



## APPLICATION FOR CHANGE OF PRINCIPAL INSTRUCTIONS

OAR 830-040-0040 provides that all facility applications shall specify the real and true names of the person(s) who own or have an interest in the licensed facility, including percentages of ownership. Applications must also specify the names of all principals.\* If the principal is a corporation, the application shall include the names of all principals of that corporation. OAR 830-040-0000 (4). However, the Board does not require principal information of any corporation above Organization Level 2.

When there is a change in any principal of the licensed facility, the licensee shall provide the Board with the name of the new principal on an Application for a Change of Principal form, with a completed Background Information Questionnaire (see footnote on Page 1 for exception). OAR 830-011-0050 (1) provides that all principals of licensed facilities must submit to a background investigation.

OAR 830-030-0000(9) provides that the Board may authorize a funeral service practitioner (FSP) to manage more than one funeral establishment (FE) or immediate disposition company (IDC) when the Board, in its sole discretion, determines that the management of more than one FE or IDC by a single FSP is in the public interest. A request by an FSP to manage more than one FE or IDC (not co-located) shall be in writing and shall describe the basis for the request. Board approval shall be in writing.

The Board may deny, suspend or refuse to issue or renew a facility license based upon adverse conditions related to any manager or other principal of the facility.

\* **Principal** means those persons who have controlling authority over the licensed facility, including but not limited to:

- (a) Managers or other persons who have decision-making authority and whose primary duties include control over the operation of the licensed facility;
- (b) Officers or directors who have some degree of responsibility for the operation of the licensed facility;
- (c) Stock holders or corporations who own or control ten percent or more of the licensed facility by owning or controlling ten percent or more of the voting stock; and
- (d) Partners.

### **Fees:**

The application fee for each change of principal is \$50.00. However, any operating cemetery that has twenty or fewer interments in the first two years of the three years preceding the renewal date is not required to pay the renewal fee or the fee for any change in principal other than the cemetery manager. If the new principal is the proposed manager, a \$25 facility license reissue fee is required in either case.

As a matter of policy, the Board does not charge change of principal fees or conduct background investigations on the principals of publicly owned cemeteries, i.e., municipal, county or special tax district cemeteries. However, the Board must be notified upon any change of manager or other principal. If your local government does not conduct background checks, you may request that the Board conduct a background check on the manager or any other principal of this publicly owned cemetery (except elected officials).

Forms are available upon request or on the website: [www.oregon.gov/MortCem](http://www.oregon.gov/MortCem)