CERTIFIED MAIL: 7003-2260-0001-3347-2989

Notice of Proposed Denial of Application

STATE MORTUARY AND CEMETERY BOARD
STATE OF OREGON

In the Matter of the Preneed Salesperson Registration Application of **Patricia Chamberlan,** **APPLICANT**		Notice of Proposed Denial of Application And Opportunity for a Hearing **CASE NO. 07-1004**

Pursuant to ORS 692.180 the Oregon Mortuary & Cemetery Board proposes to deny your application for a Preneed Salesperson Registration on the grounds noted below.

Grounds for Application Denial:

1. On January 26, 2007, the Oregon Mortuary & Cemetery Board (the "Board") received Patricia M. Chamberlan's (Applicant's) completed Application for a Preneed Salesperson Registration (the "Application").

2. The Application's Background Information section, Question #3, asks Applicant, "Have you ever been arrested, charged or cited for anything other than traffic violations?" Applicant wrote "No." The Application states, "If yes, Applicant must provide a detailed, complete and accurate written account of the facts and circumstances of each arrest or cite (include any dismissals)."

3. The Application's Background Information section, Question #4, asks Applicant, "Have you ever been convicted of a crime: felony or misdemeanor offense?" Applicant wrote "No." If yes, Applicant was to list the conviction(s) and provide a written, detailed, complete and accurate account of all the facts and circumstances of each crime which led to conviction(s).

4. On April 5, 1988, Applicant received a citation for the Class A misdemeanor crime of ORS 162.385 (1987) "Giving False Name to Police Officer," in Coos County, Oregon.

5. On May 16, 1988, Applicant appeared at the arraignment hearing at Coos County Oregon Circuit Court in Coquille, Oregon, waived her right to an attorney, pled guilty to the crime of Giving False Information to a Police Officer, and signed the Judgment Order in Coos County Circuit Court Case No. 88CR-0750 to pay $50.00 and accept probation for a period of one year.

6. Therefore, in her Application to the Board, Applicant failed to disclose the 1988 citation, and Applicant failed to disclose the 1988 conviction, for the Class A misdemeanor crime of "Giving False Information to Peace Officer."

7. The foregoing two misrepresentations on an Application are cause for refusal to grant a license under ORS 97.931(2), (3)(a), ORS 692.180(1)(a), ORS 692.180(1)(g) and OAR 830-050-0050(2).

8. Definitions that may be relevant to this notice are listed in ORS 97.923, ORS 692.010 and OAR 830-011-0000.

Rights and Procedures

You are entitled to a hearing as provided by the Administrative Procedures Act (ORS Chapter 183) and ORS 692.265(1). If you want a hearing, you must file a written request for hearing with the Oregon Mortuary & Cemetery Board (the "Board") at 800 NE Oregon Street, Portland, OR 97232, within 60 days from the date this notice was mailed. If a request for hearing is not received within this 60-day period, your right to a hearing shall be considered waived.

If you request a hearing, you will be notified of the time and place of the hearing. You may be represented by legal counsel at a hearing. A Notice of

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Contested Case Rights and Procedures is enclosed with this Notice of Proposed Denial of Application. If you do not request a hearing within 60 days, or if you withdraw a hearing request, notify the Board or hearing officer that you will not appear or fail to appear at a scheduled hearing, the Board may issue a final order by default denying your Application. If the Board issues a final order by default, it designates its file on this matter as the record.

DATED this 9th day of April, 2007.

STATE MORTUARY AND CEMETERY BOARD

Lynne Nelson

Designee: Lynne Nelson, Compliance Manager