

Consumer Advocacy Update

It is not the critic who counts, not the man who points out how the strong man stumbled, or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes short again and again, who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause, who at best knows achievement and who at the worst if he fails at least fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat.

— Theodore Roosevelt

Each time you think that the consumer has received justice and freedom, because of actions by the Movement, there is a rude awakening that relief was just for a little while. Almost ten years ago one of the major death care industry corporations changed all of its unjust policies in order to meet the memorial needs of the consumer.

Then like a bad nightmare, the Movement was recently notified that a national corporation located in North Carolina has reverted back to their old habit of unfair memorial care fees. Consumers have been denied their right of choice when purchasing a memorial because of the assessed memorial care fees.

This corporation in question has now touted in a local newspaper that the economy has not hurt their profits. In fact, according to the article, this fact has encouraged the corporation to have second thoughts about buyout offers from its bigger rival corporation.

The knowledge of this fact has caused one of our members in Wilson, North Carolina, to come out fighting for the consumer. This member is truly standing in the arena with determination to aid the Movement in defeating the renewed problem by coordinating meetings with consumers

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as well as bringing the movement back to town. Hopefully, we will get the ears of legislators so that we can move forward. The legislative vehicle is the only way to offer hope to the consumers.

There has been evidence gathered in the form of photos

that clearly demonstrates the lack of memorial perpetual care in the corresponding cemeteries. Memorials installed by the cemeteries as well as monument retailers have been abused by backhoes, lawnmowers or other lawn equipment.

These problems are truly the responsibility of the cemetery authority.

However, the new policy assesses a \$0.57 per square inch charge for memorial care, a service that is rarely rendered if at all.

Why should the consumer pay for a service that is not rendered? This is a true example highlighting that the only way to solve this problem is through the vehicle of legislation.

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(Continued on page 39)



About the Author

Carolyn Jacobi's consulting services are offered free of charge to MBNA members. If she must personally visit a site to resolve a matter, the requesting member is responsible for her travel, lodging and meal expenses.

MBNA funds the program through voluntary contributions from individual members, local/state/regional and provincial associations, consumers and MBNA-sponsored fundraisers. For additional information, please call MBNA's Business Office at +1.800.233.4472.

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Consumer Advocacy Update *(from page 7)*

them. The monument retailer should provide a warranty to the consumer, through the manufacturer.

The grass in the cemetery has to be cut whether there is a memorial or not. It is a part of doing business. Therefore, the Movement will remain vigilant in this fight, and will remain steadfast until we are victorious, even if we experience some defeat along the way.

General Updates

Recently we have been inundated with complaints from members who have been denied access in various cemeteries across the United States.

Each member must respect the rights of the cemetery authority. The cemetery authority has the right to establish reasonable rules that are uniform.

But the same rules that are provided for the monument retailer must be the same rules established for the cemetery authority. And the rules and regulations must be in writing and must be delivered upon request to the monument retailer.

Fortunately, in all twelve recent instances, the Movement was able to mediate victoriously. All members have returned to performing their trade, under reasonable rules and regulations.

Legal Problems?

The website for The Funeral Depot (www.thefuneraldepot.com) now reads...“Site No

Longer Available. The Funeral Depot is no longer available as a Batesville-powered website. Thank you.”

The Davie, Florida company has apparently closed down and filed for bankruptcy due to a November 10, 2004 suit filed by Batesville Services, Inc. versus Funeral Depot, Inc.

Consumers need to be cautious of internet shopping! The Movement has already received calls from fifteen consumers who have lost their monies. The victimized consumers had purchased caskets and markers.

News Flash

Recently there was an article in a major newspaper that stated that the economy had not affected the earnings of one major corporation. They had a very profitable third quarter.

Are you able to make that statement? I am sure some of you are unable to make that statement.

Is such a profit margin the result of not allowing the consumer to have its right of choice, preventing you from performing your trade? This should be motivation enough for you to become proactive.

Support the Movement and fight for your rights! It is time for you to stand in the arena and have your faces marred by dust, sweat and blood. Strive valiantly and experience the great enthusiasm of spending yourself in a worthy cause.

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Over run of Raber's article