertion and the accuracy and completeness of the information presented. Our responsibility is to express an opinion on the accuracy and completeness of amounts reported and management's assertion about the Registrant's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the amounts reported and management's assertion are presented in accordance with the compliance requirements of Public Act 251 of 1968 (Cemetery Regulation Act), as amended, and the rules promulgated thereunder; Public Act 87 of 1855 (Cemetery Corporations Act); Public Act 12 of 1869 (Rural Cemetery Corporations Act); and Section 7803 of Public Act 386 of 1998 (Estates and Protected Individuals Code), in all material respects. An examination involves performing procedures to obtain evidence about the accuracy and completeness of amounts reported and compliance with these requirements. The nature, timing and extent of the procedures selected depend on our judgment, including an assessment of the risks of material misstatement of information reported in the 2021 Cemetery Annual Report, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

In our opinion, management's assertions and the accuracy and completeness of amounts reported in the accompanying 2021 Cemetery Annual Report of (name of entity) \_\_\_\_\_ for the period ending December 31, 2021, are presented in accordance with Public Act 251 of 1968 (Cemetery Regulation Act), as amended, and the rules promulgated thereunder; Public Act 87 of 1855 (Cemetery Corporations Act); Public Act 12 of 1869 (Rural Cemetery Corporations Act); and Section 7803 of Public Act 386 of 1998 (Estates and Protected Individuals Code), in all material respects.

**Note:** These assertions include the accuracy and completeness of the numbers and dollar amounts reported on the schedules included in the accompanying report.

**Note to CPA:** If you prepared the schedules, but you are not expressing an opinion on them do not complete this page; instead, identify yourself as the preparer on page 1.

CPA Signature	Date	
Type or Print CPA Name	CPA Michigan License Number	CPA's Email Address
CPA Firm Name	CPA Firm Michigan License Number	
Street Address	Telephone Number	
City	State	Zip Code

\*Reference: Statement on Standards for Attestation Engagements



**SCHEDULE A1 - RECONCILIATION OF THE ENDOWED CARE TRUST FUND**

Ending principal corpus at cost as of : (From schedule A2, line 27)	1) <u>      /      /      </u> (ending deposit period date)	2) \$ _____
Beginning principal corpus at cost as of: (From page 4, lines 1 and 2 of the 2020 report or from subsequent department audit report)	3) <u>      /      /      </u>	4) _____
Increase (Decrease) to trust. (line 2 - line 4)		5) \$ <u>_____</u>
<hr/>		
Deposits to trust.		6) \$ _____
Realized capital gains.		7) _____
Realized capital losses.		8a) _____
Trustee Fees and Costs paid from principal		8b) _____
Other increases (decreases). (Please describe): _____ _____		9) _____
Total increase (decrease) to trust (lines 6 + 7 - 8a - 8b + or - 9). This must match line 5 above.		10) \$ <u>_____</u>

Note: Trustee fees and costs may not be paid from trust income. Trustee may pay trust taxes on the income earned by the trust account from the income or capital gains of the trust.

Endowed Care Trustee Name 11)	Trust Agreement or Amendment Date 12)
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**SCHEDULE A2 - DETAIL FOR ENDOWED CARE ENDING PRINCIPAL CORPUS**

**DO NOT INCLUDE ASSETS WHICH ARE NOT IN THE NAME OF THE TRUST, WHICH ARE NOT SEPARATE AND APART FROM OTHER FUNDS, PROPERTY, OR SECURITIES OF THE CEMETERY, CEMETERY CORPORATION, ASSOCIATION OR TRUSTEE(S). DO NOT INCLUDE INCOME PORTION OF TRUST FUND.**

Assets	Purchase Cost or Ledger Value	Market Value
Stocks and Bonds	13) \$	14) \$
Real Estate	15)	16)
Savings Accounts	17)	18)
Certificates of Deposit	19)	20)
First Mortgages	21)	22)
Land Contracts	23)	24)
Other (Specify)	25)	26)
<b>TOTAL</b>	27) \$	28) \$

**SCHEDULE A3 - INVESTMENT PERFORMANCE AND FEE OFFSET ANALYSIS**

The purpose of this schedule is to determine the amount of realized capital losses and trustee fees the cemetery will not be held liable for in adherence with Section 456.536(4) of the Cemetery Regulation Act ("CRA"). The amount will be termed the "Investment Performance and Fee Offset" (IPF).

To qualify for an IPF, a cemetery must have an IPF Trustee which for reporting purposes is defined as a regulated financial institution with trust powers, where the cemetery does not reserve, retain, or otherwise exercise any power of direction of specific investments, reference Section 456.536(4) of the CRA. Also to qualify for this reporting period, a cemetery must have an IPF Trustee that obtained control of the trust corpus prior to January 1, 2022. Furthermore, to qualify for the fee offset, the trust agreement must specify that trustee fees and costs may be paid from trust principal and that the fees and costs were actually paid from principal.

Note that realized capital losses incurred during 2021 must still be entered on page 4 line 8a. Also note that trustee fees and costs paid from principal during 2021 must be entered on page 4 line 8b.

Date IPF Trustee obtained control of trust corpus (reference above for explanation)	1) _____
Operative date for reporting period	2) January 1, 2021
Cemetery IPF effective date (the more current of the dates posted to lines 1 and 2)	3) _____

**If the date on line 3 is after December 31, 2021 an IPF is not allowed this reporting period; enter 0 on lines 4 through 8.**

IPF allowed as of December 31, 2021	
Realized capital losses incurred from the date on line 3 through December 31, 2021	4) _____
Trustee fees and costs paid from principal from the date on line 3 through December 31, 2021	5) _____
2021 IPF incurred (line 4+5)	6) _____
2020 IPF from page 5, line 8 of the 2020 report or subsequent department audit report	7) _____
Total IPF (line 6+7, enter result on page 3, line 18 even if it is 0)	8) _____

**SCHEDULE A4 - ENDOWED CARE TRUST FUND TRANSFER ANALYSIS**

1. Has the total Endowed Care Trust Fund been transferred to an IPF Trustee (reference above) as of December 31, 2021. If the answer to question 1 is no, answer questions 2 and 3.  Yes  No

2. What is the total cost basis of assets not transferred to an IPF Trustee as of December 31, 2021  
\$ \_\_\_\_\_

3. List the current locations of where the funds are located, the cost basis of the funds held at each location, and who the Non-IPF Trustee is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As of the end of the reporting year, did the cemetery have any outstanding merchandise or service liabilities that were not relieved by the end of the month following the month of sale?

Yes  No. If no, skip to page 8, Schedule B3.



**SCHEDULE B2 - DETAIL OF MERCHANDISE TRUST AND ESCROW ASSETS**

**DO NOT INCLUDE ASSETS WHICH ARE NOT IN THE NAME OF THE TRUST; WHICH ARE NOT SEPARATE AND APART FROM OTHER FUNDS, PROPERTY, OR SECURITIES OF THE CEMETERY, CEMETERY CORPORATION, ASSOCIATION OR TRUSTEE(S).**

<b>Assets</b>	<b>Purchase Cost or Ledger Value</b>	<b>Market Value</b>
Stocks and Bonds	1) \$	2) \$
Real Estate	3)	4)
Savings Accounts	5)	6)
Certificates of Deposit	7)	8)
First Mortgages	9)	10)
Land Contracts	11)	12)
Other (Specify)	13)	14)
<b>TOTAL MERCHANDISE TRUST ASSETS</b>	15) \$	16) \$

Merchandise Trust Trustee Name 17)	Trust Agreement or Amendment Date 18)
Merchandise Escrow Trustee Name 19)	Trust Agreement or Amendment Date 20)

**SCHEDULE B3 - COMPLIANCE DISCLOSURES (To be completed by all cemeteries):**

1) Did the cemetery maintain a record of future obligations (list of liabilities) arising from sales of cemetery merchandise and services which include complete descriptions of the obligations and the costs of performing the obligations as of the end of the reported year?	<input type="checkbox"/> Yes <input type="checkbox"/> No-Attach page listing exceptions <input type="checkbox"/> Not Applicable
2) Did the cemetery maintain merchandise trust withdrawal records that include the names and contract numbers of the purchasers, descriptions of the merchandise and services, the amount withdrawn, and how the obligation was satisfied (i.e. installed, delivered, performed, terminated, canceled)?	<input type="checkbox"/> Yes <input type="checkbox"/> No-Attach page listing exceptions <input type="checkbox"/> Not Applicable
3) If a separate merchandise trust fund exists for pre-statutory sales, does the fund contain sufficient monies to meet the total current cost of the pre-statutory obligations or does the cemetery have a plan of action to fund the deficit?	<input type="checkbox"/> Yes <input type="checkbox"/> No-Attach page listing exceptions <input type="checkbox"/> Not Applicable
4) If vaults or markers are stored, are they inventoried and insured?	<input type="checkbox"/> Yes <input type="checkbox"/> No-Attach page listing exceptions <input type="checkbox"/> Not Applicable
5) Did the cemetery maintain a monthly accounting record which indicates separately all cash proceeds received from the sale of interment rights, burial vaults, grave memorials or cemetery services?	<input type="checkbox"/> Yes <input type="checkbox"/> No-Attach page listing exceptions
6) Did the cemetery maintain its records within the state of Michigan?	<input type="checkbox"/> Yes <input type="checkbox"/> No-Attach page listing exceptions
7) Are there any Mortgages, Liens, or Encumbrances on dedicated or non dedicated cemetery land, or buildings? If yes, submit complete details of the situation with the annual report.	<input type="checkbox"/> Yes <input type="checkbox"/> No
8) Have any of the trust assets been pledged, collateralized, or used as security in any way? If yes, submit complete details of the situation with the annual report.	<input type="checkbox"/> Yes <input type="checkbox"/> No
9) Have any of the trust assets been invested or used in such a manner that would benefit anyone or any entity besides the trusts exclusively? If yes, submit complete details of the situation with the annual report.	<input type="checkbox"/> Yes <input type="checkbox"/> No
10) Have any endowed care trust principal or capital gains been withdrawn? If yes, submit complete details of the situation with the annual report including any police reports that have been filed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11) Has any trust funds been absconded with or embezzled? If yes, submit complete details of the situation with the annual report including any police reports that have been filed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12) Has the cemetery sold any preneed services or merchandise after December 31, 2004, without having a Prepaid Funeral and Cemetery Sales Act registration? If yes, submit complete details of the situation with the annual report.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13) In the current reporting period, did the Endowment and Perpetual Care Trust Fund earn income (excluding net capital gains)? If yes, submit an itemized list of payments of income received, provide dates, amounts and source.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14) Did the cemetery utilize interest or dividends solely for the endowment care? For yes or no please submit a detailed inventory of what income was used for, giving dates, amounts and payees. Trust taxes may be paid from income.	<input type="checkbox"/> Yes <input type="checkbox"/> No
15) Did the cemetery evaluate the effectiveness of the internal controls required in Section 16(12)(d) of the CRA, MCL 456.536(12)(d) within the last 90 days? If yes, attach documentation evaluating the effectiveness of those internal controls; if no, attach an explanation and plan of action to comply with requirements giving a specific date for rectifying non compliance.	<input type="checkbox"/> Yes <input type="checkbox"/> No
16) Were any trustee fees and costs paid from something other than the principal of the Endowed Care Trust Fund? If yes, how much and from what source?  _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
17) Do the cemetery's sales agreements stipulate that the purchaser of entombment/inurnment rights in an incomplete structure is entitled to a refund of the purchase price plus interest (calculated at the rate of 4% per annum) if the structure is not completed within 4 years after the date of the first sale of an entombment/inurnment right in the proposed structure?	Yes No



**SUBSEQUENT COMPLIANCE AND/OR CORRECTIVE ACTION**

**NOTE:** If a trust shortage exists in any trust account, as reflected on pages 3 or 6, items 1 and 2 on this page must be completed.

1) Detail any corrective action taken subsequent to the reporting period for any deficiencies noted in this report.

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2) Detail a corrective action plan for any remaining deficiencies noted in this report.

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**CEMETERY OFFICIAL SIGNATURE**

(NOTE: This report will not be accepted without a signature)

**We declare we have reviewed the report and all pertinent information has been provided and included to give complete and accurate accounts of the cemetery and trust assets. In our opinion, assertions included in this 2021 cemetery report are fairly stated in all material respects and are accurate, complete and true to the best of our knowledge and belief.**

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Signature of Owner, Managing Member, Director, or Officer of Cemetery

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Date

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Type or Print Name of Owner, Managing Member, Director or Officer of Cemetery

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Signature of Owner, Managing Member, Director, or Officer of Cemetery

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Date

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Type or Print Name of Owner, Managing Member, Director or Officer of Cemetery

**Please Note: This report is due June 30, 2022**

## CEMETERY ANNUAL REPORT EXTENSION REQUEST

AUTHORITY: 1968 PA 251

PENALTY: If an extension is not requested and the report is not submitted, the licensee may be in violation of the Cemetery Regulation Act. Possible fines and sanctions may apply.

**Note:** If an extension request is submitted, the entire form must be completed, including Licensee Information. The request must be received by the Cemetery Commissioner no later than June 15, 2022.

I/We are requesting a \_\_\_\_\_ day extension for submitting the 20 \_\_\_\_\_ Cemetery Annual Report for \_\_\_\_\_

Signature	Date
Type or Print Name	Position Held

**LICENSEE INFORMATION (THIS SECTION MUST BE COMPLETED)**

Name of Cemetery	Michigan License Number 22-01	
Mailing Address		
City	State	ZIP Code
Contact Person	Telephone Number	

The Cemetery Annual Report is due June 30, 2022. However, an extension may be requested. One extension may be granted, for not more than 90 days, upon approval by the Cemetery Commissioner. All requests must be in writing and must be received by the Cemetery Commissioner no later than June 15, 2022. A letter will be sent to the licensee in reply.

Please send your request for the extension to the following address:

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

In the event you have questions, please call (517) 241-8070.