

Final Order by Default

State Mortuary and Cemetery Board State of Oregon

**In the Matter of the Preneed
Salesperson Registration Certificate
Application of:**

**RAYMOND MELVIN WARREN,

Applicant**

Case No.: 11-1069

FINAL ORDER

On July 9, 2012, the Oregon Mortuary & Cemetery Board (Board) properly served a Notice of Proposed Denial of an Application and Opportunity for Hearing (Notice) on Raymond Melvin Warren (Applicant) that it intended to deny his application for a Preneed Salesperson Registration Certificate for violations of ORS 692.180(1)(a) and (b) and ORS 97.931.

The Notice offered Applicant an opportunity for a hearing if requested within 60 days from the date the Notice was mailed. Applicant did not request a hearing within this 60-day period or otherwise. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after considering the Board's file relating to this matter, the Board enters the following Final Order by Default:

FINDINGS OF FACT

1. Applicants for Preneed Salesperson registration must apply on a form provided by the Board and consent to a background check. OAR 830-011-0070; ORS 97.931.
2. Applicants are informed by means of written notice on the application, that any misrepresentation or omission is cause for refusal to issue a certificate.
3. By application received on December 30, 2011, Applicant applied to the Board for a Preneed Salesperson Registration certificate.
4. The Application's Background Information section, Question #3, asks Applicant "Have you ever been arrested, charged or cited for anything other than traffic violations". Applicant answered "No".
5. On January 30, 1975, in Deschutes County, Oregon Applicant was charged with one count of felony Fraud – Insufficient Funds.
6. On February 12, 2004 Applicant was arrested by the Aumsville Police Department, Oregon, on a felony out of state extradition warrant issued May 17, 2003, stemming from

a Marshall County, Kansas District Court felony criminal complaint alleging the purposeful writing of a check for insufficient funds. Applicant was arrested, booked at the Marion County, Oregon jail, and arraigned on the warrant (Marion County Circuit Court, Docket #04C40870).

CONCLUSIONS OF LAW

1. In applying to the Board for licensure, Applicant misrepresented his criminal history. Making a misrepresentation to obtain license and dishonest conduct is grounds for license denial under ORS 692.180(1)(a) and (b).
2. Denial of Applicant's license application is appropriate under the circumstances.

ORDER

1. Applicant's Preneed Salesperson Registration Application is hereby denied.
2. This Final Order shall become effective when signed by the Executive Director of the Board.

DATED and ENTERED this __11th__ day of December, 2012.

__<s> Michelle Gaines_____
Michelle Gaines, Executive Director
Oregon Mortuary & Cemetery Board

Date of Service: __12/11/2012_____

Appeal Rights: You are entitled to judicial review of this order in accordance with ORS Chapter 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the date of service of this order.