

House Bill 168 submitted testimony January 29, 2018

Attn.: Alexandra Harris

To: The Honorable Scott Oelslager

My name is Timothy Foor. I have been involved with the three cemeteries that were owned by the Martins. I am a proponent of House Bill 168. I think this legislation is vitally important to protect the citizens of Ohio as well as the townships and local government. In our situation at Fairview Memorial Park and Grandview Memorial Park, the Endowment Care Fund and Merchandise and Services Fund have been non-existent since approximately 2008. This problem wasn't caught until an audit was ordered in September of 2014. Now that the problem has been exposed there have been a multitude of charges brought against the Martins. Restitution for the victims in the two cemeteries in Ohio is now above \$400,000 and victims are still coming forward. On top of the victims facing the possibility of a long wait for payment of said restitution and the burden of having to repurchase all pre-need merchandise, the townships involved are faced with the possible burden of taking over these cemeteries. This burden is lightened somewhat by the ability of these townships to levy taxes for the upkeep of the cemeteries, they are still left with the burden of figuring out who is buried in unmarked graves as well as contending with the results of years of neglect in these cemeteries. They also have to overcome the obstacle of poor record keeping among other issues. All of the problems I have discussed today are addressed in House Bill 168. This bill will not only address issues which have affected a large number of elderly citizens who tried to do the right thing by relieving their families of the financial burden of their funerals at the time of their demise, but also the burdens the townships are faced with when they have to take over these troubled cemeteries. Record keeping, audits of essential funds, oversight, and very specific laws regarding private ownership of cemeteries is critical to protecting the citizens and local government from facing issues such as the ones we are now facing in Delaware and Portage Counties.

I thank you for this opportunity to share our stories and allowing us to be a part of the process which makes this country great.

Cc: Senator Gayle Manning, Vice Chair, Ohio Senate Finance Committee

Laura Monick Riley, Registration & Resolution Section Chief, The Ohio Cemetery Dispute Resolution Commission

Beverly L. Laubert, Interim Director, The Ohio Department of Aging

Senator Kris Jordan, Ohio Senate Finance Committee

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A.C. Strip, Attorney at Law, Delaware Co. appointed Receiver for FAIRVIEW MEMORIAL PARK

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DELAWARE COUNTY BOARD OF COMMISSIONERS

JUDGE DAVID GORMLEY, ADMINISTRATIVE JUDGE

DELAWARE COUNTY COMMON PLEAS COURT

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JOHN KASICH, GOVERNOR

