

A deposit fund is established with a financial institution approved by the **Texas Department of Banking**, or a fund is created by a life insurance or annuity contract with an insurance company authorized to do business in the State of Texas. If a life insurance or annuity contract is used, the Texas Department of Insurance must license the person who sells you the policy and the insurance company issuing the policy. In addition, you are entitled to receive a copy of the policy and should be sure that you understand the benefits, limitations, and exclusions. You can telephone the **Texas Department of Insurance at 1-800-252-3439 or 512-463-6515** for license information on both agents and companies or for assistance in interpreting policy language.

In a deposit fund arrangement, the purchaser can cancel the contract prior to maturity and receive a refund in accordance with the terms of the contract. If you have a life insurance or annuity arrangement, you may receive only the cash surrender value, if any, as indicated in the insurance policy or annuity and the prepaid contract. **Read and understand the cancellation language in the policy or annuity and in the prepaid contract.** On a deposit arrangement any unpaid balance would become due at the time of the funeral. Depending on the type of insurance policy or annuity contract used to fund the prepaid funeral contract, expenses may not be paid in full. If you are unsure, question the seller and/or the **Texas Department of Banking** or the **Texas Department of Insurance**.

Should you decide or need to change funeral homes and the prepaid funeral contract is in a deposit fund you may have to cancel your contract and make other arrangements. If the prepaid contract is funded by a policy of insurance you may be able to transfer the contract and keep the insurance policy allowing you to choose another funeral establishment. Talk with the seller of your prepaid contract and the funeral director of the funeral home you wish to use. Make sure all parties are in agreement and **be sure to get a copy of any such agreement in writing, and contact the insurance company regarding the change.**

You are entitled to receive all items shown on the contract at no additional charge, if the terms of the contract have been met. There may be additional charges for items that are not part of the prepaid contract. These may include cemetery fees, such as lowering equipment, opening and closing the grave and burial vaults. You should discuss with the seller items that are not covered.

If a funeral home that sold trust funded prepaid funeral benefit contracts goes out of business, or misappropriates prepaid funds, what happens would depend on whether the funeral home was a licensed seller or not. If the funeral home held a valid permit when the prepaid funeral contracts were sold, the **Texas Department of Banking** would take over the contracts and find a subsequent provider. Any shortages to the fund would be covered by the **Prepaid Funeral Guaranty Fund**. However, if the funeral home was an unlicensed seller, the **Texas Department of Banking** will take actions in coordination with the local District Attorney to try to recover the prepaid funds through restitution. The purchaser can suffer a financial loss in this situation because the **Prepaid Funeral Guaranty Fund** can not be used.

If you have additional questions regarding prepaid funerals, please contact:

Texas Department of Banking, Special Audit Div., 2601 North Lamar Blvd., Austin, Texas 78705-4294, (512) 475-1290 or 1-877-276-5554, fax (512) 475-1288. Website: www.banking.state.tx.us

Or

Texas Department of Insurance, Consumer Help Line, P.O. Box 149104, Austin, Texas, 78714-9104, (512) 463-6515 or 1-800-252-3439

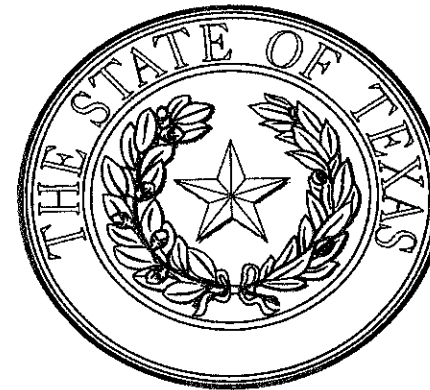
You may secure additional information regarding **mortuary laws in the State of Texas** by requesting a complete copy of the **Texas Occupations Code, Chapter 651**, and the **Commission Rules**, by contacting the **Texas Funeral Service Commission at P. O. Box 12217, Capitol Station, Austin, Texas, 78711, (512) 936-2474 or 1-888-667-4881, fax (512) 479-5064. Website: www.tfsc.state.tx.us**

Who to contact if you have a complaint against a funeral director or a funeral establishment
First, discuss your problem with the funeral director and/or management of the funeral establishment. If you believe you were not treated fairly the funeral director should be given the opportunity to rectify your complaint. If this is not acceptable, you may provide the facts in writing to:

- ◆ **Texas Funeral Service Commission.** This is the licensing and regulatory agency for all funeral establishments, crematory establishments, certain cemeteries, funeral directors, and embalmers in the State of Texas. Complaints should specify the exact nature and circumstances of the complaint. You will be notified of the receipt of your complaint. Allegations are reviewed for a violation of Chapter 651, Texas Occupations Code. If there is not a violation of the Code, you will be notified in writing. Once a complaint is opened for investigation the complainant is notified every three (3) months until the complaint is resolved. Send complaints to the **Texas Funeral Service Commission, P. O. Box 12217, Capitol Station, Austin, Texas 78711.** Enclose copies of all documents you may have received from the funeral establishment.
- ◆ **Attorney General of Texas, Consumer Protection Division, P.O. Box 12548, Austin, Texas 78711, (512) 463-2070.**
- ◆ **The local Better Business Bureau.**
- ◆ **The Federal Trade Commission, Dallas Regional Office, 1999 Bryan Street, Suite 2150, Dallas, Texas 75201, toll free 1-877-382-4357.**

*Information provided courtesy of the **Texas Department of Banking** and the **Texas Department of Insurance**.

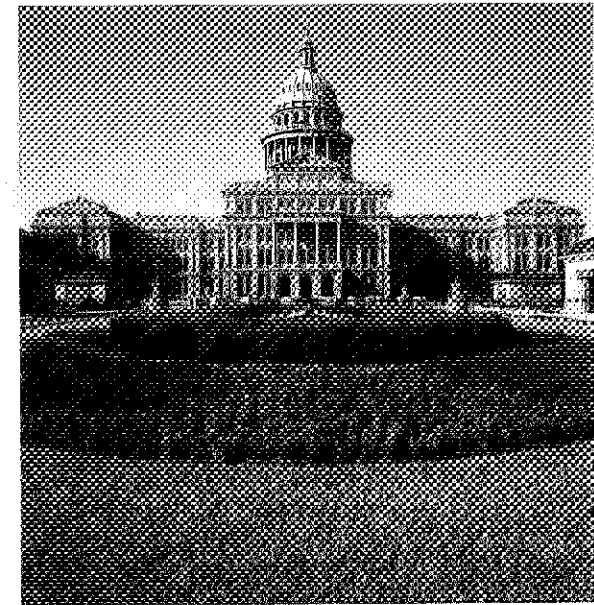
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FACTS ABOUT FUNERALS



**Consumer Brochure
Provided by
TEXAS FUNERAL SERVICE
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