

Chapter 21. Qualifications of Applicants for Certificates of Authority or a License

§2101. Qualifications [Formerly §1501]

A. The Louisiana Cemetery Act requires the board to determine generally whether applicants and their officers, directors, owners, and managerial personnel have the ability, experience, financial stability and responsibility, integrity, trustworthiness, and have good personal and business reputations, in order to ensure that the applicant's operation of a cemetery, cemetery sales organization, or cemetery management organization will be of permanent benefit to the community in which it is located.

B. While no rigid specifications, particularly as to character, can be fashioned, some objective evidence of a lack of such qualifications should exist before an application is denied. Unless the applicant produces evidence, acceptable to the board, indicating complete rehabilitation, the application should be denied if the applicant is an individual who has, or is a firm, association, corporation or limited liability company any of whose officers, owners, directors, limited liability company managers or managerial personnel has or have:

1. been convicted of a felony;
2. employed misrepresentation or deception in obtaining, renewing, or reinstating a license or privilege from a public entity, or in seeking a certificate of authority or license from this board; or
3. used false or misleading advertising or solicitation in any business venture.

AUTHORITY NOTE: Promulgated in accordance with R.S. 8:67.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Cemetery Board, LR 8:468 (September 1982), amended by the Office of the Governor, Cemetery Board, LR 39:2751 (October 2013).