

Professional Misconduct - Theft

Relevant legislation: Section 43 of *The Funeral and Cremation Services Act*;

Council file: 2008-01

An owner terminated a licensee when it was learned the licensee had been issuing the owner's cheques to third parties, then countersigning the cheques and depositing them in his personal account. The matter was reported to the local police and to Council office.

The licensee cooperated throughout the investigation and a joint statement of facts and an agreed sanction was presented to the Discipline Committee. The licensee had made partial restitution of \$5000 to the owner prior to the hearing and demonstrated contrition for his acts when he appeared before the committee. The committee varied the agreed sanction of suspension for 6 months to a suspension for 3 months. In addition, the licensee was ordered to make restitution in the amount of \$1843.64 to the owner and it was strongly recommended that the licensee participate in ongoing counseling for a gambling addiction.