

JOHN J. FARMER, JR.  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street - 5th Floor  
P.O. Box 45029  
Newark, New Jersey 07101

FILED WITH THE BOARD  
OF MORTUARY SCIENCE  
ON 5/23/2000

By: Hakima Bey-Lawson  
Deputy Attorney General  
Tel: 973-648-2478

CERTIFIED TRUE COPY

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MORTUARY SCIENCE

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IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE :  
OF :  
BRUCE VAN ARSDALE :  
License No. JP3521 :  
TO PRACTICE MORTUARY SCIENCE :  
IN THE STATE OF NEW JERSEY :

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Administrative Action

**CONSENT ORDER**

This matter was opened to the New Jersey State Board of Mortuary Science (hereinafter the "Board") upon receipt of information that revealed that Bruce C. Van Arsdale (hereinafter the "respondent") solicited customers to switch their pre-paid funeral accounts from the Speer-Van Arsdale Funeral Home to the respondent's funeral home, the Bruce C. Van Arsdale Funeral Home.

The respondent, represented by William W. Lanigan, Esq., appeared and testified before an Investigative Inquiry of the Board on February 1, 2000. According to the respondent's testimony, respondent although uninvited, had visited several friends at their

residences. The respondent admitted that these individuals had pre-paid funeral accounts with the Speer-Van Arsdale Funeral Home. The respondent explained that the purpose of his visits was to notify his friends that he had opened the Bruce Van Arsdale Funeral Home and to notify them that he was no longer affiliated with the Speer Van Arsdale Funeral Home.

Having reviewed the entire record including the testimony of respondent at the Investigative Inquiry, the Board finds that the respondent has failed to conform to appropriate standards of mortuary science practice in the State of New Jersey by soliciting persons at their residences in person in violation of N.J.A.C. 13:36-11.14(a)(5) which constitutes a violation of N.J.S.A. 45:1-21(h).

Respondent being desirous of terminating this matter without further formal proceedings and the Board having determined that the within disposition is adequately protective of the public health, safety and welfare, for the reasons expressed herein and other good cause having been shown,

IT IS on this 23<sup>rd</sup> day of May, 2000.

ORDERED AND AGREED, that:

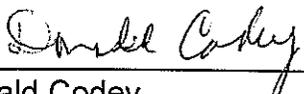
1. The respondent is hereby reprimanded for soliciting persons at their residences in person in violation of N.J.A.C. 13:36-11.14(a)(5) and N.J.S.A. 45:1-21(h).
2. The respondent shall cease and desist from soliciting persons at their residences in person.

3. Respondent shall pay costs in the amount of \$585.00
4. Respondent shall pay the costs immediately upon entry of this Order.
5. Respondent shall pay a civil penalty of \$7,500.00 which shall be memorialized by a Certificate of Debt duly recorded in the State of New Jersey, and paid by respondent as follows. Four hundred and thirty three dollars and thirty-five cents (\$433.35), including the statutory interest rate of five percent (5.0%), pursuant to the provisions of R. 4:42-11 shall be paid on or before the thirtieth (30th) day of the month, commencing May 30, 2000, and ending November 30, 2001. Any failure by respondent to make payments under the terms of this Order shall accelerate respondent's total debt to the Board, and shall itself, constitute professional misconduct pursuant to N.J.S.A. 45:1-21(e), thereby subjecting respondent to any and all remedies available to the Board pursuant to N.J.S.A. 45:1-21 and 22.

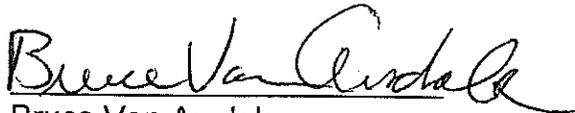
*S/B June 30  
JTB to court*

6. All payments for civil penalties and costs shall be made by certified check or money order payable to the New Jersey State Board of Mortuary Science. Said payment shall be submitted to Paul C. Brush, Executive Director, New Jersey State Board of Mortuary Science, 124 Halsey Street, 6th Floor, P.O. Box 40009, Newark, New Jersey 07102.

State Board of Mortuary Science

By:   
Donald Codey  
President

I have read the within Order and understand its terms. I hereby consent to the entry of this Order.

  
Bruce Van Arsdale

Consented to as to form and entry

  
William W. Lanigan, Esq