



**PURCHASER:**

Acknowledged and agreed to:

X \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

X \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

This instrument was ACKNOWLEDGED before me, on  
\_\_\_\_\_, 20\_\_, by \_\_\_\_\_ and  
\_\_\_\_\_..

[ S E A L ]

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Printed Name of Notary Public

**CEMETERY OWNER:**

Acknowledged and accepted:

Signature: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

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**Subject:** RE: Cemetery Broker Law  
**From:** "Reese, Russell" <Russell.Reese@dob.texas.gov>  
**Date:** Tue, Oct 19, 2010 12:28 pm  
**To:** "'joan@lots-for-less.com'" <joan@lots-for-less.com>

A sample quit claim form would be fine.

*Russell Reese*

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**From:** joan@lots-for-less.com [mailto:joan@lots-for-less.com]  
**Sent:** Tuesday, October 19, 2010 11:12 AM  
**To:** Reese, Russell  
**Subject:** RE: Cemetery Broker Law

Mr. Reese,  
Thank you for your reply. I think that your idea of providing the form as a sample would be a very good step in the right direction. I assume that the request should be to Special Audits for a "Sample Cemetery Quit Claim" would be appropriate? Or a "Sample Appointment of Agent Form?"  
Sincerely,  
Joan Muser

----- Original Message -----

**Subject:** Cemetery Broker Law  
**From:** "Reese, Russell" <Russell.Reese@dob.texas.gov>  
**Date:** Tue, October 05, 2010 1:16 pm  
**To:** "'joan@lots-for-less.com'" <joan@lots-for-less.com>  
**Cc:** "Saucillo, Jesus" <Jesus.Saucillo@dob.texas.gov>, "Newberg, Stephanie" <Stephanie.Newberg@dob.texas.gov>

Ms. Muser,

We have reviewed and discussed your Quit Claim and Appointment of Agent Form that you suggest the Department provide to cemeteries as a standardized form for use. Unfortunately, current Texas statutes regulating perpetual care cemeteries does not grant us the authority to promulgate this type of form, since quit claim forms are not addressed. However, if a Texas customer and/or cemetery should contact us directly, we could provide the form as a sample for their use.

Sincerely,

*Russell Reese*  
*Director of Special Audits*  
*Texas Department of Banking*  
*512-475-1324*  
*email: [rreese@dob.texas.gov](mailto:rreese@dob.texas.gov)*

*PLEASE NOTE THAT MY EMAIL ADDRESS HAS CHANGED*  
*(Please update your records as the former address will only work until March 31, 2011)*  
*Thank you*

**From:** [joan@lots-for-less.com](mailto:joan@lots-for-less.com) [<mailto:joan@lots-for-less.com>]  
**Sent:** Friday, August 20, 2010 12:02 PM  
**To:** Newberg, Stephanie  
**Subject:** [stephanie.newberg@banking.state.tx.us](mailto:stephanie.newberg@banking.state.tx.us) - Cemetery Broker Law - Character set not allowed

Hi Stephanie,  
You may remember me from the hearing last session on HB2369: we "shared" the back row, and also my suggestions for a better law regards Cemetery Brokers in Texas. The bill went back for your group to work on, and some of my suggestions were included.

One of my suggestions was for standardized Quit Claim and Appointment-of-Agent Forms to be provided by Banking.

Attached is the private Quit Claim that my attorney crafted for me to use. I would like your feedback as to its use as a standardized form, to be submitted to any cemetery with the cemetery's Transfer of Ownership Fee.\*

FYI I am currently using this Quit Claim with select clients as a response to one group of cemeteries that is now taking 3-4 weeks to issue their Transfer of Ownership Document in both Pre Need and At Need Situations. In At Need situations my lot owners are authorizing burial in their property and accepting deferred payment for their property (from funds which I accept at the time of burial from the At Need Family and which I hold in escrow until the lot owner performs on the Transfer Document). The lot owner has agreed to this procedure well in advance should it be necessary, and the purchaser is given a receipt with the full particulars should the Lot Owner not perform.

As I testified at the hearing, "some cemeteries are actively obstructing sales by lot owners, especially if a broker assists them." My current procedures are a poor substitute for a better law, but I feel they are better than nothing until that happens, don't you agree? If not, I'm sure you'll tell me!

I am very interested in helping to craft a law that meets the needs of all parties, especially the consumers. By the way, Lot Owners are consumers too, and we really do need better protections for them when they try to sell their lots.

Thank you so very much for any consideration that you give to this matter in the form of a reply.

Respectfully yours,  
Joan Muser

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Dallas, TX 75244  
972-488-2836  
[joan@lots-for-less.com](mailto:joan@lots-for-less.com)  
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