

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA  
BOARD OF FUNERAL SERVICE  
CASE NOS. C18-0008, M17-0026

In the matter of: )

Tribute Cremation Society, LLC, )  
Brian Michael Van Heck, )  
and Gregory Parker Leonard. )

**CONSENT ORDER**

Respondents. )

THIS CAUSE, coming before the North Carolina Board of Funeral Service (hereinafter the "Board") at its offices at 1033 Wade Avenue, Suite 108, Raleigh, North Carolina 27605, with a quorum present, the Board and Respondent Van Heck stipulates and agrees to entry of the following Consent Order:

1. Tribute Cremation Society, LLC (hereinafter "Respondent Funeral Home") is a corporation registered in North Carolina and is licensed by the Board as Funeral Establishment No. 812 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code and the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984).
2. Brian Michael Van Heck ("Respondent Van Heck") is licensed by the Board as Funeral Service No. 3037 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code and the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984).
3. Respondent Van Heck was the licensed manager of Respondent Funeral Home from approximately September 1, 2017 until May 1, 2018, except during a leave of absence that occurred from approximately December 5, 2017 through February 5, 2018.
4. Gregory Parker Leonard (hereinafter "Respondent Leonard") is licensed as Funeral Director No. 3664 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code and the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984).
5. Respondent Leonard was the licensed manager of Respondent Funeral Home between approximately September 24, 2014 and August 30, 2017.

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6. On or about September 13, 2017, Board Inspectors Brett Lisenbee (hereinafter "Inspector Lisenbee") and Karen Davis (hereinafter "Inspector Davis") conducted a

Funeral Establishment Inspection (hereinafter "2017 Inspection") of Respondent Funeral Home.

7. During the 2017 Inspection, Respondent Funeral Home indicated to Inspector Lisenbee that Respondent Funeral Home had handled approximately eighteen (18) cremations for Crown Memorial Park ("Crown") between 2015 and 2017, during which time Crown was not licensed to provide funeral services in North Carolina.
8. During the 2017 Inspection, Respondent Funeral Home acknowledged to Inspector Lisenbee that they were aware of a warning letter that the Board had sent crematories in June 2016, advising licensees to be aware that "that aiding or abetting a person who is not licensed by this Board to perform funeral services in North Carolina is grounds under which the Board may take disciplinary action against a licensee."
9. On September 14, 2017, Inspector Lisenbee reviewed files located at Respondent Funeral Home containing records for the following decedents, for whom Respondent Funeral Home had conducted cremations on behalf of Crown:
  - a. [REDACTED] (date of death July 20, 2017)
  - b. [REDACTED] (date of death September 5, 2017)
  - c. [REDACTED] (date of death May 16, 2017)
  - d. [REDACTED] (date of death August 13, 2015)
  - e. [REDACTED] (date of death August 13, 2015)
  - f. [REDACTED] (date of death July 1, 2015)
  - g. [REDACTED] (date of death February 6, 2017)
  - h. [REDACTED] (date of death June 6, 2015)
  - i. [REDACTED] (date of death February 13, 2016)
  - j. [REDACTED] (date of death January 11, 2017)
  - k. [REDACTED] (date of death February 6, 2017)
  - l. [REDACTED] (date of death June 17, 2015)
  - m. [REDACTED] (date of death June 6, 2016)
  - n. [REDACTED] (date of death September 9, 2015)
  - o. [REDACTED] (date of death June 27, 2016)
  - p. [REDACTED] (date of death December 5, 2015)
  - q. [REDACTED] (date of death April 3, 2016)
  - r. [REDACTED] (date of death February 2, 2017)

10. In his review of the file for [REDACTED], Inspector Lisenbee determined that:
  - a. Respondent Funeral Home's "First Call Information" form indicates that [REDACTED] death call was received by Respondent Funeral Home from "Nicole [at] Crown," later determined to be Crown staff member, Nicole Bonham.
  - b. Board Form BFS-56G ("Form 56G") within Respondent Funeral Home's files makes reference to the cremation being performed on behalf of Crown.

- c. The statement of funeral goods and services selected ("SFGSS") showing professional services selected as "Crown Memorial Park Cremation" was not signed by a funeral director or funeral service licensee of the Board, per N.C. Gen. Stat. 90-210.25(e).
- d. Financial records indicate Crown was billed and remitted payment for Five Hundred Five Dollars (\$505.00) by Respondent Funeral Home in the form of Check No. 20648, on or about Aug. 1, 2017, for services rendered by Respondent Funeral Home for [REDACTED].
- e. Board Staff received a consumer complaint dated April 22, 2017 and jointly filed by [REDACTED] and his wife, [REDACTED] alleging that each complainant had prepaid for direct cremation with Crown.

11. In his review of the file for [REDACTED] Inspector Lisenbee determined that:

- a. The file contained no SFGSS signed by a funeral director or funeral service licensee of the Board, per N.C. Gen. Stat. 90-210.25(e).
- b. The cremation authorization form obtained from Respondent Funeral Home lacked multiple required items including:
  - i. The time and date of death of the decedent, per N.C. Gen. Stat. § 90-210.125(a)(2).
  - ii. The address of the authorizing agent, per N.C. Gen. Stat. § 90-210.125(a)(5).
  - iii. The signature of the funeral director that received the cremation authorization form, per N.C. Gen. Stat. § 90-210.125(a)(14).

12. In his review of the file for [REDACTED] Inspector Lisenbee determined that:

- a. Form 56G within Respondent Funeral Home's files makes reference to the cremation being performed on behalf of Crown.
- b. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral service licensee or funeral director, per N.C. Gen. Stat. § 90-210.25(e).
- c. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by check, on or about May 26, 2017, for services rendered by Respondent Funeral Home to [REDACTED].

13. In his review of the file for [REDACTED], Inspector Lisenbee determined that:

- a. Respondent Funeral Home's arrangement form indicates the death call for [REDACTED] was handled on behalf of Crown.
  - b. Form 56G in Respondent Funeral Home's files references an urn for [REDACTED] being provided by Crown.
  - c. At least three (3) SFGSS were completed as follows:
    - i. At-need merchandise billed to [REDACTED].
    - ii. Professional services selected as "Crown Cremation" billed to Crown.
    - iii. A SFGSS reflecting the total charges of the funeral goods and services provided by Respondent Funeral Home.
  - d. The SFGSS(s) were not signed by a funeral director or funeral service licensee, per N.C. Gen. Stat. 90-210.25(e).
  - e. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 20048, on or about April 22, 2016, for services rendered to [REDACTED].
  - f. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).
14. In his review of the file for [REDACTED] Inspector Lisenbee determined that:
- a. The initial death call regarding [REDACTED] was received by Respondent Funeral Home from "Bob [at] Crown."
  - b. Form 56G makes reference the cremation being performed on behalf of Crown.
  - c. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).
  - d. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 19711, on or about Aug. 28, 2015, for services rendered by Respondent Funeral Home to [REDACTED].
15. In his review of the file for [REDACTED] Inspector Lisenbee determined that:
- a. Respondent Funeral Home's arrangement form indicates that the death call was handled on behalf of Crown.

- b. Form 56G in Respondent Funeral Home's files indicates that the cremation was performed on behalf of Crown.
- c. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.25(c).
- d. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Twenty-Five Dollars (\$525.00) by check, on or about July 13, 2015, for services rendered by Respondent Funeral Home to [REDACTED].

16. In his review of the file for [REDACTED], Inspector Lisenbee determined that:

- a. The First Call indicates that the death call was received from "Nicole [at] Crown."
- b. Form 56G in Respondent Funeral Home's files references the cremation being performed on behalf of Crown.
- c. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).
- d. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check Nos. 20423 and 20426 on or about Feb. 10 and 16, 2017, respectively, for services rendered by Respondent Funeral Home for [REDACTED].
- e. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).

17. In his review of the file for [REDACTED], Inspector Lisenbee determined that:

- a. Respondent Funeral Home's arrangement form indicates that the death call for [REDACTED] was handled on behalf of Crown.
- b. Form 56G references the cremation being performed on behalf of Crown.
- c. Board Form BFS-56D ("Form 56D") indicates that the cremated remains were returned to Mr. Robert Hand, acting in his capacity as a representative of Crown, at Respondent Funeral Home's facility.
- d. The file contained no SFGSS signed by a funeral director or funeral service licensee of the Board, per N.C. Gen. Stat. 90-210.25(e).

- e. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Seven Hundred Fifty-Five Dollars (\$755.00) by Check No. 19616, on or about June 24, 2015, for services rendered by Respondent Funeral Home to [REDACTED]
- f. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).

18. In his review of the file for [REDACTED], Inspector Lisenbee determined that:

- a. The file contained what appears to be a note left for Crown by a family member of [REDACTED] intended to be read by the person(s) removing the decedent from the place of death. It reads as follows:

*Hello Crown Funeral Service – I would like to thank you in advance for the gentle care [and] respect you will treat my beloved aunt with. Although she was 93 [years old], her death was unexpected, and we, her family, will greatly miss her. We are concerned that we couldn't remove her wedding ring. We will be in touch tomorrow, [Feb. 13], to talk about that. ~ [REDACTED] [phone number redacted]*

- b. Respondent Funeral Home's arrangement sheet indicates that the death call for [REDACTED] was handled on behalf of Crown.
- c. Form 56G references that the cremation was performed on behalf of Crown.
- d. The SFGSS shows professional services selected as "Crown Cremation."
- e. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Fifty-Five Dollars (\$555.00) by Check No. 19976, on or about Feb. 22, 2016, for services rendered to [REDACTED]
- f. The cremation authorization form lacks the address of the authorizing agent, per N.C. Gen. Stat. § 90-210.125(a)(5).
- g. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).

19. In his review of the file for [REDACTED] Inspector Lisenbee determined:

- a. Respondent Funeral Home's arrangement sheet indicates that the death call was handled on behalf of Crown.

- b. The Release of Body form from Novant Health – Presbyterian lists Crown as the “Funeral Home or Crematory” named to take possession of the decedent’s remains.
- c. Form 56G in Respondent Funeral Home’s files references that the cremation was performed on behalf of Crown.
- d. The SFGSS showing professional services selected as “Crown Cremation” was not signed by a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).
- e. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 20375, on or about Jan. 24, 2017, for services rendered to [REDACTED]
- f. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).

20. In his review of the files for [REDACTED], Inspector Lisenbee determined:

- a. The Release of Body form from Novant Health – Harris Hospice lists Crown as the “Funeral Home or Crematory” named to take possession of the decedent’s remains.
- b. On [REDACTED] patient chart dated Feb. 6, 2017, Crown is named as the funeral home / cremation service that was notified of the death by hospice staff.
- c. Respondent Funeral Home’s First Call indicates that the death call was received from “Nicole from Crown.”
- d. Respondent Funeral Home’s arrangement sheet indicates that the death call was handled on behalf of Crown.
- e. Respondent Funeral Home’s Form 56G indicates the cremation was performed on behalf of Crown.
- f. The SFGSS showing professional services selected as “Crown Cremation” was not signed by a funeral director or a funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).
- g. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 20426, on or about Feb. 16, 2017, for services rendered to [REDACTED]

21. In his review of the files of [REDACTED], Inspector Lisenbee determined:

- a. Respondent Funeral Home's arrangement sheet indicates that the death call for [REDACTED] was handled on behalf of Crown.
- b. Respondent Funeral Home's Form 56G references the cremation being performed on behalf of Crown.
- c. The SFGSS showing professional services selected as a Basic Cremation Package was not signed by a funeral director or a funeral service licensee per N.C. Gen. Stat. § 90-210.25(e).
- d. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Six Hundred Fifty-Five Dollars (\$655.00) by Check No. 19621, on or about June 26, 2015, for services rendered by Respondent Funeral Home to [REDACTED]

22. In his review of the files for [REDACTED] Inspector Lisenbee determined:

- a. The "Funeral Home Information Form" from Hospice Palliative Care - Charlotte Region lists Crown as the funeral home to receive the [REDACTED] remains.
- b. Respondent Funeral Home's First Call form indicates that the death call for [REDACTED] was received from "Bob from Crown."
- c. Respondent Funeral Home's arrangement sheet indicates that the death call for [REDACTED] was being handled on behalf of Crown.
- d. Form 56G in Respondent Funeral Home's files references that the cremation was performed on behalf of Crown.
- e. At least two (2) SFGSS were completed as follows:
  - i. Professional services selected as "Crown Cremation" billed to Crown.
  - ii. A SFGSS reflecting the total charges of the funeral goods and services provided by Respondent Funeral Home, specifically denoting that obituary charges were to be paid by "family."
- f. The SFGSS(s) were not signed by a funeral director or a funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).
- g. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check



No. 20108, on or about June 12, 2016, for services rendered by Respondent Funeral Home to [REDACTED]

- h. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).

23. In his review of the files for [REDACTED] Inspector Lisenbee determined that:

- a. The Mecklenburg County, Office of the Medical Examiner, "Personal Effects Disposition" form indicates that an employee of Respondent Funeral Home signed as a representative of Crown, the entity named as the "Funeral Firm", to receive the decedent's remains.
- b. Respondent Funeral Home's arrangement sheet indicates that the death call was received on behalf of Crown.
- c. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral director or a funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).
- d. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 19742, on or about Sept. 23, 2015, for services rendered by Respondent Funeral Home to [REDACTED]
- e. The cremation authorization form lacks the decedent's time of death, per N.C. Gen. Stat. § 90-210.125(a)(2).
- f. The cremation authorization form lacks the address of the authorizing agent, per N.C. Gen. Stat. § 90-210.125(a)(5).

24. In his review of the files for [REDACTED] Inspector Lisenbee determined that:

- a. The First Call indicates that the death call for [REDACTED] was received from "Mr. Bob from Crown."
- b. Respondent Funeral Home's arrangement sheet indicates that the death call for [REDACTED] was received on behalf of Crown.
- c. Form 56D in Respondent's files references that the cremation was performed on behalf of Crown.
- d. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral director or a funeral service licensee, per N.C. Gen. Stat. § 90-210.25(e).

- e. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 20138, on or about July 12, 2016, for services rendered by Respondent Funeral Home to [REDACTED]
- f. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).

25. In his review of the files for [REDACTED] Inspector Lisenbee determined that:

- a. Respondent Funeral Home's arrangement sheet indicates that the death call for [REDACTED] was received on behalf of Crown.
- b. Form 56G in Respondent Funeral Home's files references that the cremation is being performed on behalf of Crown.
- c. The SFGSS shows professional services selected as "Crown Cremation."
- d. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 19877, on or about Dec. 14, 2015, for services rendered by Respondent Funeral Home to [REDACTED]

26. In his review of the files for [REDACTED] Inspector Lisenbee determined that:

- a. The "Information for Funeral Home" form from Hospice & Palliative Care - Charlotte Region lists Crown as being the funeral provider to take possession of [REDACTED]'s remains.
- b. Respondent Funeral Home's arrangement sheet indicates the death call for [REDACTED] was received on behalf of Crown.
- c. A North Carolina National Guard Military Funeral Honors Request Form lists "Bob Hand" as being a representative of Respondent Funeral Home, which is listed as the "Supporting Funeral Home." Contact information provided for Mr. Hand is that known to be associated with Crown and/or its representatives.
- d. Form 56G in Respondent Funeral Home's files makes reference to the cremation being performed on behalf of Crown.
- e. At least two (2) SGFGSS were completed as follows:
  - i. A SFGSS reflecting cash advance items totaling two hundred dollars (\$200.00).

- ii. A SFGSS reflecting the total charges of the funeral goods and services provided by Respondent Funeral Home, including professional services selected as "Crown Cremation."
  - f. The SFGSS(s) were not signed by a funeral director or a funeral service licensee, per N.C. Gen. Stat. § 90-210.25(c).
  - g. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 20047, on or about April 22, 2016, for services rendered by Respondent Funeral Home to [REDACTED].
  - h. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).
27. In his review of the files for [REDACTED] Inspector Lisenbee determined that:
- a. The "Body Release Form" from Levine & Dickson Hospice House (IPU) lists "Crown Memorial via Tribute Cremation" as the funeral home to remove the decedent's remains from the facility.
  - b. Respondent Funeral Home's First Call form indicates the death call was received from "Bob" from "Crown Memorial."
  - c. Respondent Funeral Home's arrangement sheet indicates the death call for [REDACTED] was received on behalf of Crown.
  - d. The SFGSS showing professional services selected as "Crown Cremation" was not signed by a funeral director or a funeral service licensee, per N.C. Gen. Stat. 90-§ 210.25(e).
  - e. Financial records indicate Crown was billed and remitted payment to Respondent Funeral Home for Five Hundred Five Dollars (\$505.00) by Check No. 20432, on or about Feb. 17, 2017, for services rendered by Respondent Funeral Home for [REDACTED].
  - f. The cremation authorization form lacks the required signature of a funeral director or funeral service licensee, per N.C. Gen. Stat. § 90-210.125(a)(14).
28. In 2002, Mecklenburg County Superior Court ordered Crown, its employees, and agents enjoined from selling, offering to sell, arranging for, and offering to arrange for cremation services. The Court further ordered that Crown may refer members of the public to a licensed funeral establishment of such services, provided that the person is permitted to deal directly with the funeral establishment in making cremation

arrangements and to make payment directly to the funeral establishment (the "2002 Order").

29. On April 10, 2018, the Mecklenburg County Superior Court found Crown to be in civil contempt of the 2002 Court Order and ordered that Crown cease and desist from all activities described in the 2002 Court Order.

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30. On February 14, 2018, Board staff received a complaint (hereinafter the "Complaint") against Respondents from Steven R. Kuzma (hereinafter "Complainant"), who is a licensee of the Board.
31. Complainant alleged that Respondent Funeral Home allowed a non-licensed individual to make arrangements on its behalf with a consumer named [REDACTED] for a direct cremation of [REDACTED] uncle.
32. Respondent Funeral Home responded to the Complaint on or about February 28, 2018, and admitted that a non-licensed individual named Edgar Rebollo made arrangements with [REDACTED] for a cremation of [REDACTED] uncle on behalf of Respondent Funeral Home.
33. In September 2017, Inspector Lisenbee conducted an establishment inspection of Respondent Funeral Home. During that establishment inspection, Inspector Lisenbee cited as a violation Respondent Funeral Home's failure to maintain a copy of a Statement of Funeral Goods and Services Selected or cremation authorization forms signed by a funeral director or funeral service licensee in multiple consumer files.

#### CONCLUSIONS OF LAW

1. Respondents are subject to jurisdiction before the Board.
2. The acts and omissions of Respondents, described in Paragraphs 1-33, violate N.C. Gen. Stat. §§ 90-210.25(e)(1)h, which prohibit aiding and abetting an unlicensed person to perform funeral services.
3. The acts and omissions of Respondents, described in Paragraphs 1-33, violate N.C. Gen. Stat. §§ 90-210.25(e)(1)c, which prohibits false or misleading advertising as the holder of a license, in allowing a non-licensed representative of Respondent Funeral Home to hold himself out as practicing in the profession of funeral directing.
4. The acts and omissions of Respondents, described in Paragraphs 1-33, violate N.C. Gen. Stat. §§ 90-210.25(e)(1)j, which prohibits violating any provision of Articles 13A and/or 13F of Chapter 90 of the North Carolina General Statutes, all rules and

regulations of the Board, and the standards set forth in 16 C.F.R. § 453 (1984), as amended from time to time.

5. The acts and omissions of Respondents, described in Paragraphs 1-33, violate N.C. Gen. Stat. §§ 90-210.125(a)(14), which requires a licensed funeral director to sign the cremation authorization form when it is received by a funeral establishment.
6. The acts and omissions of Respondents, described in Paragraphs 1-33, violate N.C. Gen. Stat. §§ 90-210.125(a)(2), which requires a cremation authorization form to contain the time and date of death of the decedent.
7. The acts and omissions of Respondents, described in Paragraphs 1-33, violate N.C. Gen. Stat. §§ 90-210.125(a)(5), which requires a cremation authorization form to contain the address of the authorizing agent.

BASED upon the foregoing Findings of Fact and Conclusions of Law, and in lieu of further proceedings, Respondent Van Heck wishes 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 Respondent Van Heck acknowledges that he has read this entire document and understands it;

Whereas Respondent Van Heck acknowledges that he enters into this Consent Order freely and voluntarily;

Whereas Respondent Van Heck acknowledges that he has had full and adequate opportunity to confer with legal counsel in connection with this matter;

Whereas Respondent Van Heck understands that this Consent Order must be presented to the Board for approval and that Respondent Van Heck hereby waives 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.

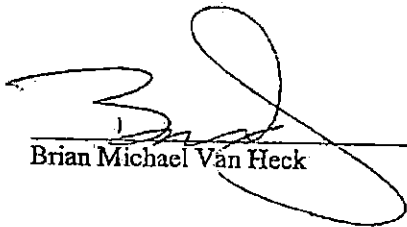
THEREFORE, with the consent of Respondent Van Heck, it is ORDERED that:

1. Respondent Van Heck shall be issued a non-disciplinary letter of caution, whereby he is reminded to ensure that he does not aid and abet unlicensed individuals in the practice of funeral service, particularly when serving as the licensed manager of an establishment.

2. 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 Respondent Van Heck, collectively or individually, has 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.
3. This Consent Order shall take effect immediately upon its execution by all parties and reflects the entire agreement between Respondent Van Heck and the Board, there being no agreement of any kind, verbal or otherwise, which varies, alters, or modifies this Consent Order.
4. 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.
5. Both the Board and Respondent Van Heck 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.
6. Respondent Van Heck hereby waives any requirement under any law or rule that this Consent Order be served upon them.
7. Upon its execution by the Board and Respondent Van Heck, 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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CONSENTED TO:

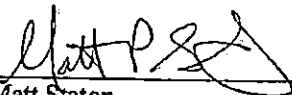


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Brian Michael Van Heck

Date: 9/6/2018

By Order of the North Carolina Board of Funeral Service, this the 22 day of Oct, 2018.

By:   
\_\_\_\_\_

Matt Staton  
Board President

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Consent Order for Respondent Van Heck was sent by United States Postal Service, first-class mail, postage prepaid, addressed to:

Tribute Cremation Society, LLC  
4935 Monroe Road  
Charlotte, NC 28205

Gregory Parker Leonard  
3917 Medallion Drive  
Charlotte, NC 28205

Brian Van Heck  
1036 Trinity Place  
North Augusta, SC 29860

This the 22nd day of October, 2018.



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Catherine E. Lee