

BEFORE THE ARKANSAS CEMETERY BOARD

IN THE MATTER OF:

**ROSELAWN MEMORIAL
PARK; LITTLE ROCK,
ARKANSAS**

ORDER NO. 4674-09-OR01

ORDER

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on May 6, 2009, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 4 of the Rules of the Arkansas Cemetery Board. Among the matters considered was a complaint by Ms. Gail Gomez (“Gomez”) against Roselawn Memorial Park (“Roselawn”) located in Little Rock, Arkansas. Appearing in person and on behalf of Roselawn was Mr. Bob Pointer (“Pointer”). Upon consideration of the testimony of the witnesses, the exhibits, and all other matters presented, the Board hereby finds and concludes:

FINDINGS OF FACT

1. Roselawn is a perpetual care cemetery located in Little Rock, Arkansas. Roselawn is licensed by the Board as a perpetual care cemetery as defined by the Cemetery Act for Perpetually Maintained Cemeteries, Ark. Code Ann. §§ 20-17-1001 through 20-17-1029 (“Act”).
2. Roselawn is owned and controlled by Roselawn Memorial Park Association, Inc.
3. On November 3, 2008, the Board received a letter of complaint from Gomez alleging that Roselawn failed to properly maintain a section of Roselawn known as Baby Land.

4. Roselawn answered the letter of complaint on November 24, 2008, stating that the areas of concern referenced by Gomez had been addressed.
5. On March 26, 2009, the Board received a second letter of complaint from Gomez alleging that Roselawn had failed to remedy the problems with the Baby Land at Roselawn, and that Gomez had on-going concerns as to the care and maintenance of the cemetery.
6. Pointer appeared before the Board on behalf of Roselawn and gave testimony to the Board as to the planned and on-going care and maintenance of Roselawn.

CONCLUSIONS OF LAW

7. The Board is authorized to conduct reasonable, special, or other examination of any cemetery or cemetery company, including, but not limited to, an examination of the physical condition or appearance of the cemetery. Ark. Code Ann § 20-17-1006(1).

ORDER

IT IS HEREBY ORDERED that the staff of the Arkansas Securities Department (“Staff”) conduct a physical examination of Roselawn prior to the next quarterly meeting of the Board. Additionally, the Staff is authorized to conduct a physical examination of Roselawn upon receipt of any complaint against Roselawn.

IT IS FURTHERED ORDERED that the Staff shall provide a full report to the Board regarding their findings by the next quarterly meeting of the Board.

IT IS SO ORDERED.

Dated this 2 day of June, 2009.

ARKANSAS CEMETERY BOARD



Bill Booker
Chairperson



A. HEATH ABSHURE
Secretary