

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA
BOARD OF FUNERAL SERVICE
CASE NOS. M24-0039 / M24-0040 /
M25-0014 / M25-0015

In the matter of:

Alan Dale Parker d/b/a Bostic-Kendrick Funeral
Home and Alan Dale Parker d/b/a R.C. Bostic &
Son Funeral Services,

Respondents.

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CONSENT ORDER

THIS CAUSE comes before the North Carolina Board of Funeral Service (the "Board") at its offices at 1033 Wade Avenue in Raleigh, North Carolina, with a quorum present. The Board and Respondents stipulate and agree to the entry of the following Consent Order:

FINDINGS OF FACT

1. Respondent Alan Dale Parker d/b/a Bostic-Kendrick Funeral Home (hereinafter "Respondent Bostic-Kendrick"), is licensed by the Board as Funeral Establishment Permit No. 1096 and Preneed Establishment Permit No. 1091 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code. Respondent Bostic-Kendrick is located in Southern Pines, North Carolina.
2. Respondent Alan Dale Parker d/b/a R. C. Bostic & Son Funeral Services (hereinafter "Respondent R. C. Bostic," and collectively with Respondent Bostic-Kendrick, "Respondents"), is licensed by the Board as Funeral Establishment Permit No. 1095 and Preneed Establishment Permit No. 1090 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code. Respondent R. C. Bostic is located in Candor, North Carolina.
3. Respondents are under the common ownership of Alan Dale Parker, who holds Funeral Service Licensee No. 1879 issued by the Board. Mr. Parker currently serves as the licensed manager of Respondents.
4. Respondents received their respective preneed funeral establishment permits in May 2023.

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5. N.C. Gen. Stat. § 90-210.67(b) provides that “a funeral establishment receiving a new preneed establishment license . . . shall obtain a surety bond in an amount not less than fifty thousand dollars (\$50,000) for a period of at least two years; provided, however, that the Board, in its discretion, may require the term of the surety bond to be for five years.”
6. N.C. Gen. Stat. § 90-210.67(b) further provides that “upon demonstrating to the satisfaction of the Board that the funeral establishment is solvent, the Board may reduce the bond term to a period of no less than one year from the date the original license is issued.”
7. 21 NCAC 34D .0203 sets forth the procedure by which a preneed funeral establishment may petition the Board to repeal the bonding requirement one year after obtaining the bond. Such petition must include a balance sheet prepared by a certified public accountant, as well as notarized certification that the preneed funeral establishment is solvent, has no unsatisfied civil judgments against it, and has not paid a claim on a bond.
8. On or about July 30, 2024, Board staff received notification that the preneed surety bonds for Respondents, as required under N.C. Gen. Stat. § 90-210.67(b), were set to lapse on August 28, 2024.
9. On July 30, 2024, Board staff sent Respondents by email and by US Mail notification correspondence, advising Respondents of the bonding requirements under N.C. Gen. Stat. § 90-210.67(b) and reminding Respondents of the requirement that they maintain preneed surety bonds until May 15, 2025.
10. On or about September 10, 2024, Board staff obtained evidence tending to show that Mr. Parker had suffered a medical condition impairing his ability to engage in funeral service.
11. On November 22, 2024, the Board issued a Notice of Hearing regarding Board case numbers M24-0039 and M24-0040.
12. On January 15, 2025, the Board held a hearing to receive testimony and evidence regarding the alleged violations. The Board ruled to hold the matter open so that Board staff may fully review the exhibits submitted during the hearing to determine if Respondents rectified the alleged deficiencies.

13. At the hearing on January 15, 2025, Respondents presented documentation to show that a preneed bond was purchased for Preneed Establishment Permit Nos. 1090 and 1091 on or about December 19, 2024.
14. As set forth above, Respondents allowed a lapse in their preneed bond coverage required for Preneed Establishment Permit Nos. 1090 and 1091 for a period of approximately four (4) months.

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15. On or about February 17, 2025, Board Inspector Karen Davis-Brunson (“Inspector Davis-Brunson”), conducted an examination of Respondent Bostic-Kendrick’s trust and insurance-funded preneed contracts and records, pursuant to N.C. Gen. Stat. §§ 90-210.23 and 90-210.68(a).
16. During the examination, Inspector Davis-Brunson found evidence tending to show the Respondent Bostic-Kendrick had failed to maintain a compliant preneed receipt journal, book or the equivalent, in violation of N.C. Gen. Stat. § 90-210.68(a) and NCAC 34D .301(c)(2).
17. Respondent Bostic-Kendrick previously received written counseling from Board staff on its need to maintain a preneed receipt book following Mr. Parker’s inability to locate a preneed receipt journal, book, or the equivalent during a 2023 examination of Respondent Bostic-Kendrick’s trust and insurance-funded preneed contracts and records.
18. On or about February 17, 2025, Board Inspector Karen Davis-Brunson (“Inspector Davis-Brunson”), conducted an inspection of the Respondent R. C. Bostic’s funeral establishment, pursuant to N.C. Gen. Stat. § 90-210.23.
19. During the inspection, Inspector Davis-Brunson found evidence tending to show the Respondent R. C. Bostic had failed to maintain a refrigeration system capable of storing at least three (3) adult human bodies, each measuring up to seven feet in length and three hundred pounds in weight, in the holding facility, in violation of NCAC 34B .0707(a)(1).
20. On or about February 17, 2025, Board Inspector Karen Davis-Brunson (“Inspector Davis-Brunson”), conducted an examination of Respondent R. C. Bostic’s trust and insurance-funded preneed contracts and records, pursuant to N.C. Gen. Stat. §§ 90-210.23 and 90-210.68(a).
21. During the examination, Inspector Davis-Brunson found evidence tending to show the Respondent R. C. Bostic had failed to maintain a compliant preneed receipt

- journal, book or the equivalent, in violation of N.C. Gen. Stat. § 90-210.68(a) and NCAC 34D .301(c)(2).
22. Respondent R. C. Bostic previously received written counseling from Board staff on its need to maintain a preneed book following Mr. Parker's inability to locate a preneed receipt journal, book, or the equivalent during a 2023 examination of Respondent R. C. Bostic's trust and insurance-funded preneed contracts and records.
23. During the examination, Inspector Davis-Brunson found evidence tending to show the Respondent R. C. Bostic failed to submit to the Board within ten (10) days of payment certificates of performance for the now deceased Nettie Copeland (NCBFS # 649764), in violation of N.C. Gen. Stat. § 90-210.68(a), and NCAC 34D .0303(b). To date, upon information and belief, Respondent R. C. Bostic has not submitted the late certificate of performance to the Board, nor has paid the attendant late filing fee to the Board.
24. To date, Respondents have not filed with the Board their complete and accurate 2024 preneed annual reports, which were due to the Board on or before March 31, 2025, in accordance with N.C. Gen. Stat. § 90-210.67(d1).

BASED upon the foregoing, the Board makes the following:

CONCLUSIONS OF LAW

1. The acts and omissions of Respondents described in Paragraphs 1-24 constitute a violation of N.C. Gen. Stat. § 90-210.67(b), which requires a preneed funeral establishment to maintain a preneed surety bond for the first two years of licensure, unless such bond term is otherwise reduced by the Board.
2. The acts and omissions of Respondents described in Paragraphs 1-24 constitute a violation of NCAC 34B .0707(a)(1), which requires a funeral establishment to have refrigeration systems capable of storing at least three (3) adult human bodies.
3. The acts and omissions of Respondents described in Paragraphs 1-24 constitute a violation of N.C. Gen. Stat. § 90-210.68(a) and NCAC 34D .301(c)(2), which requires a preneed establishment to maintain an individual ledger for each contract purchaser showing the purchaser's and beneficiary's names, amount of the contract, amount paid on the contract, amount retained free of trust, deposits to trust, withdrawals from trust as permitted by law and the reasons therefor, interest on deposits, total amount of the trust, and amounts paid to insurance companies for insurance-funded contracts.

4. The acts and omissions of Respondents described in Paragraphs 1-24 constitute a violation of N.C. Gen. Stat. § 90-210.68(a) and NCAC 34D .0303(b), which requires a funeral establishment to submit to the Board a certificate of performance within ten (10) days of payment.
5. The acts and omissions of the 2025 Respondents described in Paragraphs 1-24 violate N.C. Gen. Stat. §§ 90-210.25(e)(1)j and 90-210.69(c)(6), which prohibits violating or cooperating with others to violate the laws, rules and regulations of the Board, or the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984), as amended from time to time.
6. The acts and omissions of Respondents described in Paragraphs 1-24 constitute a failure to accurately complete and submit to the Board their 2024 preneed annual reports, in violation of N.C. Gen. Stat. § 90-210.67(d1).
7. Pursuant to N.C. Gen. Stat. § 90-210.25(d)(4), the Board has the authority to revoke, suspend, or refuse to issue or renew the funeral establishment permit of Respondent Bostic-Kendrick, to place Respondent Bostic-Kendrick on probation, and to assess a civil penalty not to exceed \$5,000.00.
8. Pursuant to N.C. Gen. Stat. § 90-210.69(c) The Board has the authority to revoke, suspend, or refuse to issue or renew the preneed establishment permit and all ancillary preneed sales licenses of Respondent Bostic-Kendrick, or to place Respondent Bostic-Kendrick on probation, and to assess a civil penalty not to exceed \$5,000.00.
9. Pursuant to N.C. Gen. Stat. § 90-210.25(d)(4), the Board has the authority to revoke, suspend, or refuse to issue or renew the funeral establishment permit of Respondent R. C. Bostic, to place Respondent R. C. Bostic on probation, and to assess a civil penalty not to exceed \$5,000.00.
10. Pursuant to N.C. Gen. Stat. § 90-210.69(c), the Board has the authority to revoke, suspend, or refuse to issue or renew the preneed establishment permit and all ancillary preneed sales licenses of Respondent R. C. Bostic, or to place Respondent R. C. Bostic on probation, and to assess a civil penalty not to exceed \$5,000.00.

BASED upon the foregoing Findings of Fact and Conclusions of Law, and in lieu of further proceedings, Respondents wish to resolve this matter by consent and agree that Board staff and counsel may discuss this Consent Order with the Board *ex parte* whether or not the Board accepts this Consent Order as written.

Whereas Respondents acknowledge that they have read this entire document and understand it;

Whereas Respondents acknowledge that they enter into this Consent Order freely and voluntarily;

Whereas Respondents acknowledge that they have had full and adequate opportunity to confer with legal counsel in connection with this matter;

Whereas Respondents understand that this Consent Order must be presented to the Board for approval and that Respondents hereby waive any argument that any Board members considering this Consent Order are disqualified from participating in a hearing of this matter; and

Whereas the Board has determined that the public interest is served by resolving this matter as set forth below.

THEREFORE, with the consent of Respondents, it is ORDERED that:

1. The preneed permits of Respondents are hereby suspended for a period of three (3) years; provided, however, that such suspension shall be stayed on the following terms and conditions:
 - a. Respondents shall immediately procure, use and maintain a preneed receipt journal, book, or the equivalent for recording all preneed funds collected from consumers;
 - b. Within fifteen (15) days, Respondents shall file their respective 2024 preneed annual reports with the Board and pay Three Hundred Dollars (\$300.00) in late fees, pursuant to N.C Gen. Stat. § 90-210.67(d1);
 - c. Within fifteen (15) days, Respondent R. C. Bostic shall file with the Board the certificate of performance for Nettie Copeland (NCBFS # 649764) and pay Twenty-Five Dollars (\$25.00) in late fees; and
 - d. On or before December 31, 2025, Respondents shall pay a compromise penalty of One Thousand Dollars (\$1,000.00) to the Civil Penalty and Forfeiture Fund in accordance with Article 31A of Chapter 115C of the North Carolina General Statutes.
2. The establishment permits of Respondents are hereby suspended for a period of three (3) years, provided, however, that said suspension is stayed on the following terms and conditions:

- a. Within thirty (30) days, Respondent shall submit to the Board proof that its refrigeration arrangements for dead human bodies comply with 21 NCAC 34B .0707.
3. Failure of Respondents to comply with the terms and conditions set forth in Paragraph 1 and 2 above shall result in the immediate lifting of the stay of the suspension for their respective permits.
4. The Board shall retain jurisdiction under Article 3A, Chapter 150B for all administrative hearings held in connection with or pursuant to this Consent Order. If the Board receives evidence that Respondents have violated any term of this Consent Order or any other law or rule enforced by the Board, the Board shall schedule a show cause hearing for a determination of the violations. If the Board determines that a violation has occurred, the Board may impose such disciplinary action as it determines is appropriate and is authorized by law.
5. This Consent Order shall take effect immediately upon its execution by all parties and reflects the entire agreement between Respondents and the Board, there being no agreement of any kind, verbal or otherwise, which varies, alters, or modifies this Consent Order.
6. No modification or waiver of any provision of this Consent Order shall be effective unless it is in writing, adopted and approved by the Board, and signed by the parties affected.
7. Both the Board and Respondents participated in the drafting of this Consent Order. Any ambiguities herein shall not be construed against either party in any future civil or administrative proceeding.
8. Respondents hereby waive any requirement under any law or rule that this Consent Order be served upon them.
9. Upon its execution by the Board and Respondents, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof.

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North Carolina Board of Funeral Service

In the matter of: Alan Dale Parker d/b/a Bostic-Kendrick Funeral Home and Alan Dale Parker d/b/a R. C. Bostic & Son Funeral Services

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Consent Order

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CONSENTED TO:

Alan Dale Parker d/b/a Bostic-Kendrick Funeral Home

By: Alan Parker Date: 9/25/2025
Alan Dale Parker

Alan Dale Parker d/b/a R. C. Bostic & Son Funeral Services

By: Alan Parker Date: 9/25/2025
Alan Dale Parker

By Order of the North Carolina Board of Funeral Service, this the 8 day of October, 2025.

By:

Thomas Hilderbrand

Thomas Hilderbrand
Board President