



Application for Certificate of Authority INSTRUCTIONS

1. Application must be completed in full and executed by each owner, partner, and principal stockholder, owning 10% or more, or a majority of the officers and directors of the Cemetery Authority if the stock of the corporation is publicly-traded.
2. Individual's Questionnaire must be completed in full by each owner, partner, principal stockholder, owning 10% or more, officer, director, general manager, etc., of the Cemetery Authority. A current credit report from a credit bureau must accompany each Individual's Questionnaire. *NOTE: If the stock of the Cemetery Authority is owned by a corporation, a Corporate Questionnaire must be submitted.*
3. Application fee in the amount of five hundred dollars (\$500.00). Please make check or money order payable to the Louisiana Cemetery Board.
4. The following documents must accompany the Application for Certificate of Authority:
 - a) *Certified* copy of Articles of Incorporation.
 - b) *If a foreign corporation*, evidence of qualification to do business in Louisiana.
 - c) Copy of by-laws of corporation, *if they exist*.
 - d) *Certified* copy of Cemetery Authority's title to property or lease, or other agreement authorizing applicant to operate a cemetery on the property.
 - e) *If a new cemetery*, certificate of city and/or parish planning commission/agency having jurisdiction over zoning matters stating the property on which the cemetery is to be located is properly zoned for that purpose and cemetery authority has complied with zoning ordinances, sanitary rules, and regulations, and the like. *If no zoning exists*, the Board must be provided with a statement from the city and/or parish planning commission/agency having jurisdiction over zoning stating same.
 - f) *Certified* copy of Act of Dedication. Sample Act of Dedication is enclosed for your use. *If cemetery is in existence*, submit a confirmation letter advising portions of property dedicated and undedicated.
 - g) A survey or plan of the cemetery property site.
 - h) A survey or plan of the cemetery, showing sections, blocks, plots, avenues, walks, or other subdivisions with descriptive names and numbers. *If a new cemetery*, the areas to be initially developed should be delineated on the survey. *In the case of a mausoleum or columbarium*, a substantial map or plat delineating the sections, halls, rooms, corridors, elevations, or other divisions with descriptive names and numbers.
 - i) Copy of a mortgage certificate from the Clerk of Court or Recorder of Mortgages showing the property on which the cemetery is located is free and clear of all mortgages, liens and encumbrances. *Mortgage certificate must be run in the name(s) of all persons or entities owning the property in the last ten (10) years.*
 - j) Three (3) years financial statements. *If a new corporation*, submit a statement estimating receipts (including capitalization, sales, loans, etc.) and expenditures for the next two (2) years.
 - k) Copy of cemetery deed, sales contract, and rules and regulations.

If stock of Cemetery Authority has been purchased, the following will also be required:

- l) Copy of stock purchase agreement.

If the cemetery will be operated as a perpetual or endowed care cemetery the following will also be required:

- m) If the application is for a new cemetery, CERTIFIED copy of Perpetual or Endowed Care Trust Agreement, together with independent confirmation from the trustee or other proof of deposit of INITIAL contribution to the Perpetual or Endowed Care Trust Fund. Unless, Cemetery Authority is a religious, fraternal, municipal, state or federal cemetery, or family burial ground as provided for by La. R.S. 8:459.
- n) If cemetery is being purchased, any amendments to the Perpetual or Endowed Care Trust Agreement. Either, confirmation Perpetual or Endowed Care Trust Fund is remaining with present trustee; or if trust fund is being transferred to a successor trustee, all documentation required by La. R.S. 8:456.1 regarding orderly transfer of trust fund.

If the cemetery has, or is establishing, a pre-need Merchandise Trust Fund, the following will also be required:

- o) If the cemetery is establishing a Merchandise Trust Fund, CERTIFIED copy of Merchandise Trust Agreement, together with independent confirmation from the trustee or other proof of deposit to the Merchandise Trust Fund.
- p) If the cemetery has an existing Merchandise Trust Fund, any amendments to the Merchandise Trust Agreement. Either, confirmation Merchandise Trust Fund is remaining with present trustee; or if trust fund is being transferred to a successor trustee, all documentation required by La. R.S. 8:505.2 regarding orderly transfer of trust fund.

If the cemetery has contracted the services of a Cemetery Sales or Cemetery Management Organization, the following will also be required:

- q) Executed copy of all contract(s) between Cemetery Authority and Cemetery Sales or Cemetery Management Organization(s).

5. There shall be submitted to the Board such additional information and/or documentation the Board may deem necessary.

IF YOU HAVE ANY QUESTIONS REGARDING THE PREPARATION OF THE APPLICATION FOR CERTIFICATE OF AUTHORITY, PLEASE CONTACT THE OFFICE OF THE BOARD AT THE ADDRESS OR TELEPHONE NUMBER LISTED BELOW.

IMPORTANT: THE LOUISIANA CEMETERY BOARD HAS JURISDICTION OVER THE PROVISIONS OF TITLE 8, AND ISSUANCE OF A CERTIFICATE OF AUTHORITY DOES NOT INDICATE CEMETERY AUTHORITY IS IN COMPLIANCE WITH OTHER FEDERAL AND/OR STATE LAWS.

THIS APPLICATION AND ATTACHEMENTS ARE PUBLIC RECORD EXCEPT TO THE EXTENT THEY ARE EXCEPTED, EXEMPTED, OR LIMITED BY LAW; AND THEY WILL BE FURNISHED TO PERSONS, FIRMS, ASSOCIATIONS, CORPORATIONS, ETC., MAKING A WRITTEN PUBLIC RECORDS REQUEST PURSUANT TO TITLE 44. IF APPLICANT CONSIDERS ANY SUBMISSIONS OF INFORMATION CONFIDENTIAL AND EXCEPTED, EXEMPTED OR LIMITED BY LAW, PLEASE MARK SAME ACCORDINGLY.

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