

**BEFORE THE ARKANSAS CEMETERY BOARD**

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**CASE NO: C-17-0003**

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ARKANSAS SECURITIES DEPT.

**IN THE MATTER OF:**

**HAVEN OF REST CEMETERY;  
LITTLE ROCK, ARKANSAS**

**ORDER NO. C-17-0003-OR01**

**ORDER**

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on November 30, 2016, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 4 of the Rules of the Arkansas Cemetery Board. Considered at the meeting was an a complaint against Haven of Rest Cemetery, a perpetual care cemetery located in Little Rock, Arkansas, filed by Floyd Cooper. Upon consideration of the testimony of the Staff, the exhibits, and all other matters presented, the Board hereby finds and concludes:

**FINDINGS OF FACT**

1. Haven of Rest Cemetery is an Arkansas licensed perpetual care cemetery located in Little Rock, Arkansas, under the jurisdiction of the Cemetery Act for Perpetually Maintained Cemeteries, Ark. Code Ann. §§ 20-17-1001 through 20-17-1030, (“Act”).
2. Haven of Rest Cemetery is owned and controlled by Kennedy Funding Acquisitions HOR, LLC.
3. From October 12, 2001 to August 14, 2015, Haven of Rest Cemetery was under court ordered receivership.
4. On August 10, 2012, Mrs. Juanita Cooper was interred at Haven of Rest Cemetery.

5. On November 9, 2012, Mrs. Juanita Cooper's monument was set on the grounds of Haven of Rest Cemetery.
6. On December 16, 2014, the Board approved the application for transfer of ownership to Kennedy Funding Acquisitions HOR, LLC.
7. On June 6, 2016, the Board received a letter of complaint from Mr. Floyd Cooper alleging that Haven of Rest had failed to properly maintain the grounds of Haven of Rest Cemetery. During the investigation of the complaint, it was alleged by the operators of Haven of Rest Cemetery that the headstone of Mrs. Juanita Cooper was set at an incorrect location.
8. On November 30, 2016, the Board heard testimony from the Staff of the Securities Department and Mr. Floyd Cooper regarding his request for a verification of the interment location of Mrs. Juanita Cooper and whether the headstone is set in an incorrect location.
9. The Board authorized the Staff of the Securities Department to instruct the operator of Haven of Rest Cemetery to conduct an investigation surrounding the interment of Ms. Juanita Cooper and the latter setting of the monument for Ms. Juanita Cooper in coordination with the previous receiver of Haven of Rest Cemetery.

#### **CONCLUSIONS OF LAW**

10. The Board is authorized to conduct at any time and from time to time such reasonable periodic, 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 THEREFORE ORDERED that the operators of Haven of Rest Cemetery investigate the interment and monument setting of Mrs. Juanita Cooper and provide any information or documentation necessary determine the location of Ms. Juanita Cooper's interment and its relation to the Cooper monument.

IT IS FURTHER ORDERED that a subpoena be issued to the operator of Haven of Rest Cemetery for an appearance at the next regularly scheduled meeting in which the Cooper interment matter is heard.

IT IS SO ORDERED.

Dated this 11<sup>th</sup> day of January, 2017.

**ARKANSAS CEMETERY BOARD**



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G. William "Bill" Booker, II  
Chairperson



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B. Edmond Waters  
Secretary