

State Mortuary and Cemetery Board

State of Oregon

<p>In the Matter of the Preneed Salesperson Registration Certificate Renewal Application of DOROTHY S. CRAIG</p> <p>Certificate Holder</p>	<p>FINAL ORDER of SUSPENSION ON DEFAULT</p> <p>Case No. 10-1006</p>
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The Oregon Mortuary and Cemetery Board is the state agency responsible for the licensing of various persons and entities in the death care industry including Preneed Salespersons. OAR 830-011-0080(2), ORS 97.931(3) and ORS 692.180(1)(g). On March 3, 2010, the Board properly served a Notice of intent to refuse to renew and suspend a Preneed Salesperson Registration Certificate on Dorothy S. Craig (Certificate Holder) which provided the opportunity to request a hearing. The Notice was mailed certified to the mailing address provided by the Certificate Holder; it was returned as unclaimed and unable to forward. The Notice designated the board's file on this matter as the record for purposes of default. The Certificate Holder did not request a hearing.

FINDINGS OF FACT

1. At all relevant times, Certificate Holder held a Preneed Salesperson Registration Certificate.
2. In order to maintain a current registration certificate, the Certificate Holder was required to submit a renewal application before March 1, 2010. On January 22, 2010, Certificate Holder submitted a renewal application for her Preneed Salesperson Registration Certificate.
3. The Board is participating in a pilot project with the Oregon Department of Revenue (DOR) under which it may refuse to suspend, revoke, or refuse to renew an

occupational or professional license when DOR notifies the Board that it has determined that the licensee is not in compliance with Oregon tax laws.

4. On December 31, 2009, DOR notified the Board that the Certificate Holder is not in tax compliance.

5. On or about February 8, 2010, the Board sent Certificate Holder a letter acknowledging receipt of the Renewal Application, and advising Certificate Holder that the Board would issue a Notice proposing denial of her renewal Application if the Certificate Holder did not come into tax compliance before the deadline for renewal.

6. To date, the Board has not received notice from the Department of Revenue that the Certificate Holder is in compliance with Oregon tax law.

ULTIMATE FINDING OF FACT

The Certificate Holder is not in compliance with Oregon tax law.

CONCLUSION OF LAW

The Board may suspend the Certificate Holder's Preneed Salesperson Registration Certificate for failure to maintain tax compliance pursuant to Sections 2, 3 and 4 of Or Laws 2009 c. 576 and ORS 305.385(4).

ORDER

1. The Preneed Salesperson Registration Certificate of Dorothy S. Craig is hereby suspended until March 1, 2012. Dorothy S. Craig is not authorized to practice as a Preneed Salesperson during the period of suspension.

2. If the Department of Revenue notifies the Board that Dorothy S. Craig is in compliance with Oregon tax law before March 1, 2012, the Board may, in its sole discretion, terminate the suspension period and restore the Preneed Salesperson Registration Certificate of Dorothy S. Craig to active status.

DATED this __19th__ day of April, 2010

MORTUARY AND CEMETERY BOARD
OF THE STATE OF OREGON

By: _<s> Michelle Gaines _____
Michelle Gaines, Executive Director

NOTICE OF APPEAL RIGHTS

You have the right to appeal this order to the Oregon Court of Appeals pursuant to ORS 183.482. To appeal you must file a petition for judicial review with the Oregon Court of Appeals within sixty days from the date of service of this order.

CERTIFICATE OF SERVICE

I hereby certify that on April__21st__, 2010, I mailed a copy of the foregoing order by First Class United States Mail to the following:

Dorothy S. Craig
4808 SE Rex Drive
Portland OR 97206

_<s> Lynne Nelson _____
Lynne Nelson
Compliance Manager