



DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services
200 East Gaines Street
Tallahassee, FL 32399-0361

OFFICE USE ONLY
CLAIM NUMBER: _____

PRENEED CLAIM – FORM C

For use by Purchaser Seeking Refund
Under Section 497.456, F.S.

READ THE FOLLOWING CAREFULLY: This form is for use by a purchaser of a preneed contract, or the legal representative of a living but incapacitated purchaser, seeking a refund of amounts paid on a preneed contract because the preneed contract seller is not honoring contracts. NO REFUNDS ARE PROVIDED where another provider has agreed with the Department to honor the preneed contracts of the defaulting preneed seller.

As used in this application: "At-need contract" refers to a contract for funeral, cremation, burial, or related services and merchandise, purchased at or after the time of death; "At-need provider" refers to a funeral home, cremation service, cemetery, or other provider which provides services pursuant to a contract or agreement entered into at or after the time of death; "Beneficiary" refers to the decedent, whose death and funeral or other final arrangements were the subject of the preneed contract; "Board" refers to the Board of Funeral, Cemetery, and Consumer Services; "Claimant" is the purchaser seeking refund submitting this claim. "Division" is the Division of Funeral, Cemetery, and Consumer Services; "F.S." refers to Florida Statutes; "Purchaser" refers to the person who paid for the preneed contract and the owner of the rights under the contract. The purchaser and beneficiary may be the same person; however, an adult child or other family member or another person may separately pay for the preneed contract.

USE INK AND PRINT CLEARLY. Answer all applicable questions – if any answer is illegible, or the form is incomplete, it will delay processing this claim form or require submission of another claim form.

Section 1. CLAIMANT INFORMATION

1A. Claimant's full legal name: _____

1B. Claimant's street address: _____

1C. Claimant's phone number with area code: _____

1D. Claimant's email address: _____

1E. Claimant's state license number: _____

1F. Claimant's status (check one):

Purchaser of the preneed contract

Court appointed representative of a living purchaser

Other as follows: _____

Section 2. CLAIMANT'S AUTHORITY

Are you, the claimant, aware of any person(s) or entities who is or would dispute your authority and standing to file this claim and or receive payment under this claim? YES NO

Section 3. PURCHASER INFORMATION

If Claimant and Purchaser are the same person, check here _____, and move to section 4. Otherwise complete this section.

3A. Purchaser's name: _____

3B. Purchaser's address: _____

3C. Purchaser's phone number with area code: _____

Section 4. PRENEED CONTRACT AND PAYMENTS INFORMATION

Enter the following information about the firm who issued the preneed contract and you believe will not honor the contract.

4A. Name of firm: _____

4B. Date of preneed contract which is the subject of this claim: _____

4C. Total price of the preneed contract: _____

4D. Preneed contract number: _____

4E. How was payment for the preneed contract made?

_____ Cash

_____ Check(s)

_____ Credit card

_____ Automatic bank account debits

_____ Other as follows: _____

4F. Was payment made for the preneed contract made in a single lump sum or in installment payments?

_____ Single lump sum

_____ Installment payments

4G. What is the total amount you can prove was actually paid for the preneed contract (with canceled checks, receipts, or other documentation)? \$ _____

4H. Were any portion of payments for the preneed contract put into a trust?

_____ Do not know

_____ No

_____ Yes, answer the following:

4H1. Name of the trust company or trust servicing agent: _____

4H2. Address of the trust company or trust servicing agent: _____

4H3. How much was put into the trust? \$ _____

4H4. Have trust funds been paid out to a Beneficiary, Purchaser, At-need provider, or any other person?

YES _____ NO _____

If Yes, how much has been paid out? \$ _____

4I. Were any goods or merchandise delivered by the original preneed contract seller, to the Beneficiary or Purchaser, under the preneed contract (e.g. urn, casket, etc.)? YES NO

If YES, identify the items: _____

4J.

Have any refunds or cancellation funds at any time been paid to Beneficiary or Purchaser concerning the preneed contract? YES NO

If YES, how much: \$ _____

4K. Was the preneed contract funded in whole or part by a life insurance policy? YES NO

If YES, answer the following:

Name of life insurance company: _____

Policy number: _____

Have any proceeds been paid by the life insurance company:

YES NO DO NOT KNOW

4L. Have you attempted without success to contact the original seller of the preneed contract to have the contract honored? YES NO

If NO, state how the preneed contract has been breached:

Section 5. AMOUNT OF CLAIM

State the amount you are claiming: \$ _____

Section 6. FEIN OR SOCIAL SECURITY NUMBER

Enter Claimant's FEIN or Social Security Number: _____

Purpose and Use:

Pursuant to the Privacy Act of 1974, 5 U.S.C. Section 552a, the State is responsible for informing you whether disclosure of your social security number is mandatory or voluntary, by what statutory or other authority your social security number is solicited, and what uses will be made of your social security number. Under section 119.071(5)(a)2., F.S., a state agency may collect your social security number if the collection is specifically authorized by law or if it is imperative for the performance of the agency's duties and responsibilities as prescribed by law. Disclosure of your social security number on this form is: mandatory pursuant to 26 USC 6109, and will be used for purposes of complying with filing requirements imposed by the U.S. Dept of Treasury, Internal Revenue Service. All payments made on approved Consumer Protection Trust Fund claims will be reported to the U.S. Dept of Treasury, Internal Revenue Service. Your social security number is confidential and exempt from the disclosure requirements of section 119.07(1), F.S., and section 24(a), Article I of the Florida Constitution and will not be used for any purpose other than the purpose(s) provided herein, or as otherwise authorized under section 119.071(5)(a), F.S.

Section 7. CLAIMANT SIGNATURE

Pursuant to Section 497.159, F.S., the act of knowingly giving false information in the course of applying for or obtaining a license, with intent to mislead the board or a public employee in the performance of her or his official duties, or the act of attempting to obtain or obtaining a license by knowingly misleading statements or knowing misrepresentations, constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Under penalties of perjury, I declare that I have read the foregoing claim form and that the facts stated in it are true to the best of my knowledge and belief.

Signature of Claimant

Date Signed

Print Name of Claimant

NOTARY ACKNOWLEDGEMENT

STATE OF: _____

COUNTY OF: _____

The foregoing instrument was acknowledged before me
this: _____

_____ day of _____,

by: _____.

☐ Personally Known

OR

☐ Produced Identification

Type of Identification Produced

Signature of Notary Public

[NOTARY SEAL]

Name of Notary Public

Attachments and Submission

Attach to this claim the following:

1. Preneed contract completed, legible, signed, and dated.
2. Preneed contract amendments or addendum signed and dated.
3. Proof of amount paid for the preneed contract (i.e. copies of canceled checks (front and back), or receipts issued by the seller of the preneed contract).
4. Original certified death certificate of the Beneficiary with the original embossed seal or colored stamp or signature of the issuing counter.

Mail the completed claim and required attachments to:

Division of Funeral, Cemetery, and Consumer Services

ATTN: Preneed Claims

200 East Gaines Street

Tallahassee, FL 32399-0361