

BEFORE THE MORTUARY AND CEMETERY BOARD
OF THE STATE OF OREGON

In the Matter of the Funeral Establishment)	
License of Teskey, Inc. dba)	CONSENT ORDER
Coles Funeral Home)	
Licensee)	Case No. 08-1069
)	

WHEREAS, the Oregon Mortuary and Cemetery Board (hereafter “Board” or “OMCB”) is prepared to issue a notice of proposed disciplinary action against Teskey, Inc. dba Coles Funeral Home (hereafter “Licensee”) in Case No 08-1069 on the following bases:

1. On or about May 21, 2008, Teskey, Inc. (Dennis J. Teskey and J. Darlene Teskey, shareholders) purchased the assets of Baker City Funeral Home, Inc. dba Coles Funeral Home (OMCB License No. FE-8411) and began operating the funeral establishment and making final disposition arrangements with consumers without a license.
2. On September 21, 2008, Licensee informed the Board they had purchased the funeral establishment, and on October 2, 2008, the Board received a completed change of ownership application from Licensee.
3. On October 21, 2008, the Board issued Licensee temporary authority to Teskey, Inc. to operate Coles Funeral Home and on November 25, 2008, the Board approved Teskey, Inc. to operate Coles Funeral Home, License No. FE-8662.
4. From approximately May 22, 2008 to at least October 21, 2008, Licensee operated the above facility and made final disposition arrangements with consumers without a license in violation of ORS 692.025(3); and in violation of OAR 830-040-0040, which is cause for disciplinary action under ORS 692.180(1)(g).

WHEREAS, the Board and the Licensee are desirous of resolving and settling those matters regarding Case No. 08-1069 without further proceedings thereon; and

WHEREAS, the Licensee is aware of the right to a hearing with the assistance of counsel and the right to judicial review of the Board's decision in Case No. 08-1069 and hereby freely and voluntarily waives those rights; and

WHEREAS, Licensee hereby acknowledges that Licensee has read, understands, and agrees to the terms of this Consent Order and that this Consent Order constitutes the entire agreement of the parties and is a final order of the Board; and

WHEREAS, the Licensee agrees that the Board enter the following order:

NOW THEREFORE IT IS HEREBY ORDERED:

1. Licensee shall pay to the Board within 10 days of the effective date of this Consent Order a civil penalty in the amount of \$500.00 for violations of ORS 692.025(3), OAR 830-040-0040 and ORS 692.180(1)(g).

2. This Consent Order shall become effective when signed by the Executive Director of the Board.

DATED this ___19th___ day of ___February___, 2009.

OREGON STATE MORTUARY
AND CEMETERY BOARD

By: _____<s> Michelle Gaines_____
Michelle Gaines
Executive Director

It is so agreed.

___2/16/09___
Date

___<s> Dennis J. Teskey_____
Licensee Shareholder, Dennis J. Teskey

___2/16/09___
Date

___<s> J. Darlene Teskey_____
Licensee Shareholder, J. Darlene Teskey