



## Lincoln Memorial Park Cemetery Frequently Asked Questions

On [August 8, 2023](#), the historic Lincoln Memorial Park Cemetery in Carson became an unlicensed cemetery. The Cemetery and Funeral Bureau (CFB or Bureau) has developed a Frequently Asked Questions (FAQ) to provide public guidance and answers to common questions about the status of the cemetery. The FAQ will be updated as new information becomes available.

### **Q: How can I receive updates on Lincoln Memorial Park Cemetery?**

**A:** To sign up to receive email updates from the Bureau, please click [here](#).

### **Q: What are the hours of operation at the cemetery and who is responsible for daily operations?**

**A:** The Bureau has been informed that community members have been opening and closing the gates. The cemetery may have signs posted indicating current access hours. The Bureau recommends any change in public access hours be determined collaboratively between the community and the City of Carson. Many older cemeteries or unlicensed cemeteries may have limited public access hours.

### **Q: How do we find our loved one's burial plot?**

**A:** The Bureau has requested the plot maps and documentation of burials from the cemetery's previous owner. This information has not been received to date.

Cemetery plot maps are filed with the Los Angeles County Registrar-Recorder/County Clerk (County Registrar). The Bureau has requested a copy of the plot map from the County Registrar.

The plot maps will likely only include the plot identification number. If a family does not know where their loved one is buried, they will need to locate the contract to obtain the burial plot's identification number, that then can be compared to the plot map.

Once the Bureau receives the plot map from the County Registrar, it will provide the map to the entity, person(s) or groups, if any, that are overseeing the daily operations at the cemetery. The Bureau will also utilize the plot map to assist consumers who call or email the Bureau looking for their loved one's interment location.

**Q: I already paid for a cemetery space. Is my pre-paid contract for burial still valid?**

**A:** Yes. Consumers will need to work with the funeral home of their choice and the funeral home will work with the Bureau to obtain the necessary approvals for the burial. Without an entity overseeing the cemetery, the funeral establishment will have to obtain the necessary equipment and staffing to perform the burial and may also choose to work with a licensed cemetery manager to assist with the burial process. Please note that while the cemetery remains without a temporary licensed cemetery manager, there may be some challenges or delays to the process. Consumers are encouraged to keep copies of all documentation (i.e. purchase contracts, receipts, emails) and maintain regular communication with the licensees providing the burial services to ensure needs are communicated and the establishment is able to meet the needs of the burial at the cemetery.

**Q: I already own a plot, what do my loved ones do when I pass?**

**A:** First, prior to your passing, you will want to keep your cemetery contract paperwork in a safe and accessible place and let your family or next of kin know where it is and/or provide them copies. When the time comes for your family to make your burial arrangements, your family or next of kin will work with a local funeral establishment who will contact the Bureau and provide all of the necessary documentation to receive approval to inter and complete the burial. The [CFB Consumer Guide](#) is a helpful resource for advanced planning.

**Q: I paid for a grave marker or headstone that has yet to be installed, what can I do?**

**A:** The Bureau will attempt to contact the cemetery's previous owner or his representative to assist consumers who paid for a grave marker or headstone that has yet to be installed. However, the Bureau cannot guarantee it will be able to make contact or resolve the issue. Consumers may wish to seek the advice of a qualified attorney to determine options and appropriate courses of action to pursue civil remedy through the courts, if necessary.

**Q: What if my loved one's headstone needs repairing?**

**A:** It's the consumer's responsibility to work with a monument or headstone company directly for any repairs to a loved one's headstone.

**Q: What if I want to move my loved one from Lincoln to a new cemetery?**

**A:** Disinterment for the purposes of moving a loved one's remains to a new cemetery requires the written consent of a specific family member(s) or

approval by the Superior Court (petitioned by the family member requesting disinterment). Families should work with a local licensee (i.e., funeral director or cemetery authority) to assist them in this process and ensure all proper permits are obtained from the County Registrar. Any costs associated with the disinterment would be the responsibility of the persons authorized to disinter.

**Q: Who is responsible for the maintenance of the cemetery grounds (watering the grass, weeds, etc.)?**

**A:** When the cemetery license was cancelled on August 8, 2023, the Bureau no longer has jurisdiction over the cemetery. Therefore, the ongoing maintenance needs and access to the cemetery will be a collaboration between the city, county and/or the community. Should a temporary manager be appointed, it will be the responsibility of the manager to maintain the grounds with the available income of the endowment care fund.

**Q: What is the Endowment Care Fund and what can it be used for?**

**A:** An Endowment Care Fund (ECF) is made from deposits from the cemetery authority for each purchased space in the cemetery, which are placed into trust. The ECF is separate from any business operation accounts or financial accounts of the cemetery authority. Disbursements from the ECF are specific to the care, maintenance, and embellishment of the cemetery property.

Upon cancellation of the license, CFB conserved the Lincoln Memorial Park Cemetery ECF which has approximately \$ 971,000 worth of consumer deposits. These funds are derived from a percentage of each grave sold. The licensee is mandated to deposit a percentage of the sale for the care of the cemetery for years to come. However, by law, it is only the income made from these deposits that is allowed to be used for the care, maintenance, and embellishment of the cemetery. Though the ECF has \$971,000 worth of consumer deposits, that amount by law is to remain unspent in perpetuity in order to provide consistent funds intended for the perpetual care and maintenance of the cemetery. Over the past five years, the average annual amount of available of income for disbursement for care of Lincoln Memorial Park Cemetery has been approximately \$30,000.

Examples of care and maintenance include trimming the grass, pruning shrubs and trees, suppressing, or removing weeds, providing a sufficient supply of water to keep grass and plants as green as seasonally possible, and emptying trash receptacles to keep the grounds clear of trash and debris.

**Q: What did the Bureau do once it learned about the cemetery closure?**

**A:** The Bureau began receiving information from the public that the cemetery had closed its gates. The Bureau immediately opened an investigation to look into the issue. It was confirmed on [August 8, 2023](#), that the cemetery manager and cemetery authority, requested cancellation of their licenses. Since then, the Bureau has worked with community members, state partners, the city, and the county, to share information and assist with questions and concerns.

**Q: What does it mean when a cemetery license is cancelled?**

**A:** When a cemetery license is cancelled, it means the private business who was licensed to operate the cemetery is no longer legally authorized to conduct cemetery business (i.e., make new sales). Unless the cemetery is purchased by a new owner, the cemetery is then considered unlicensed or abandoned and is no longer under the authority of the CFB.

The CFB is the State entity that regulates the cemetery and funeral industry, specifically those subject to licensure requirements under the Bureau's authority. The Bureau's authority is to enforce the laws relating to the private cemetery, funeral, and crematory industries. Please visit [www.cfb.ca.gov](http://www.cfb.ca.gov) for more information.

**Q: Why did the owner cancel their licenses?**

**A:** Licensees are not prohibited from cancelling a license. It is up to the owner's discretion to cancel their license to operate a cemetery and a reason is not required. CFB cannot provide any additional details regarding license cancellations.

**Q: Can the Bureau assume ownership and responsibility over the cemetery?**

**A:** The Bureau does not have the authority to assume ownership of private businesses or property. The Bureau's role once a cemetery has closed is to conserve and protect the ECF and distribute any income made for the care, maintenance, or embellishment of the cemetery. The Bureau's oversight is to allow qualified individuals into the profession and to enforce the Cemetery and Funeral Act.

**Q: What are the possible outcomes for the future of the cemetery?**

**A:** Absent of the city, county, religious organization, or another corporation taking over ownership, the cemetery will remain unlicensed and abandoned.

Pursuant to [Business and Professions Code \(BPC\) section 7653.9](#) a court may appoint a temporary manager. The Bureau has taken steps to find a licensee who is interested in this temporary appointment by responding to all who have inquired, and by sharing information via multiple platforms informing licensees, stakeholders, and the public of the important opportunity to help this historic cemetery. The Bureau remains diligent looking for a licensed cemetery manager who is qualified and available to fill this role. This section of law also allows the county to step in and perform maintenance, however this is permissive, and Los Angeles County released [information](#) that they will not be assuming this responsibility.

Additionally, pursuant to [BPC section 7614](#) the city or county may exercise its authority and perform maintenance to address the public health, safety, or welfare in connection with a cemetery within its jurisdiction.

**Q: What is the Bureau doing to find a temporary Licensed Cemetery Manager?**

**A:** The Bureau remains diligent in informing its licensees, stakeholders and the public of the temporary Licensed Cemetery Manager appointment and has responded to each inquiry it has received.

Licensed Cemetery Managers interested in serving as a court appointed temporary manager are encouraged to [contact the Bureau](#) at (916) 574-7870 or [emailcfb@dca.ca.gov](mailto:emailcfb@dca.ca.gov). The Bureau will contact interested individuals to provide more information, answer questions and, when necessary, facilitate the next steps towards the court appointment.

**Q: If I'm interested in being appointed as the temporary Licensed Cemetery Manager, what should I do?**

**A:** Licensed Cemetery Managers interested in serving as a court appointed temporary manager are encouraged to contact the Bureau via email at [emailcfb@dca.ca.gov](mailto:emailcfb@dca.ca.gov). Please include your name, Cemetery Manager license number, phone number, and available time commitment in your email. A resume or summary outlining your experience as a cemetery manager is also encouraged, but not required. The Bureau will contact interested individuals to provide more information, answer questions and, when necessary, facilitate the next steps towards the court appointment.

**Q: I know someone interested in purchasing the cemetery. Who should I have them contact?**

**A:** Individuals interested in purchasing the property may want to enlist the assistant of a licensed real estate agent. Interested individuals may also contact the Bureau and the Bureau will attempt to contact the cemetery's previous owner or their representative to relay the interested parties contact information.

For additional questions, please contact the Bureau at [emailcfb@dca.ca.gov](mailto:emailcfb@dca.ca.gov) or (916) 574-7870.