



*Funeral Board of Manitoba  
Conseil des services funéraires  
du Manitoba*

# **2012 Annual Report**

**December 31, 2012**



# I – Table of Contents

I.	Table of Contents .....	3
II.	Funeral Board Profile .....	4
III.	Management Report .....	7
IV.	Auditor’s Report .....	8
V.	Audited Financial Statements .....	10
VI.	<i>The Public Interest Disclosure Act</i> .....	16
VII.	2012 Administration .....	17
VIII.	2012 Licensed Funeral Directors and/or Embalmers .....	18
IX.	2012 Certificates of Qualification .....	30
X.	Hearings, Complaints, Reprimands and Fines .....	31

## II – Funeral Board Profile

---

### History

In 1967, the Province of Manitoba passed *The Embalmers and Funeral Directors Act* to create the Board of Administration. The first Registrar was Neil Bardal who served until he passed away in 2010.

The Act saw several minor changes through the years but the first major change required that every funeral director and embalmer provide proof of having completed six hours of continuing education in order to renew their licence.

In 2009, as a result of a complaint about a funeral director, the Act was amended to increase the power of the Board, introduce a Code of Ethics and change the name to the Funeral Board of Manitoba. The Act was renamed *The Funeral Directors and Embalmers Act*.

In 2011, the province introduced *The Grieving Families Protection Act* which increased fines for desecration and vandalism of cemeteries under *The Cemeteries Act*; increased the investigative powers of the Board under *The Funeral Directors and Embalmers Act*; and changed significant parts of *The Prearranged Funeral Services Act*.

Administratively, the Funeral Board of Manitoba has evolved to serve multiple functions. The Board's oversight of the licensing and education of all funeral directors, embalmers and homes while protecting the consumers they serve remains its main function. Another important role is the complaint and hearing process which enables the Board to conduct its disciplinary duties under the Act. The inspector receives the complaint, collects and evaluates evidence, then presents the findings objectively in a clear and concise manner.

The Board continues to work on the changes to *The Prearranged Funeral Services Act* regulation. When the changes are proclaimed, administration of the Act will be transferred from the Public Utilities Board to the Funeral Board of Manitoba. The Government is also planning to transfer *The Cemeteries Act* to the Board. This will consolidate the administration of funeral services under one regulatory body.

The profession and the Board will always be grateful for the efforts of Don Zasada and the late Neil Bardal for their vision of the profession, the Act and the Board.

### Mission

The Funeral Board of Manitoba has the responsibility to serve and protect grieving families through public awareness, oversight of industry compliance with the Acts and regulations, and receipt of consumer concerns and complaints about licensees. The Board also strives to provide licensees with ongoing professional education and development, transparency in its actions, and an impartial investigative process.

## **Vision**

The Funeral Board of Manitoba will provide a fair, ethical and transparent marketplace in which funeral service licensees operate.

## **Goals**

### Education

The Funeral Board of Manitoba provides an educational framework for students and a continuing education framework for working professionals to ensure that licensees have the education and skills to serve the deceased, their families, the public and the profession.

### Accountability

The Board ensures all funeral directors and/or embalmers provide complete, consistent and transparent services to all clients.

### Compliance

The Funeral Board of Manitoba ensures funeral home operators, directors and agents comply with all codes, laws and regulations. The Board also investigates all complaints in an objective, consistent, timely and transparent manner.

### Organizational Stability

The Funeral Board of Manitoba ensures its organization has a sound financial basis and a strong administrative structure.

## **Values**

### Collaboration

The Funeral Board of Manitoba consults with decision-makers; the public and the profession, whenever possible.

### Compassionate Support

The Board provides both the public and profession with support and understanding. The Board is transparent and fair in its dealings with the public and the profession.

### Continuous Improvement

The Funeral Board of Manitoba is committed to continuous improvement of its forms, processes and policies to better serve Manitobans.

## **Administrative Structure**

In 2012, the Minister of Healthy Living, Seniors and Consumer Affairs was responsible for *The Funeral Directors and Embalmers Act*.

The legislation requires that the government appoint a Chair and five members, of whom two must be funeral directors. Members are appointed for three-year terms, which can be renewed.

The current Chair is also the Director and Chief Operating Officer of Vital Statistics Agency, which provides cost savings, but more importantly a link for death registration processes; permission and oversight of transportation of the deceased to other countries; and disinterments. The Agency also provides the administrative, financial, and information technology support for the Funeral Board of Manitoba.

The Board has one employee – the Inspector, who is currently not a civil servant.

## III – MANAGEMENT REPORT

---



Funeral Board of Manitoba 254 Portage Avenue, Winnipeg, MB R3C 0B6 Canada  
Conseil des services funéraires du Manitoba 254, avenue Portage, Winnipeg (MB) R3C 0B6 Canada

---

### MANAGEMENT REPORT

The accompanying financial statements and all the information in the annual report are the responsibility of the management of The Funeral Board of Manitoba and have been prepared in accordance with Public Sector Accounting Standards. In management's opinion, the financial statements have been properly prepared within reasonable limits of materiality, incorporating management's best judgement regarding all necessary estimates and all other data available to May 24, 2013.

Management maintains internal controls to properly safeguard the assets and to provide reasonable assurance that the books and records from which the financial statements are derived accurately reflect all the transactions and that established policies and procedures are followed.

The responsibility of the Office of The Auditor General of Manitoba is to express an independent opinion on whether the financial statements of The Funeral Board of Manitoba are fairly presented in accordance with Public Sector Accounting Standards. The Independent Auditor's Report outlines the scope of the audit examination and provides the audit opinion.

On behalf of Management,  
Funeral Board of Manitoba

Susan Boulter, Chair  
May 24, 2013

## IV – AUDITOR’S REPORT

---



### INDEPENDENT AUDITOR’S REPORT

To the Legislative Assembly of Manitoba  
To the Board of Directors of the Funeral Board of Manitoba

We have audited the accompanying financial statements of the Funeral Board of Manitoba (Board), which comprise the statement of financial position as at December 31, 2012, and the statements of operations and accumulated (deficit) and net (debt) and cash flow for the year then ended, and a summary of significant accounting policies and other explanatory information.

#### **Management’s Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

#### **Auditor’s Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained in our audit is sufficient and appropriate to provide a basis for our audit opinion.

#### **Opinion**

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Board as at December 31, 2012 and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

**Going Concern**

Without qualifying our opinion, we draw attention to note 9 in the financial statements which indicates the Funeral Board of Manitoba has incurred annual losses in the last several years and has an accumulated deficit. These conditions indicate the existence of a material uncertainty that may cast significant doubt about the entity's ability to continue as a going concern.

*Office of the Auditor General.*

Office of the Auditor General  
May 24, 2013  
Winnipeg, Manitoba

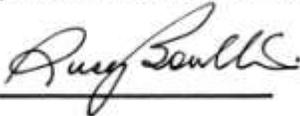
## V – Audited Financial Statements

### FUNERAL BOARD OF MANITOBA Statement of Financial Position December 31, 2012

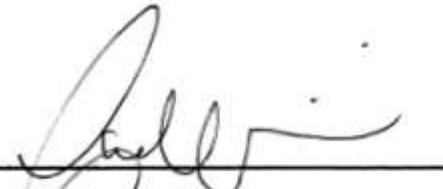
FINANCIAL ASSETS	2012	2011
Cash	\$ 65,844	\$ 67,583
Temporary investments (note 3)		15,450
Accrued interest receivable		45
	<u>65,844</u>	<u>83,078</u>
LIABILITIES		
Accounts payable and accrued liabilities (note 7)	37,562	17,883
Deferred revenue	84,950	87,800
	<u>122,512</u>	<u>105,683</u>
ACCUMULATED (DEFICIT) AND NET (DEBT)	<u>\$ (56,668)</u>	<u>\$ (22,605)</u>

The accompanying notes are an integral part of these financial statements

Approved on behalf of The Funeral Board of Manitoba



Susan Boulter  
Chairperson

  
Board Member

**FUNERAL BOARD OF MANITOBA**  
**Statement of Operations**  
**For the year ended December 31, 2012**

REVENUE	2012		2011
	Budget	Actual	Actual
Funeral home licences	\$ 43,000	\$ 45,250	\$ 46,500
Funeral director and embalmer licences	54,500	53,150	54,000
Interest	100	1,824	412
<b>Total revenue</b>	<u>97,600</u>	<u>100,224</u>	<u>100,912</u>
<b>EXPENSE</b>			
Administration charges (note 6)	\$ 24,000	\$ 24,000	\$ 24,000
Audit	3,200	3,400	3,400
Board meetings	4,510	3,642	4,004
Communications	2,600	17,976	17,780
Conferences	7,300	3,312	4,701
Education	1,000	-	-
Honoraria - Board members	5,450	5,014	4,691
Honoraria - Registrar	-	-	5,000
Legal fees	5,000	9,697	7,849
Miscellaneous	3,000	2,166	3,686
Office supplies, printing, and postage	2,500	1,207	5,035
Salaries and benefits	64,000	60,294	62,134
Travel	-	3,579	1,449
<b>Total expense</b>	<u>122,560</u>	<u>134,287</u>	<u>143,729</u>
<b>Net (Loss)</b>	(24,960)	(34,063)	(42,817)
<b>Accumulated surplus (deficit),</b>			
<b>Beginning of period</b>	<u>\$ (22,605)</u>	<u>\$ (22,605)</u>	<u>\$ 20,212</u>
<b>Accumulated surplus (deficit),</b>			
<b>End of period</b>	<u>\$ (47,565)</u>	<u>\$ (56,668)</u>	<u>\$ (22,605)</u>

*The accompanying notes are an integral part of these financial statements.*

**FUNERAL BOARD OF MANITOBA**  
**Statement of Cash Flows**  
**For the year ended December 31, 2012**

Cash flow provided by (applied to):	2012	2011
<b>Operating</b>		
Net income (loss)	\$ (34,063)	\$ (42,817)
Change in:		
Accrued interest receivable	45	367
Accounts payable and accrued liabilities	19,679	(8,061)
Deferred revenues	(2,850)	1,550
	(17,189)	(48,961)
<b>Investing</b>		
Purchases of guaranteed investment certificates	(45,617)	(95,717)
Maturities of guaranteed investment certificates	61,067	135,487
	15,450	39,770
Increase (decrease) in cash	(1,739)	(9,191)
Cash, at beginning of year	67,583	76,774
Cash, at end of year	\$ 65,844	\$ 67,583
Supplementary information:		
Interest received, cash basis	\$ 378	\$ 779

*The accompanying notes are an integral part of these financial statements.*

**FUNERAL BOARD OF MANITOBA**  
**Notes to Financial Statements**  
**For the year ended December 31, 2012**

**1. Nature of Operations**

*The Funeral Directors and Embalmers Act* established the Funeral Board of Manitoba (The Board) to licence and regulate Embalmers and Funeral Directors, and to prescribe the courses of training and instruction for articling students.

**2. Significant Accounting Policies**

**a) Basis of accounting**

These financial statements are prepared by management in accordance with Canadian public sector accounting standards established by the Canadian Public Sector Accounting Board.

**b) Cash**

Cash includes cash on hand and bank balances.

**c) Temporary Investments**

Temporary investments include short -term investments which are recorded at the lower of cost or market value.

**d) Revenues**

The Board recognizes revenue for Funeral Home Licences and Funeral Director and Embalmers Licenses on an accrual basis. Any license fees which are received prior to December 31 and are applicable to the subsequent fiscal year are recorded as deferred revenue.

Investment income is recognized in the year it is received or receivable

**e) Expenses**

Expenses are reported on an accrual basis. The cost of all goods consumed and services received during the year is expensed.

**f) Measurement uncertainty**

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reporting amounts of assets and liabilities at the date of the financial statements and the reported amounts of the revenues and expenses during the period.

Estimates are based on the best information available at the time of preparation of the financial statements and are reviewed annually to reflect new information as it becomes available. Measurement uncertainty exists in these financial statements. Actual results could differ from these estimates.

**g) Net Debt**

Net Debt is the equivalent to accumulated deficit as there are no non-financial assets.

**3. Temporary investments**

Investments are invested in Guaranteed Investment Certificates (GICs) with various maturity dates and interest rates as follows:

	2012	2011
i. CIBC Flexible GIC Maturity dates: January 11, 2012 Interest rate .75%	-	\$ 5,450
ii. CIBC Flexible GIC Maturity date: February 25, 2012 Interest rate 1.25%	-	10,000
	<u>-</u>	<u>\$ 15,450</u>

**4. The Public Sector Compensation Disclosure Act**

In accordance with Section 2 of *The Public Sector Compensation Disclosure Act*, the following summarizes compensation paid during the year ended December 31, 2012:

	2012	2011
Employee paid \$50,000 or more J. Delaney – Investigator	\$ 56,550	\$ 58,128
The aggregate amount paid to Board members was:		
(a) Honoraria, Board members	4,469	4,691
(b) Honoraria, Registrar	-	7,500

**5. Related Party Transactions**

The Board is related in terms of common control to all Province of Manitoba created Departments, Agencies, Boards and Crown Corporations. The Board enters into transactions with these entities in the normal course of operations and they are measured at the exchange rate amount agreed to by the related parties.

**6. Administrative Charges - Vital Statistics Agency**

Effective January 1, 2010 administrative charges are paid to Vital Statistics Agency to recover a portion of its payroll costs used on the Funeral Board of Manitoba's operations. In prior years these charges were not paid to Vital Statistics Agency.

## 7. Accounts Payable and Accrued Liabilities

Accounts payable and accrued liabilities consist of the following:

	2012	2011
General	\$ 8,523	\$ 7,494
Administrative Charges	24,000	6,000
Salaries and Benefits	4,094	2,953
CRA Deductions Payable	945	1,436
	<u>\$ 37,562</u>	<u>\$ 17,883</u>

## 8. Budgeted Figures

Budgeted figures have been provided for comparison purposes and have been derived from the annual budget approved by the Board.

## 9. Going Concern

The accompanying financial statements have been prepared on the going concern assumption that the Board will be able to realize its assets and discharge its liabilities in the normal course of business. The Board has incurred annual losses in the last several years and as of December 31, 2012 has an accumulated deficit. The Board also continues to review their financial position and the long term viability of the Board and is reviewing all options. There are sufficient deferred funds available to continue operations for the near term.

## ***VI – The Public Interest Disclosure Act***

---

*The Public Interest Disclosure (Whistleblower Protection) Act* came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The Act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the Act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The Act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the Act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the Act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the Act, and must be reported in a department's annual report in accordance with Section 18 of the Act.

The Funeral Board of Manitoba only has one employee but no disclosures were received in this fiscal year.

## VII – 2012 Administration

---

### Board Members

#### **Chair**

Susan Boulter  
Director and Chief Operating Officer  
Vital Statistics Agency  
Healthy Living, Seniors and Consumer Affairs

#### **Members**

C. Fred Olds  
  
Robert Clarke  
  
Beth Rutherford  
  
Darin Hoffman  
  
Tracy Wevursky

### Employee

#### **Inspector**

John Delaney

### Administrative Support

#### **Administrative Assistant**

Denise Carrière

#### **Financial Manager**

Ted Norrington

## VIII – 2012 Licenced Funeral Directors and/or Embalmers

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Adam, Alvin P.	Adam's Funeral Home Ltd. 35072 48 W Hwy 244 S Notre Dame De Lourdes MB	305	325
Adam, Nolan	<i>Not affiliated with a funeral home.</i>	573	573
Anderson, Conrad T.	Anderson Family Funeral Home Inc. 9 Railway Avenue Ashern MB	461	461
Anderson, Courtney	Dobchuk Funeral Home 220 Lindsay Street McCreary MB	462	462
Anderson, Stacey	Omega Funeral Home 83 Royal Road S Portage La Prairie MB	1204	1204
Ardron, Kurt D.	Redpath Funeral Home 21 Main Street N Melita MB	575	575
Arnason, Douglas	Arnason Funeral Home 28 1st Avenue N Ashern MB	161	170
Arnason, Shawn H.	Mosaic Funeral, Cremation & Cemetery Services 1839 Inkster Blvd Winnipeg MB	460	460
Atkinson, Jayde T.	E. J. Coutu & Co. Funeral Directors 680 Archibald Street Winnipeg MB	654	654
Babey, Donald	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	567	567
Bardal, Eirik	Neil Bardal Inc. 3030 Notre Dame Avenue Winnipeg MB	522	522
Barringer, Lee	Neil Bardal Inc. 3030 Notre Dame Avenue Winnipeg MB	409	409
Bartel, Matthew	Klassen Funeral Home 1897 Henderson Hwy Winnipeg MB	487	487
Bernat, Jaclyn	<i>Not affiliated with a funeral home.</i>	643	643
Bilcowski, Rick	Minnedosa Funeral Service 34 3rd Avenue SW Minnedosa MB	627	627

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Binnie, Clifford E.	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	286	296
Boardman, Christopher	Boardman/Northland Funeral Home 28 Nelson Road Thompson MB	1010	1010
Boardman, James C.	Boardman/Northland Funeral Home 28 Nelson Road Thompson MB	293	303
Bowskill, Aaron	Thomson "In the Park" Funeral Home 1291 McGillivray Blvd Winnipeg MB	557	557
Buchalter, Kristin	Glen Eden Funeral Home 4477 Main Street West St. Paul MB	562	562
Buchanan, Brent L.	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	309	318
Buchanan, Lynette	Desjardins Funeral Chapel 357 Des Meurons Street Winnipeg MB	516	516
Budz, Edward	<i>Not affiliated with a funeral home.</i>	249	272
Bulbuck, Perry	Braendle-Bruce Funeral Home 114 Russell Street W Russell MB	362	367
Buors, Tyson	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	523	523
Burnett, TJ	Jamieson's Funeral Service 124 Patrick Street Holland MB	442	442
Campbell, Dwayne M.	Campbell Funeral Home 24 2nd Street SE Hamiota MB	463	463
Campbell, Missy	Wheatland Funeral Service Pilot Mound MB	1207	1207
Carriere, Fabien	Sneath-Strilchuk Funeral Services Ltd. 502 Main Street Dauphin MB	1201	1201
Casas, Percival	Glen Eden Funeral Home 4477 Main Street West St. Paul MB	1005	1005
Church, Patrick	<i>Not affiliated with a funeral home.</i>	1208	1208

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Citulsky, David P.	Omega Funeral Home 83 Royal Road S Portage La Prairie MB	444	444
Clarke, Robert W.	Clarke's Funeral Home 196 Hampton Street E MacGregor MB	233	258
Coffey, Joe	Sneath-Strilchuk Funeral Services Ltd. 502 Main Street Dauphin MB	524	524
Coutu, Edward J.	E. J. Coutu & Co. Funeral Directors 680 Archibald Street Winnipeg MB	578	578
Crawshaw, Glenn	Desjardins Funeral Chapel 357 Des Meurons Street Winnipeg MB	637	637
Curtis, Perry	Glen Eden Funeral Home 4477 Main Street West St. Paul MB	445	445
Dadson, Dana G.	Dadson Funeral Home & Crematorium Ltd. 120 Hwy 10A W Flin Flon MB	335	340
Davidson, John W.	Green Acres Funeral Home and Cemetery 1 Green Acres Lane Springfield MB	420	420
Dawson, Paul	Bardal Funeral & Crematorium 843 Sherbrook Street Winnipeg MB	1007	1007
Day, Melinda	<i>Not affiliated with a funeral home.</i>	595	595
Delaurier, Helen	<i>Not affiliated with a funeral home.</i>	515	515
Doyle, Patrick	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	624	624
Drobot, Shannon	Glen Eden Funeral Home 4477 Main Street West St. Paul MB	605	605
Dryden, Janice	Neil Bardal Inc. 3030 Notre Dame Avenue Winnipeg MB	560	560
Dubois, Jeffrey	McKenzies Portage Funeral Chapel 56 Royal Road S Portage La Prairie MB	635	635
Dunfield, John A.	G.R. Carscadden Funeral Chapels Ltd. 383 Wellington Street W Virden MB	374	377

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Dutchak, Rick J.	<i>Not affiliated with a funeral home.</i>	401	401
Dutchyshen, Gerald A.	Sneath-Strilchuk Funeral Services Ltd. 502 Main Street Dauphin MB	164	173
Dyck, Willmuth	Birchwood Funeral Chapel 150 Penfeld Drive Steinbach MB	345	350
Earle, Andrew	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	592	592
Fedorowich, Sheri-Lynne	Nairn-Chyz Funeral Home 325 Main Street W Roblin MB	572	572
Fjeldsted, Holly Ann	Seasons Funeral Service 576 Balsam Crescent Oakbank MB	443	443
Fontaine, Rock	<i>Not affiliated with a funeral home.</i>	412	438
Ford, Gordon	Thomson "In the Park" Funeral Home 1291 McGillivray Blvd Winnipeg MB	510	510
Friesen, Jared	<i>Not affiliated with a funeral home.</i>	481	481
Froese, Harry	Friends Funeral Service Inc. 2146 Main Street Winnipeg MB	365	370
Gagné, Christian	Desjardins Funeral Chapel 357 Des Meurons Street Winnipeg MB	564	564
Gardiner, Robert B.	Neil Bardal Inc. 3030 Notre Dame Avenue Winnipeg MB	206	251
Gatey, Douglas R.	G.R. Carscadden Funeral Chapels Ltd. 240 2nd Street Reston MB	300	307
Gerelus, Shauna L.	Rae's Funeral Service 44 Main Street Erickson MB	423	423
Gibbens, Michael	Green Acres Funeral Home and Cemetery 1 Green Acres Lane Springfield MB	542	542
Giesbrecht, Jake	Wiebe Funeral Homes Ltd. 121 - 8th Street Winkler MB	502	502
Giesbrecht, Michael P.	Vita Funeral Home 256 Railway Avenue Vita MB	551	551

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Gilbart, David	Gilbart Funeral Home Ltd. 309 Eveline Street Selkirk MB	613	613
Girouard, Roger T.	<i>Not affiliated with a funeral home.</i>	465	465
Goertzen, Ken	Glen Lawn Funeral Home 455 Lagimodière Blvd Winnipeg MB	555	555
Gold, Kenneth	Brockie Donovan Funeral & Cremation Services 332 - 8th Street Brandon MB	1011	1011
Graham, Fred	Wheatland Funeral Service Pilot Mound MB	403	403
Grant, Darren	Dadson Funeral Home & Crematorium Ltd. 120 Hwy 10A W Flin Flon MB	424	424
Gray, John F.	Arnason Funeral Home 28 1st Avenue N Ashern MB	404	404
Gray, Natasha M.	Spirit Road Funeral Services Inc. House 100M, Hwy 11, Sagkeeng Arena Multiplex Fort Alexander MB	641	641
Grenier, Joey	Wiebe Funeral Homes Ltd. 121 - 8th Street Winkler MB	489	489
Groening, Trevor	Birchwood Funeral Chapel 150 Penfeld Drive Steinbach MB	625	625
Harapiak, John	<i>Not affiliated with a funeral home.</i>	526	526
Harder, Todd	Birchwood Funeral Chapel 150 Penfeld Drive Steinbach MB	503	503
Harris, Ralph Norman	<i>Not affiliated with a funeral home.</i>	321	322
Hayward, Craig	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	376	379
Hemauer, James	Hemauer Funeral Home 122 Lathlin Avenue The Pas MB	239	261
Hemauer, Neil A.F.	Hemauer Funeral Home 122 Lathlin Avenue The Pas MB	485	485
Hiebert, Robert	<i>Not affiliated with a funeral home.</i>	580	580

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Hildebrand, Greg	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	466	466
Hoffman, Darin	Mosaic Funeral, Cremation & Cemetery Services 1839 Inkster Blvd Winnipeg MB	556	556
Hunt, Darlyn	Paul Funeral Home Inc. 506 2nd Street N Swan River MB	1008	1008
Jackson, Harry L.	<i>Not affiliated with a funeral home.</i>	317	311
Jackson, Shannon	Mosaic Funeral, Cremation & Cemetery Services 1839 Inkster Blvd Winnipeg MB	603	603
James, Brian L.	White's Funeral Home 271 Mountain Avenue Neepawa MB	455	455
Jamieson, R. Moray	Jamieson's Funeral Services Ltd. 415 Broadway Street Glenboro MB	302	309
Jesmer, Steven	Swan Valley Funeral Services Ltd. 363 Kelsey Trail (Hwy 10 N) Swan River MB	1211	1211
Johnston, Craig	Doyle's Funeral Home Ltd. 10 4th Avenue SE Carman MB	527	527
Juba, Rodney	Nairn-Chyz Funeral Home 325 Main Street W Roblin MB	553	553
Kennedy, Glenn W.	Aboriginal Funeral Chapel 724 Selkirk Avenue Winnipeg MB	545	545
Kilcollins, Peter J.	Aboriginal Funeral Chapel 724 Selkirk Avenue Winnipeg MB	377	380
Kirkhope, Scott	Glen Lawn Funeral Home 455 Lagimodière Blvd Winnipeg MB	434	434
Klassen, David W.	Braendle-Bruce Funeral Home 114 Russell Street W Russell MB	413	413
Klassen, Walter	<i>Not affiliated with a funeral home.</i>	209	235
Knutson, Edward	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	529	529

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Knutson, Gerald G.	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	490	490
Knysh, Mike J.	Knysh Funeral Chapel 1161C Fife Street Winnipeg MB	477	477
Knysh, Stephen N.	Eternal Grace Funerals 10 - 1111 Logan Avenue Winnipeg MB	366	371
Korban, Richard M.	Korban Funeral Chapel 907 Main Street Winnipeg MB	348	353
Koslowsky, Harold	Friends Funeral Service Inc. 2146 Main Street Winnipeg MB	492	492
Kotaska, Rick	<i>Not affiliated with a funeral home.</i>	425	425
Kowalchuk, Dexter	Kowalchuk's Funeral Home 99 2nd Street S Souris MB	358	363
Kozak, Tony	<i>Not affiliated with a funeral home.</i>	312	327
Langrell, Lisa Joanne	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	616	616
Lawson, Ryan James	Nairn-Chyz Funeral Home 325 Main Street W Roblin MB	565	565
Laycock, Robert D.	Gilbart Funeral Home Ltd. 309 Eveline Street Selkirk MB	493	493
LeClaire, Albert J.	<i>Not affiliated with a funeral home.</i>	237	265
LeClaire, Aurele J.	LeClaire Brothers Funeral Products and Services 603 Erin Street Winnipeg MB	316	316
Leggat, John	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	630	630
Lesage, Maria	Adam's Funeral Home Ltd. 35072 48 W Hwy 244 S Notre Dame De Lourdes MB	628	628
Letts, Karen L.	Jamieson's Funeral Services Ltd. 415 Broadway Street Glenboro MB	530	530
Lilley, Shane	Glen Eden Funeral Home 4477 Main Street West St. Paul MB	600	600

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Loehmer, Kenneth E.	MacKenzie Funeral Service 336 2nd Avenue Arborg MB	327	328
Lumbard, J. Todd	<i>Not affiliated with a funeral home.</i>	415	415
Lumbard, Wade	Brockie Donovan Funeral & Cremation Services 332 - 8th Street Brandon MB	546	546
Lutz, Naomi	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	582	582
MacIver, Michael	Voyage Funeral Home & Crematorium 220 Hespeler Avenue Winnipeg MB	626	626
MacKay, Jacqueline	Glen Lawn Funeral Home 455 Lagimodière Blvd Winnipeg MB	504	504
MacKenzie Kresnyak, Roshelle	MacKenzie Funeral Services Box 109 Balmoral MB	597	597
Magill, Alicia L.	<i>Not affiliated with a funeral home.</i>	561	561
Matikka, Mark	Glen Eden Funeral Home 4477 Main Street West St. Paul MB	598	598
McCrae, Allan H.	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	299	304
McKenzie, Owen	McKenzies Portage Funeral Chapel 56 Royal Road S Portage La Prairie MB	531	531
McMillan, Jason	Thomson "In the Park" Funeral Home and Cemetery 1291 McGillivray Blvd Winnipeg MB	517	517
Meilleur, Caitlin	Green Acres Funeral Home and Cemetery 1 Green Acres Lane Springfield MB	644	644
Mellen, Joshua	Green Acres Funeral Home and Cemetery 1 Green Acres Lane Springfield MB	645	645
Mercier, Jean-Guy L.	<i>Not affiliated with a funeral home.</i>	505	505
Mikawos, Erica	Thomson "In the Park" Funeral Home and Cemetery 1291 McGillivray Blvd Winnipeg MB	611	611

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Moffit, Ron	Ronald Moffit Memorial Services 306 Saskatchewan Avenue E Portage La Prairie MB	271	156
Monkman, Curtis E.	Monkman Family Funeral Home 447 Selkirk Avenue Winnipeg MB	609	609
Moroz, John	Brockie Donovan Funeral & Cremation Services 332 - 8th Street Brandon MB	352	357
Moynham, Joseph F.	<i>Not affiliated with a funeral home.</i>	494	494
Murphy, Andrew	<i>Not affiliated with a funeral home.</i>	427	427
Nairn, Robert John	Nairn-Chyz Funeral Home 325 Main Street W Roblin MB	315	315
Nairn, Robert Paul	Nairn-Chyz Funeral Home 325 Main Street W Roblin MB	518	518
Neufeld, Eric Henry	Paull Funeral Home Inc. 506 2nd Street N Swan River MB	260	275
Nichol, Garth	Wheatland Funeral Service Pilot Mound MB	323	324
Nichol, Matthew	Wheatland Funeral Service Pilot Mound MB	634	634
Nicholson, Jody D.	Glen Lawn Funeral Home 455 Lagimodière Blvd Winnipeg MB	470	470
Olson, Donna	Thomson "In the Park" Funeral Home and Cemetery 1291 McGillivray Blvd Winnipeg MB	533	533
Pascal, Leslie	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	636	636
Paterson, Bryce R.	Braendle-Bruce Funeral Home 114 Russell Street W Russell MB	612	612
Paull, Dana	Paull Funeral Home Inc. 506 2nd Street N Swan River MB	548	548
Pegoski, Steve	MacKenzie Funeral Home 433 Main Street Stonewall MB	482	482

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Pritchard, David	Bardal Funeral & Crematorium 843 Sherbrook Street Winnipeg MB	128	128
Pysyk, Pamela	Sobering Funeral Chapel & Crematorium 1035 Park Avenue E Beausejour MB	1205	1205
Racette, Abilene	Clarke's Funeral Home 102 Dennis Street W Gladstone MB	646	646
Raffray, Ryan A.	Sneath-Strilchuk Funeral Services Ltd. 502 Main Street Dauphin MB	483	483
Redpath, Neil D.	Redpath Funeral Home 21 Main Street N Melita MB	512	512
Reid, William	<i>Not affiliated with a funeral home.</i>	129	129
Reimer, Mark	Doyle's Funeral Home Ltd. 10 4th Avenue SE Carman MB	590	590
Richardson, Carol	Wojcik's Funeral Chapel & Crematorium 2157 Portage Avenue Winnipeg MB	650	650
Robinson, Rayna	Wheatland Funeral Service Pilot Mound MB	617	617
Rosin, Richard A.	Neil Bardal Inc. 3030 Notre Dame Avenue Winnipeg MB	379	382
Rybak, Stan	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	1210	1210
Salie, Jenny	Chapel Lawn Funeral Home 4000 Portage Avenue Winnipeg MB	629	629
Satterthwaite, Jeannine M.	<i>Not affiliated with a funeral home.</i>	631	631
Schneider, Vernon L.	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	263	289
Siebold, Elizabeth	Sobering Funeral Chapel & Crematorium 1035 Park Avenue E Beausejour MB	1003	1003
Siemens, Terence D.	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	337	342

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Sigurdson, Julie Anne	Clarke's Funeral Home 102 Dennis Street W Gladstone MB	514	514
Smith, Brittany	<i>Not affiliated with a funeral home.</i>	1006	1006
Smith, Paul F.	Smith Funeral Home 113 Lake Street S Deloraine MB	369	374
Sobering, Douglas B.	Sobering Funeral Chapel & Crematorium 1035 Park Avenue E Beausejour MB	247	270
Sobering, Marlene	Sobering Funeral Chapel & Crematorium 1035 Park Avenue E Beausejour MB	380	383
Sobering, Steven	Sneath-Strilchuk Funeral Services Ltd. 502 Main Street Dauphin MB	536	536
Speirs, Orville	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	429	429
Spratt, Lawana	Memories Chapel & Pre-Planning Centre 330 18th Street N Brandon MB	642	642
Steen, Graham	<i>Not affiliated with a funeral home.</i>	1206	1206
Suski, Mark S.	Bardal Funeral & Crematorium 843 Sherbrook Street Winnipeg MB	496	496
Swan, Crystal	Anderson Family Funeral Home Inc. 9 Railway Avenue Ashern MB	501	501
Sweryd, Kevin	Bardal Funeral & Crematorium 843 Sherbrook Street Winnipeg MB	459	459
Sworyk, Michael	Mosaic Funeral, Cremation & Cemetery Services 1839 Inkster Blvd Winnipeg MB	215	256
Sylvester, Robert W.	<i>Not affiliated with a funeral home.</i>	264	288
Talbot, Glen W.	Desjardins Funeral Chapel 357 Des Meurons Street Winnipeg MB	610	610
Talbot, Joanne	Glen Lawn Funeral Home 455 Lagimodière Blvd Winnipeg MB	474	474
Tardiff, Helene	Cropo Funeral Chapel 1442 Main Street Winnipeg MB	356	361

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Tetreault, Yvon	Desjardins Funeral Chapel 357 Des Meurons Street Winnipeg MB	291	286
Thom, Richard M.	Rae's Funeral Service 521 - 4th Avenue Shoal Lake MB	417	417
Thomas, James E.	<i>Not affiliated with a funeral home.</i>	158	165
Trush, Greg	Sneath-Strilchuk Funeral Services Riverside Road RM of Dauphin MB	381	384
Unger, Brad	Birchwood Funeral Chapel 150 Penfeld Drive Steinbach MB	648	648
Vergunst-Duijvestijn, Bianca	Brockie Donovan Funeral & Cremation Services 332 - 8th Street Brandon MB	1202	1202
Vogiatzakis, Michael	Voyage Funeral Home & Crematorium 220 Hespeler Avenue Winnipeg MB	554	554
Vogt, Adina	Friends Funeral Service Inc. 2146 Main Street Winnipeg MB	618	618
Wagner, Darren	Omega Funeral Home 83 Royal Road S Portage La Prairie MB	473	473
Wall, Corey R.	Wiebe Funeral Home Altona Ltd. 216 Centre Avenue E Altona MB	571	571
Wankling, Richard A.	Thomson "In the Park" Funeral Home and Cemetery 1291 McGillivray Blvd Winnipeg MB	406	406
Webster, Jim	Swan Valley Funeral Services Ltd. 363 Kelsey Trail (Hwy 10 N) Swan River MB	274	292
Webster, Jodene	Brockie Donovan Funeral & Cremation Services 332 - 8th Street Brandon MB	1203	1203
Wenzel, Karl	<i>Not affiliated with a funeral home.</i>	649	649
Wereschuk, Paul	<i>Not affiliated with a funeral home.</i>	351	356
Wevursky, Gord	Fisher Funeral Home Inc. 70 Taché Street Fisher Branch MB	418	418

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Wheeler, Chad	Wheeler Funeral Home, Cemetery & Crematorium 1800 Day Street Winnipeg MB	587	587
White, Brian	<i>Not affiliated with a funeral home.</i>	497	497
White, Nathan	Minnedosa Funeral Service 34 3rd Avenue SW Minnedosa MB	588	588
Wiebe, Amanda	Clarke's Funeral Home 102 Dennis Street W Gladstone MB	633	633
Wiebe, Jeff	Morris Funeral Home 136 James Avenue W Morris MB	272	294
Wiebe, Rick	Wiebe Funeral Homes Ltd. 121 - 8th Street Winkler MB	521	521
Wiebe, Terrance W. H.	Wiebe Funeral Home Altona Ltd. 216 Centre Avenue E Altona MB	275	299
Wilson, Kiley	Wiebe Funeral Homes Ltd. 121 - 8th Street Winkler MB	538	538
Wojcik, Richard A.	Wojcik's Funeral Chapel & Crematorium 2157 Portage Avenue Winnipeg MB	407	407
Yanke, Sara	<i>Not affiliated with a funeral home.</i>	1004	1004

## IX – 2012 Certificates of Qualification

LICENSEE	FUNERAL HOME OF EMPLOYMENT	EMB	FD
Duijvestijn Vergunst, Bianca	Brockie Donovan Funeral & Cremation Services 332 - 8th Street Brandon MB	1202	1202
Steen, Graham	<i>Not affiliated with a funeral home</i>	1206	1206

*\*No applications were refused or revoked during the year.*

## X – Hearings, Complaints, Reprimands and Fines

*The Funeral Directors and Embalmers Act* requires the Board to report all hearings, complaints, reprimands and fines.

The complaint process is an important tool in monitoring all licensees. Problems must be presented to the Board as written complaints. The public's awareness of the role of the Funeral Board of Manitoba as a venue for complaints has increased over the last few years. The Board anticipates the number of complaints will continue to increase as the public becomes aware of its role.

In 2012, the Board decided to identify administrative issues in a separate category.

The Board did not hold any hearings in 2012 but received 32 complaints from consumers and opened 4 administrative inquiries. Below is a breakdown of these events by calendar year.

	2008	2009	2010	2011	2012
Hearings	-	-	1	1	0
Administrative Inquiries	-	-	-	-	4
Complaints	7	12	21	19	32
Reprimands	-	-	1	1	0
Fines	-	-	0	1	0

The following is a brief overview of the administrative inquiries and complaints noted above.

### **Administrative Inquiries**

An administrative inquiry is a file initiated by the Board's Administrative staff, when it appears that a licensee has failed to comply with a statutory or regulatory requirement. It enables the Inspector to investigate possible non-compliance issues.

#### Administrative Inquiry #2012-01

**Summary:** A licensee filed the 2012 Application for Funeral Director and Embalmer Licence, with the licensing and late payment fees on December 30, 2011, but no proof of completed Continuing Education credits. The Board sent a letter to the licensee on January 16, 2012 asking for proof. The Funeral Board of Manitoba received confirmation of the licensee's completed continuing education credits on March 20, 2012.

**Investigation:** The Inspector investigated the licensee's work history during the unlicensed period and found that the licensee did act as a funeral director by contracting work out to two funeral homes.

**Decision:** The Board accepted the Inspector's recommendation that the matter be sent to a hearing of the Funeral Board of Manitoba.

#### Administrative Inquiry #2012-02

**Summary:** The Board received a complaint from an individual about a licensee alleging that he had failed to provide the Board's brochure to her. The Board's Inspector was able to determine that the individual had not attended the funeral home, did not make the complaint and did not sign the complaint form. Another licensee eventually admitted to making the false complaint against another funeral director.

**Investigation:** The Inspector was able to confirm the address on the complaint was the home of a funeral director. The individual named as the complainant was confirmed to be the funeral director's niece. When the Inspector approached the funeral director to discuss the peculiar situation, she stated she knew the reason for the meeting and confirmed that she has made a false complaint against the licensee and signed her niece's name to the complaint.

When asked why she did this, the licensee stated that she was outraged and frustrated by her experiences with grieving families having had problems dealing with other funeral homes.

**Decision:** The Board accepted the Inspector's recommendation that the matter be sent to a hearing of the Funeral Board of Manitoba.

#### Administrative Inquiry #2012-03

**Summary:** On September 27, 2012, the Board was advised that a funeral home changed ownership effective September 17, 2012. As the new owners did not apply for a funeral home premise licence, the Board sent a letter dated October 10, 2012 to the business address indicating it had to apply for a 2012 licence to continue its operation.

The funeral home owners did not contact the Board. On November 9, 2012, the Inspector spoke to one of the new owners who was very apologetic, stating that the problem was an oversight and she would rectify the situation as soon as possible.

On November 15, 2012, the Board received an application for premise licence form and payment of the prescribed fee.

**Decision:** although a breach of the Act and regulation occurred as this business continued to operate without a licence, the Funeral Board of Manitoba believed that the owners (who were not licensed funeral directors or embalmers at the time) remedied the situation promptly and the file was closed without further action.

#### Administrative Inquiry #2012-04

**Summary:** On January 25, 2012, the Funeral Board of Manitoba received confirmation of the licensee's completed continuing education credits but no 2012 Application for Funeral Director and Embalmer Licence or fees.

**Investigation:** The Inspector investigated the licensee's work history during the unlicensed period and found that he did not act as a funeral director during this period.

**Decision:** The Board accepted the Inspector's recommendation that the file be closed.

## Complaints

### Complaint #2012-01

**Summary:** The Funeral Board of Manitoba received a complaint from a woman whose daughter had died and all arrangements were made with the licensee. She alleged that:

- she was not recognized as next of kin as per *The Intestate Succession Act* of Manitoba;
- she did not have the opportunity to sign legal paper work;
- she did not receive her daughter's belongings or property;
- her daughter's spouse received the funeral payout from Manitoba Public Insurance (MPI); and
- she was concerned about not receiving all of daughter's cremated remains.

**Investigation:** the Inspector spoke to the complainant's two sons, the complainant's mother, the deceased's spouse and his father as well as the licensee who indicated that they all were present at the time the funeral arrangements were made and that the complainant made most of the decisions regarding the arrangements. All of the witnesses advised that the funeral director acted in a very professional manner, treating all the members at the arrangement as family and encouraging their participation in the process.

During the arrangement meeting, the spouse of the deceased signed the funeral documentation and no one in attendance, including the complainant objected. The spouse received the MPI funeral payment as he paid the licensee's invoice for the funeral.

As agreed, the cremated remains were divided into three portions and the complainant ordered two urns. One third of the remains were kept by the complainant, the second was given to the father and the third was given to the spouse in a plastic bag.

The licensee told the Inspector that he had received a thank you card from the complainant shortly after the service.

**Decision:** As there no breach of the Act, the regulation or the Code of Ethics, the Board closed the file.

### Complaint #2012-02

**Summary:** The Funeral Board of Manitoba received a complaint via email dated January 10, 2012 regarding the unprofessionalism of a licensee regarding the:

- removal of her husband's body without authorization;
- change of cost for the cremation;
- funeral director's condescending attitude; and
- licensee asking Employment and Income Assistance to cancel contract.

**Investigation:** The Inspector interviewed the complainant who stated that she may have misinterpreted what had happened or may have misunderstood what she agreed to while on the phone with staff from the funeral home. As no written quotes/estimates were provided, the Inspector cannot confirm the price of the cremation had changed.

The complainant also stated that she felt that one of the funeral directors was condescending in his communication with her but gave no examples.

The complainant was upset that the funeral home contacted the Employment and Income Assistance (EIA) branch to cancel her contract. The Inspector spoke to the Manager of the EIA branch who advised that when a person obtains financial assistance to pay for a funeral, a schedule B form is completed to enable payment to the funeral home. If the client decides to change funeral homes after the form is completed, the original funeral home must notify the branch. When the Inspector spoke to the assigned case worker, he was informed that the complainant was unsure of the decisions she made during the arrangement process.

**Decision:** as there was no evidence of any wrongdoings, the Board closed the complaint file.

#### Complaint # 2012-03

**Summary:** A funeral director submitted a complaint on January 5, 2012 regarding a licensee's advertising as follows:

- advertising a rural business in the yellow pages;
- advertising a rural business in MTS Eastern phonebook;
- using the town's name in obituaries; and
- advertising a town location in Passages website of the Free Press

**Investigation:** During his investigation, the Inspector discovered that the licensee had set up extensive advertising in preparation for the possible purchase a funeral home business. The licensee didn't end up purchasing the business and, although he discontinued paying for the advertising, some companies continued to print the information in new publications and on the internet. When the complaint was presented to the licensee, he provided proper notification documents that confirmed he had cancelled all advertising. All advertising on the website appears to have been corrected.

**Decision:** As the advertising had been updated, the Board closed the file.

#### Complaint #2012-04

**Summary:** An individual filed a complaint letter dated January 18, 2012 claiming a licensee did not provide the complainant with a Certificate of Cremation for her father's cremated remains. The complainant was unsuccessful in obtaining the Certificate of Cremation from her brother who is the Executor of the father's estate.

The complainant contacted the licensee requesting a second certificate be issued to her. The licensee advised that he had already provided the Executor of the estate with the document. The licensee also notified the Executor about the complainant's request. Based on the information gathered during the investigation, there is no basis for a complaint against the licensee.

**Investigation:** The Investigator contacted the funeral director who then wrote a letter of explanation to the complainant. The complainant was satisfied with this response.

**Decision:** As no breach had occurred, the Board closed the file.

### Complaint #2012-05

**Summary:** The Funeral Board of Manitoba received a complaint letter dated January 19, 2012 against a licensee for unprofessionalism regarding:

- the identification of the body;
- the timing of the presentation of the invoice to the family;
- not providing an option of a cardboard box for cremation; and
- an unreasonable time period to make the final payment.

The complainant felt the licensee's request to identify her husband (as he was declared dead at the Grace Hospital) was sales pressure and cruel treatment.

At the memorial service, the licensee gave the family a velvet bag with reserve ashes and the invoice to a family member who was upset that the invoice was presented at the interment. The complainant felt that this action indicated a lack of compassion, discretion and professionalism.

The complainant was not satisfied that the funeral home's lowest priced cremation container (a wood box) was \$695 and felt that there should've been other (cheaper) options.

When the complainant received the invoice at gravesite, she was upset that the funeral home only allowed 10 days for the final payment of the invoice.

**Investigation:** Upon investigation, the Inspector received a copy of the licensee's identification policy, which states it was instituted by the funeral home for safety and security reasons; and to ensure no mistakes are made before cremation. The Inspector also found that neither the Board nor provincial legislation sets standards regarding the time frame for presenting the final invoice, the type of cremation containers provided by funeral homes, or the amount of time allowed for payment.

**Decision:** As no breach occurred, the Board closed the file.

### Complaint #2012-06

**Summary:** An individual filed a complaint dated January 24, 2012 regarding unprofessionalism of a licensee. This complaint states the licensee is not in compliance with the regulations by not listing a transfer fee separately on his General Price list, and that the licensee spoke to a funeral director in an unprofessional manner.

**Investigation:** Upon researching this complaint, the Inspector discovered that the cost of a basic transport is posted on the licensee's website as required by the Information Disclosure section 14.2 of *The Funeral Directors and Embalmers Act* regulation. The Inspector found no evidence of disrespectful behavior.

**Decision:** It was determined that there was not sufficient evidence to proceed further. The Board sent letters to the involved funeral homes advising that no further action would be taken and that the file was closed.

### Complaint #2012-07

**Summary:** An individual complained on January 26, 2012 regarding the book "Curtains" written by Tom Jokinen. The book, published in 2010, is written about the modern death care

industry in Manitoba. The author obtained his material while working at a licenced funeral home. The complaint states;

- the author violated *The Funeral Directors and Embalmers Act* by portraying himself as an apprentice/articling student;
- the licensee violated the Act by allowing the author to be present during embalming;
- the author's comments are unacceptable to the funeral service profession; and
- the author was not an articling student at an approved school during this time.

**Investigation:** Through investigation of this complaint, the Inspector found that the author was employed with a licensee, therefore he would be authorized to be in the embalming room. The writer never performed an embalming and never held himself out to be a registered funeral director/embalmer.

The Inspector also thought that the facts and writer's views are interwoven in the book. As the licensee has passed away, he was unable to be questioned regarding the events.

**Decision:** As no breaches occurred the Board closed the file.

#### [Complaint #2012-08](#)

**Summary:** The Funeral Board of Manitoba received a complaint letter dated January 25, 2012. The letter indicates that the licensee buried her deceased brother in the plot she purchased and owned for years. The complainant is quite angry about the mistake and wanted her brother's casket removed.

**Investigation:** During the investigation, it was discovered that the licensee, the cemetery employees, and the deceased's next of kin all knew that the deceased was to be buried in a plot in front of his parents' grave site. The grave was marked by the Chairman of the Cemetery with a rebar placed at the head area of the plot. The backhoe operator stated "Who would have thought they would be burying him below his father, not next to him". The backhoe operator made a judgment call thinking a mistake had been made and that the son should be buried next to the father, which is why he dug the grave next to the decedent's father.

On the day of the funeral no one informed the licensee that a mistake had been made. The complainant saw that her brother was being buried in her plot but made no mention of this to anyone. The decedent's wife also knew her husband was being buried in his sister's plot but made no mention of this either.

**Decision:** The Board found that the error was not the licensee's responsibility but he has since taken action to help correct the situation. As no breach had occurred, the Board closed the file.

#### [Complaint #2012-09](#)

**Summary:** The Funeral Board of Manitoba received a complaint letter dated February 6, 2012 claiming that a licensee was showing casket merchandise without pricing.

**Investigation:** The Inspector attended the licensee's premise, unannounced, on March 1, 2012 to perform a Premise Audit. While completing the audit, the Inspector noticed a wall on the second floor of the premise displayed 16 casket halves without pricing. The licensee advised that the casket halves were in the basement when he purchased the premise and he felt that they

would decorate the second floor wall. The display wall is located on the second floor of the business which appears to be living quarters and not publicly accessible.

When the licensee was interviewed regarding the display, he advised that he would put pricing on the caskets to alleviate any problems. He also advised that he uses Batesville catalogues when showing caskets to customers during funeral arrangements.

**Decision:** Based on the information provided, the circumstances upon discovery and the funeral director's agreement to make immediate changes, the Board closed the file.

#### Complaint #2012-10

**Summary:** The Funeral Board of Manitoba received a letter of complaint dated February 8, 2012 regarding the licensee's statement of costs differed from the quoted price.

**Investigation:** Upon investigating this complaint, the Inspector found that the complainant was given a quote of \$8,171.83 for the funeral arrangements. All goods and services were listed on the quote. After the funeral, the complainant received the final statement of cost totaling \$8,431.98. The difference in price is \$260.15 and the discrepancy appears to be the fee for a sound system and microphone. These items were supplied by the funeral home but the complainant states that they did not need them and refused to pay.

**Decision:** The Board decided that there appeared to be no malfeasance perpetrated by the funeral home as the quote was very close to the actual billing amount and closed the file.

#### Complaint # 2012-11

**Summary:** On March 6, 2012, the Funeral Board of Manitoba received a complaint regarding the unprofessionalism of the licensee for the following reasons;

- the decedent's first name was misspelled in a short obituary;
- the licensee asked everyone in family how payment was to be made;
- the licensee called social services to see if they could assist;
- the licensee called complainant's work to confirm employment;
- the licensee called St Boniface Hospital to ask that the body only be released to him;
- the licensee threatened to take the complainant to civil court for amount owing; and
- the licensee wanted half of the cost of the funeral up front and the rest paid in 15 days.

**Investigation:** During the investigation, the Inspector found that the decedent's first name was indeed misspelled in the obituary.

Funeral homes incur significant costs when arranging funerals and the licensee, as a business owner, may need to determine how payment will be made. The family indicated to the funeral director that they had some financial problems; and the licensee assisted the family to determine if they qualified for social assistance.

The Inspector spoke to the Manager of Patient Registration at St. Boniface Hospital who advised that the hospital did not receive a telephone call from the licensee indicating "not to release the body to anyone but him".

The complainant and her family decided not to pay the licensee for the cost of the obituary. This action caused the licensee to file a civil suit against the complainant. The complainant is upset about the payment system at the funeral home however the Funeral Board of Manitoba has no jurisdiction over how a funeral home sets up their payment plans.

**Decision:** As that the complainant did not provide any specifics regarding the unprofessionalism of the licensee, the Board closed the file.

#### Complaint #2012-12

**Summary:** On March 14, 2012, the Board received a complaint regarding the amount of transportation costs charged by the licensee for sending her deceased father's remains out of country as it was more than she expected.

**Investigation:** Funeral arrangements were made on February 2, 2012 and a deposit of \$12,600 was made at that time, including a ceremony in Winnipeg and repatriation of the decedent to another country. The complainant signed an authorization form giving the licensee and the brokers consent to have her father's remains shipped. The transportation costs and other fees were to be paid at a later date but a rough estimate of \$3,000 was given, as the exact cost was unknown at the time.

Beyond the \$12,600 deposit paid on February 2, 2012, the licensee ended up paying an additional \$6,351.91 to the brokerage company for the transportation, other fees and taxes. The brokerage firm is a Toronto based company that assists with the shipment of bodies all over the world. They provided administration of details, secured consulate approval, use of staff, motor equipment, arranged flights and prepared waybills. The licensee notified the complainant of the final costs, but the complainant declined to pay those costs.

The Inspector scrutinized photocopies of bills and invoices provided to the complainant by the funeral home. During this review, the Inspector noticed a discrepancy in the funeral service agreements when viewed side by side. The licensee's agreement had the writing "Ottawa Mortuary Services, McKinnon & Bowes Limited" on the line indicating Flowers. The complainant's copy of the agreement had no such writing. The licensee stated that he added that to his copy as a reminder of "things to do" but there is no cash value or amount added to indicate an additional unauthorized cost.

**Decision:** It appears that the licensee acted in good faith by providing the services requested by the complainant. The licensee had no control over the transportation costs and services provided by the brokerage firm and as such, the Board determined no breach occurred and closed the file.

#### Complaint #2012-13

**Summary:** The Board received a complaint regarding the licensee's wife holding herself out to be a funeral director and regarding the licensee's false/misleading advertising.

**Investigation:** The Inspector was given verbal examples that this violation occurs regularly however, other than the complainant's accusation, the Board wasn't given any other evidence.

The Inspector had received a similar complaint about advertising in 2010 and the Board had requested the wording of the advertising be changed.

**Decision:** The Board determined this accusation to be hearsay as the Inspector was unable to substantiate the claim. Unless further information is provided, this segment of the report is concluded.

Regarding the false/misleading advertising, the Inspector confirmed the wording had changed and the Board closed the file.

#### Complaint #2012-14

**Summary:** The Funeral Board of Manitoba received a complaint dated May 29, 2012 against a funeral home for advertising that they had three premises but they were not all licensed. The complainant believes that the advertising is misleading to the public.

**Investigation:** Upon investigating this complaint, the Inspector found that one of the funeral homes is a licensed premise but one of the businesses had not yet opened to the public. It did have a large sign in front indicating that it was “opening soon”.

The third location listed in the Yellow Pages was an address out of town. The actual address was the same location as a local seniors club which had a large advertisement in a window on the front corner of the building which stated that a funeral home office was within. The gentleman in charge of the club informed the Inspector that the licensee had no office in the building but that the licensee’s staff makes presentations regarding pre-arranged funeral plans to the members of this senior’s club from time to time.

**Decision:** The Inspector suggested that the advertising and window signage at the senior’s club could confuse or mislead the public into thinking there is a funeral home or office at this location. The Board sent a letter to the licensee asking that the signage be removed and the wording of the advertisement be changed. Once the Inspector confirmed that the Board’s instruction has been carried out, the Board closed the file.

#### Complaint #2012-15

**Summary:** The Board received a complaint dated May 29, 2012 advising that unnamed sources told the complainant that a particular licensee was spreading false information regarding his business.

**Investigation:** The Inspector interviewed the complainant who was unable to provide proof or information to substantiate his complaint.

**Decision:** As no information was provided by the complainant to support the allegation, the Board closed the file.

#### Complaint #2012-16

**Summary:** The Board received a complaint dated May 29, 2012 advising that unnamed sources told the complainant that another licensee was spreading false information regarding his business.

**Investigation:** On May 14, 2012 at 8:56 AM the Inspector received an email from the licensee’s funeral home which had an attachment containing several legal papers. The legal document originated from the complainant’s trustee addressed to a creditor. The creditor had sent the

email to the licensee even though he was not listed as a creditor. The licensee sent the email to the Inspector for the Board's information.

The trustee advised the Inspector that the information had been advertised in the newspaper and therefore was public knowledge.

The Inspector interviewed the complainant regarding his complaint but he was unable to provide written any proof or information to substantiate his complaint.

**Decision:** The Board sent a letter to the complainant advising him of the outcome of the investigation and closed the file.

#### [Complaint #2012-17](#)

**Summary:** The Board received a complaint that a specific funeral director advised the complainant that another licensee was one of the directors slandering the complainant's funeral home.

**Investigation:** The Inspector interviewed the complainant and the funeral director who had received a phone call from the licensee on May 30, 2012. According to the funeral director, no one slandered or insulted the complainant or his business. The licensee was simply asking the funeral director questions regarding the complainant's business.

**Decision:** As a private conversation between two funeral directors discussing a funeral home does not constitute a breach, and as the complainant was unable to provide proof to substantiate his complaint, the Board closed the file.

#### [Complaint #2012-18](#)

**Summary:** The Board received a complaint that a specific funeral director was one of the directors slandering the complainant's funeral home.

**Investigation:** Upon investigating the complaint, the Inspector discovered that the licensee was creditor in this situation which gives him first-hand knowledge of the situation. He was having a private conversation with a fellow funeral director when he mentioned some facts about the situation but advises that the conversation was not of insulting or slandering nature.

**Decision:** As a private conversation between two funeral directors does not constitute a breach, and as the complainant was unable to provide proof to substantiate his complaint, the Board closed the file.

#### [Complaint #2012-19](#)

**Summary:** The Funeral Board of Manitoba received a complaint on June 14, 2012 about unprofessional text messages the complainant received from the licensee.

**Investigation:** The complainant was in a relationship with a funeral home employee's ex-spouse. The complainant filed the grievance regarding the type of personal text messages the licensee was communicating with her and the ex-spouse.

The Inspector reviewed the complaint and advised that the Board has no jurisdiction over the private/personal lives of funeral directors and embalmers.

**Decision:** The Board confirmed that when sending these text messages, the licensee was acting as a private individual and not as a funeral director; the Board closed the file.

[Complaint #2012-20](#)

**Summary:** The Board received a complaint that the licensee has been charged with impaired driving under the Criminal Code of Canada.

**Investigation:** The investigation revealed that the licensee had been charged with impaired driving and the court date was set for late fall of 2012. During the interview of the licensee, he advised the Inspector that he was not acting as a funeral director at the time of the incident. He further stated that under advice of legal counsel, he would not be discussing the issue any further.

**Decision:** The Board has decided to hold a hearing.

[Complaint #2012-21](#)

**Summary:** The Board received a complaint stating the licensee had rewritten the obituary contrary to what the complainant had agreed to and that the licensee acted in an unprofessional manner by making the changes.

**Investigation:** Upon investigating this grievance, the Inspector discovered that the complainant attended the funeral on June 14, 2012 to pick up the cremated remains and was shown a copy of the reworked obituary by a licensed funeral director. The complainant advised that she did not read the changes but signed the form to authorize the changed obituary.

**Decision:** As the complainant consented to the changed obituary, the Board decided the licensee acted in accordance to the Code of Ethics and the Board closed the file.

[Complaint #2012-22](#)

**Summary:** The Funeral Board of Manitoba received an email message from the Public Utilities Board with a complaint referral regarding the licensee's failure to report that the spouse's cremated remains were included in the decedent's casket at time of burial.

The complainant also advised that she was charged an additional fee for delaying the burial but cemetery representatives confirm that the licensee was not charged a late/waiting fee.

**Investigation:** This complaint is still under investigation.

[Complaint #2012-23](#)

**Summary:** The Funeral Board of Manitoba received a complaint dated August 10, 2012 regarding prepaid cemetery products and services as well as the unprofessionalism of the funeral director.

**Investigation:** The Board has no authority to investigate the complaint. The Inspector contacted the Public Utilities Board who advised that *The Cemeteries Act* has no Code of Ethics and no recourse in such matters.

**Decision:** The complainant was advised that the Board had no authority to investigate this complaint and suggested that she consider speaking to legal counsel. The Board closed the file.

[Complaint #2012-24](#)

**Summary:** The Funeral Board of Manitoba received a complaint that a licensee did not provide the Board's brochure.

**Investigation:** The complainant advised that on the morning of July 31<sup>st</sup>, he attended the licensee's premises to obtain information for the complainant's grandfather who is not well and wanted information prior to his death. While at the licensee's funeral home the complainant did not receive a general price list or the Funeral Board of Manitoba's brochure. The complainant also mentioned that he saw a sign on a building which had the name of the licensee's funeral home but the complainant advises that the licensee does not own a funeral home in that town.

When the Inspector interviewed the complainant on August 29, 2012, he stated that he had no knowledge of any complaint sent to the Funeral Board of Manitoba. He further stated that he had never met the licensee and was not at the premises indicated in the complaint. When the complainant received the Board's complaint acknowledgement letter he thought that it was a hoax/joke. The complainant confirmed that no one in his house would have sent the complaint letter and he is the only resident at the address.

The licensee advised the Inspector that he closed a funeral home in Selkirk 2010 and no longer advertises that he has a premise located there.

**Decision:** The Inspector concluded that this was a false complaint and attempts to discover the author have been unsuccessful. As such, the Board closed the file.

[Complaint #2012-25](#)

**Summary:** The Board received a complaint on July 26, 2012. The complainant paid the licensee \$2850.25 for the funeral service and products supplied for her brother's funeral. As the decedent was a client of the Employment and Income Assistant program, he was entitled to coverage of the funeral expenses. The licensee completed a schedule B "Funeral Home Invoice" dated November 30, 2011 and received payment from the Employment and Income Assistance program.

**Investigation:** The Inspector discovered that the Employment and Income Assistance funds deposited to the licensee's bank account on March 14, 2012 were seized by the Canada Revenue Agency under order which allows all funds deposited to this account to be transferred directly to Canada Revenue Agency. The licensee advised that he'd been communicating with the complainant and informed her he would pay back the amount.

**Decision:** The Board concluded that the complainant's recourse is to file an application in small claims court and the closed the file.

[Complaint #2012-26](#)

**Summary:** The Board received a complaint on July 31, 2012. The complainant advised that on some unknown date, she attended the licensee's premises to obtain funeral information for her mother who had been placed in palliative care. While at the licensee's funeral home the

complainant was not provided with a general price list or the Funeral Board of Manitoba brochure.

**Investigation:** During the course of this investigation, the Inspector discovered that the original complaint against the licensee was false.

**Decision:** The Board sent a letter to the licensee of the false complaint and Administrative Inquiry file #AI2012-02 was created to investigate possible breaches.

#### Complaint #2012-27

**Summary:** The Board received a complaint in which the complainant alleged that;

- The licensee claimed he was not able to use the basic cremation container as the deceased weighed 147 pounds.
- The licensee was late for a meeting on Thursday, July 19 2012 at 10:30 am.
- The complainant chose to have a rush put on candles (\$280) and a memorial register (\$150). The complainant was charged for the products and the rush order (\$150); the complainant is upset about these prices.
- The complainant indicates that she paid \$50 for a transport document, and never received it when her son went to pick up the ashes.
- The complainant's obituary cost was estimated on the invoice at \$1,500 to run on July 20, 21 and 23, 2011. The licensee later informed the complainant that the appraisal for the obituary was underestimated by \$600.
- On July 28, 2012 the licensee ran a short Saturday complimentary obituary but the complainant states that no one gave permission for the obituary to be printed.

**Investigation:** The Inspector finds that this situation appears to be the complainant's word against the licensee's. All of the items purchased are in the licensee's GPL; the licensee has a signed contract to supply the items for the amount that was charged.

- The licensee's General Price List (GPL) states a decedent over 140lbs must be upgraded to a more sturdy cremation container. The deceased's weight was verified by a weight scale at the licensee's crematorium.
- The licensee denies this allegation.
- However, the invoice shows all these costs accounted for with the complainant signed at the bottom.
- The price of this service is documented in the licensee's GPL and is also listed on the invoice. The licensee's secretary states that the letter was dropped by the complainant's son when he left the funeral home with his dad's ashes.
- The July 23 obituary was not paid for in advance by the complainant so the licensee did not have it printed in the newspaper on that date.

**Decision:** The Board agrees that this is an unfortunate situation but does not have the proof to substantiate any wrong doing and the file is closed.

#### Complaint #2012-28

**Summary:** On August 31, 2012, the Board received a complaint regarding the licensee's demeanor during a March 30<sup>th</sup>, 2012 church service and at the cemetery. The complainant

alleges that the licensee appeared to be very intoxicated and notified the RCMP of her observations.

**Investigation:** The investigation determined that upon leaving the cemetery, the licensee was stopped by the RCMP while operating his motor vehicle and was subsequently arrested for “driving impaired”.

On July 29, 2013 in court room 411 at the Law Courts Building, the licensee was found guilty of the criminal offence of driving a motor vehicle while blood alcohol was over the legal limit.

**Decision:** The Board has referred this case to a Funeral Board of Manitoba hearing.

#### Complaint #2012-29

**Summary:** The Board received a complaint from an individual regarding a license;

- The pallbearers were late and visitors attending the funeral arriving early filled the foyer and sanctuary where the viewing was taking place.
- The attendant was very warm and perspired.
- The hands of the decedent were slightly raised. The pastor pointed it out to the funeral attendant who asked the family if it should be rectified or not. The attendant then repositioned the hands.
- The device used to lower the casket in the ground was not available for the funeral
- The grandchildren were left out of the basic announcement.

**Investigation:** The investigation showed that this funeral had a series of errors. The Inspector talked to the licensee who advised:

- The temperature was very warm on the day of the funeral; this may have caused the attendant to perspire. The gentleman may or may not have a medical condition but this deportment is not a violation of the Act or its regulations.
- This was a mistake by the funeral director and was explained as an error in the timing of ordering the device. The funeral home has taken full responsibility for this issue.
- The funeral director attempted to get the family to write the obituary before the deadline for submission to the newspaper. The family wrote an obituary which they gave to the funeral director. At a later date, the family wrote a second announcement which was then published.
- The pastor, who was present for all of the issues, summed it up by saying; “It was human error that caused the problems, there were mistakes made.”

**Decision:** The Board agreed that although this was an unfortunate turn of events, none constitutes any breach and closed the file.

#### Complaint #2012-30

**Summary:** The Board received a complaint in which the complainant alleged:

- After the decedent’s body had undergone an autopsy in Winnipeg, it was cremated and the remains were sent to the funeral home via Canada Post. The post office made an error and sent the cremated remains to Flin Flon.

- As the cremated remains were in Flin Flon, they were not available for the service.
- The family had selected special music be played during a power point presentation but as it did not function properly, it was not played. The funeral home could not fix the problem in a timely way.
- When the cremated remains were available, the family decided to have a grave side burial. The funeral director arrived late and approached the family carrying the urn tightly not to drop it. The family took exception to this, thinking that the urn was being carried like a football which upset them.

**Investigation:** During an interview with the licensee, he admitted that there were some flaws at this funeral and sent out a letter of apology to the complainant. The complainant's invoice for goods and services was also adjusted as a gesture of good faith.

**Decision:** The Board agreed that although this appears to be an unfortunately turn of events; the licensee did try to rectify the situation. The Board subsequently closed the file.

#### Complaint #2012-31

**Summary:** The Board received a complaint from an individual who purchased two burial plots from the licensee and gave a down payment for a headstone. The complainant felt that she was owed money back from the deal and did not receive paperwork on the sale.

**Investigation:** The Inspector spoke to the licensee who was not aware that there were any issues. Upon interviewing the complainant, she advised that the two parties had reached a resolution, asked the Inspector to close the file and cease his investigation.

**Decision:** The complaint resolved itself and the Board closed the file.

#### Complaint #2012-32

**Summary:** The Board received a complaint from an individual who had purchased over \$12,000.00 worth of preneed product from the licensee. The products were a burial plot, vault liner, very large cement bench style headstone and 2 urns. The complainant has reconsidered the contract and has is frustrated with the licensee's tardiness to cancel the contract.

**Investigation:** The Funeral Board of Manitoba has no jurisdiction over prearranged funeral sales/products and suggested the complainant contact the Public Utilities Board regarding his complaint.

**Decision:** Due to the circumstances, the Board closed the file.