

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA
BOARD OF FUNERAL SERVICE
CASE NO. M23-0050

In the matter of:)	
)	
Wayne Blair d/b/a Blair Funeral Service,)	CONSENT ORDER FOR SHAUN
Wayne Kennon Blair, Shaun Cacedric)	CACEDRIC JONES D/B/A
Jones d/b/a S. Jones Funerals and)	S. JONES FUNERALS AND
Cremations, and Shaun Cacedric Jones,)	CREMATIONS AND SHAUN
Respondents.)	CACEDRIC JONES
)	

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 Respondents stipulate and agree to entry of the following Consent Order:

FINDINGS OF FACT

1. For all times relevant to this proceeding, Wayne Blair d/b/a Blair Funeral Service (hereinafter “Respondent Blair FS”) was licensed by the Board as Funeral Establishment Permit No. 0032 and Preneed Establishment Permit No. 0407 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. For all times relevant to this proceeding, Respondent Blair FS was located in Edenton, North Carolina.
3. For all times relevant to this proceeding, Wayne Kennon Blair (hereinafter “Respondent Blair”) (collectively with Respondent Blair FS, the “Blair Respondents”) was licensed by the Board as Funeral Service Licensee No. 873 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).
4. For all times relevant to this matter, Respondent Blair served as the sole proprietor and licensed manager of Respondent Blair FS and held a preneed sales license on behalf of Respondent Blair FS.
5. Shaun Cacedric Jones d/b/a S. Jones Funerals and Cremations (hereinafter “Respondent S. Jones Funerals”) is licensed by the Board as Funeral Establishment Permit No. 0041 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).

6. For all times relevant to this matter, Respondent S. Jones Funerals has not held a preneed establishment permit. Respondent S. Jones Funerals is located in Enfield, North Carolina.
7. Shaun Cacedric Jones (hereinafter “Respondent Jones”) (collectively with Respondent S. Jones Funerals, the “Jones Respondents”) is licensed by the Board as Funeral Director No. 4079 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).
8. On or about March 15, 2019, [REDACTED] paid the Jones Respondents for preneed funeral goods and services on behalf of herself in the amount of \$5,121.50. The Jones Respondents provided Ms. [REDACTED] with a Statement of Funeral Goods and Services Selected, signed by Respondent Jones and containing the notation “pre-arrangements” in the amount of \$5,121.50. The Jones Respondents also provided Ms. [REDACTED] with a preneed receipt in the amount of \$5,121.50, signed by Respondent Jones and containing the notation “paid in full.”
9. On or about March 15, 2019, [REDACTED] paid the Jones Respondents for preneed funeral goods and services on behalf of herself in the amount of \$5,121.50. The Jones Respondents provided Mr. [REDACTED] with a Statement of Funeral Goods and Services Selected, signed by Respondent Jones and containing the notation “pre-arrangements” in the amount of \$5,121.50. The Jones Respondents also provided Mr. [REDACTED] with a preneed receipt in the amount of \$5,121.50, signed by Respondent Jones and containing the notation “paid in full.”
10. On or about April 3, 2019, an application for a life insurance policy on behalf of [REDACTED] was submitted to an insurance company, noting a policy/annuity premium in the amount of \$5,121.50 and the servicing funeral home as Respondent Blair FS.
11. On or about April 3, 2019, an application for a life insurance policy on behalf of [REDACTED] was submitted to an insurance company, noting a policy/annuity premium in the amount of \$5,121.50 and the servicing funeral home as Respondent Blair FS.
12. The insurance agent of record on the insurance applications for the [REDACTED] is Joan D. Blair, who is not a licensee of this Board. For all times relevant to this proceeding, Joan D. Blair was married to Respondent Blair. The insurance applications for the [REDACTED] indicate that they were signed by the [REDACTED] in Enfield, North Carolina.

13. On or about August 24, 2023, a standard insurance-funded preneed contract between Respondent Blair FS and [REDACTED] was filed with the Board, to be funded by a pre-existing life insurance policy with a death benefit of \$5,975.73. According to the face of the contract, it was sold to [REDACTED] by Respondent Blair on August 14, 2023.
14. On or about August 24, 2023, a standard insurance-funded preneed contract between Respondent Blair FS and [REDACTED] was filed with the Board, to be funded by a pre-existing life insurance policy with a death benefit of \$5,975.73. According to the face of the contract, it was sold to [REDACTED] by Respondent Blair on August 14, 2023.
15. Thereafter, Board staff sent the [REDACTED] written confirmation that their preneed contracts had been filed with the Board by the Blair Respondents.
16. Upon receipt of the Board staff's written confirmation, the [REDACTED] reported to Board staff that they did not enter into any preneed contracts with the Blair Respondents in 2023. According to the [REDACTED], they did not meet with any representatives from the Blair Respondents to execute preneed contracts in 2023 and allege that they previously entered into preneed contracts with the Jones Respondents in 2019.
17. The signatures on the preneed contracts filed with the Board on behalf of the [REDACTED] in August 2023 are forgeries.

CONCLUSIONS OF LAW

18. The acts and omissions of the Jones Respondents described in Paragraphs 1-17 violate N.C. Gen. Stat. § 90-210.67(a), which provides that no person may offer or sell preneed funeral contracts or offer to make or make any funded funeral prearrangements without first securing a preneed license from the Board.
19. The acts and omissions of the Jones Respondents described in Paragraphs 1-17 constitute the offering to engage or engaging in activities for which a preneed license is required but without having obtained such a license, in violation of N.C. Gen. Stat. § 90-210.69(c)(1).
20. The acts and omissions of the Jones Respondents described in Paragraphs 1-17 violate N.C. Gen. Stat. § 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.
21. The acts and omissions of the Jones Respondents described in Paragraphs 1-17 violate N.C. Gen. Stat. § 90-210.25(e)(1)j., 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.

22. The Board concludes that one or more of the violations described in Paragraphs 18-21 were committed by any owner, officer, operator, manager, member, or partner of Respondent S. Jones Funerals or by any agent or employee of Respondent S. Jones Funerals with the consent of any person, firm, or corporation operating it. 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 S. Jones Funerals, to place Respondent S. Jones Funerals on probation, and to assess a civil penalty not to exceed \$5,000.00.
23. The Board concludes that Respondent Jones committed one or more of the violations described in Paragraphs 18-21 but remains fit to practice. Pursuant to N.C. Gen. Stat. § 90-210.25(e)(2), the Board has the authority to place Respondent Jones 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, the Jones 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 the Jones Respondents acknowledge that they have read this entire document and understand it;

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

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

Whereas the Jones Respondents understand that this Consent Order must be presented to the Board for approval and that the Jones 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 the Jones Respondents, it is ORDERED that:

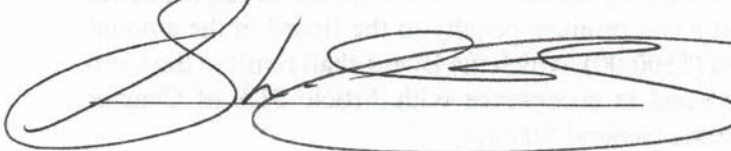
1. The funeral service license of Respondent Individual and the at-need funeral establishment permit of Respondent S. Jones Funerals shall be placed on probation for a period of two (2) years, beginning on the Effective Date of this Consent Order, upon the following terms and conditions:

- a. During the period of probation, the Jones Respondents shall comply with all statutory and regulatory provisions governing the practice of funeral service;
 - b. Within thirty (30) days following the entry of this Consent Order, the Jones Respondents shall remit a compromise penalty to the Board in the amount of Five Hundred Dollars (\$500.00), which the Board shall remit to the Civil Penalty and Forfeiture Fund in accordance with Article 31A of Chapter 115C of the North Carolina General Statutes.
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 the Jones 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.
 3. This Consent Order shall take effect immediately upon its execution by the Board and the Jones Respondents and reflects the entire agreement between the Jones Respondents 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 the Jones 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.
 6. The Jones Respondents hereby waive any requirement under any law or rule that this Consent Order be served upon them.
 7. Upon its execution by the Board and the Jones 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.

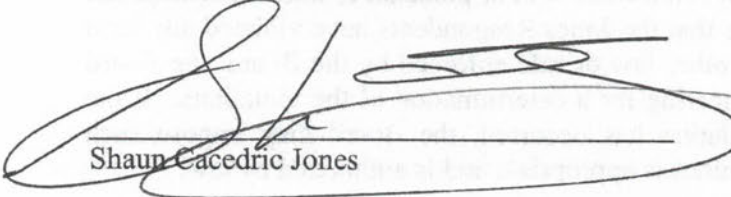
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CONSENTED TO:

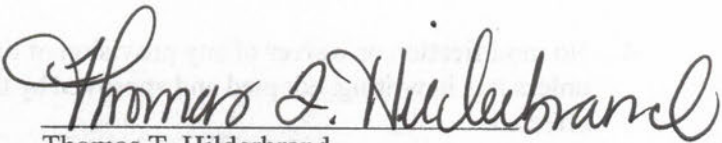
Shaun Cacedric Jones


Date: 2/12/24

Shaun Cacedric Jones d/b/a
S. Jones Funerals and Cremations


Date: 2/12/24
Shaun Cacedric Jones

By Order of the North Carolina Board of Funeral Service, this the 14th day of
February, 2024.

By: 
Thomas T. Hilderbrand
Board President