

North Carolina Cemetery Commission

APPLICATION FOR PERSONS SELLING PRENEED CEMETERY PROPERTY

I herewith apply to the Cemetery Commission for license to sell preneed cemetery property in North Carolina as an agent for:

Cemetery Name: _____ City: _____

1. Legal Name: _____

2. Social Security Number: _____ - _____ - _____ Date of Birth: _____ Age: _____

3. Name you want printed on License: _____

4. Phone Number and complete address: (Please give any additional addresses used during the past three years):

5. If you have ever been convicted of a misdemeanor or felony in any court, attach court documents & explain below. Attach an additional page if more space is necessary. If you have not been convicted of any misdemeanor or felony, put the word "NO" below. **The Commission requires applicants to consent to a criminal history record check. (See Page 2)**

6. Previous Employment or Personal Circumstances (past ten (10) consecutive years – MUST BE COMPLETE!)
 If unemployed, stay at home, etc. must still be included. List 10-year Dates below. Provide additional sheets if necessary.

Name and Address of Employer; School, etc.	From (mm/dd/yyyy)	To (mm/dd/yyyy)
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. If previously licensed at another cemetery, and that license has expired or you no longer work for that cemetery, please provide the license number or indicate cemetery name.

8. Is this an additional license? If yes, what is your current license number and/or current cemetery name?

The foregoing statements are true and correct and are made for the purpose of obtaining said license. This further serves as my duly executed statement of employment between the cemetery or cemeteries named on this application and myself. I consent to a criminal history records check at the discretion of the Commission. I understand that if the Commission deems it necessary, I will agree to a Provisional License Agreement. This license is good only for the named licensee at the cemetery named above and is not assignable.

Signature of Applicant: _____ Date: _____

The undersigned recommends the above applicant as a person of good character and ethical practices. This further serves as a duly executed statement of employment between this cemetery or cemeteries and this applicant.

Signature of Owner or Manager: _____ Cem Lic #: _____

NOTE: - This license expires in 2 years on June 30th after issue date. The biennial renewal fee is \$50.00. - Renewals do NOT need to fill out a new application. - If applying for more than one cemetery, only one application fee is required	Application Fee: \$50.00 License Fee: \$50.00 TOTAL: \$100.00
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**Licenses are to be displayed for customers in the cemetery office per 21 NCAC 07C.0303. This office cannot provide License numbers verbally or by email.

FOR OFFICE USE ONLY:	DATE APP RECEIVED: _____ HISTORY (Y/N): _____ DATE CHECK RECEIVED: _____ DEPOSIT DATE: _____ CHECK #: _____ CHECK AMOUNT: _____ APPROVED BY: _____ ENTERED IN DATABASE: _____
LICENSE NUMBER: _____ - _____ - _____ LICENSE MAILED: _____	

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The General Statutes (§ 93B-8.1.) in North Carolina were recently rewritten with regards to **Use of Criminal History Records.**

Unless federal law governing a particular board provides otherwise, a board may deny an applicant on the basis of a conviction of a crime only if the board finds that the applicant's criminal conviction history is directly related to the duties and responsibilities for the licensed occupation or the conviction is for a crime that is violent or sexual in nature. **Notwithstanding any other provision of law, a board shall not automatically deny licensure on the basis of an applicant's criminal history, and no board may deny an applicant a license based on a determination that a conviction is for a crime of moral turpitude.** The board shall make its determination based on the factors specified below. Before a board may deny an applicant a license due to a criminal conviction, the board must specifically consider all of the following factors:

- (1) The level and seriousness of the crime.
- (2) The date of the crime.
- (3) The age of the person at the time of the crime.
- (4) The circumstances surrounding the commission of the crime, if known.
- (5) The nexus between the criminal conduct and the prospective duties of the applicant as a licensee.
- (6) The prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed.
- (7) The completion of, or active participation in, rehabilitative drug or alcohol treatment.
- (8) A Certificate of Relief granted pursuant to G.S. 15A-173.2.
- (9) The subsequent commission of a crime by the applicant.
- (10) Any affidavits or other written documents, including character references.

The Cemetery Commission shall consider all the above factors when making a determination of licensure.

The provisions of Article 4 of Chapter 150B of the General Statutes of North Carolina relating to "Judicial Review" shall apply to appeals or petitions for judicial review by any person or persons aggrieved by an order or decision of the Commission.

Article 4. Judicial Review. § 150B-43. Right to judicial review. Any party or person aggrieved by the final decision in a contested case, and who has exhausted all administrative remedies made available to the party or person aggrieved by statute or agency rule, is entitled to judicial review of the decision under this Article, unless adequate procedure for judicial review is provided by another statute, in which case the review shall be under such other statute. Nothing in this Chapter shall prevent any party or person aggrieved from invoking any judicial remedy available to the party or person aggrieved under the law to test the validity of any administrative action not made reviewable under this Article.