PERPETUAL CARE CEMETERY CHECKLIST QUESTIONS

The twelve questions you will encounter during the filing process, called the “Checklist” in the system, are set forth below for your convenience. The numbering system on the checklist will be different. A response to each question is required. Entering information through a “copy and paste” method is possible on the checklist questions.

1. Trustee name, address, and phone number.

2. Names of All Financial Institutions Holding Perpetual Care Trust Funds, even if the same as Trustee.

3. My Cemetery has a Perpetual Care Trust Fund.

4. Does the cemetery have a separate Perpetual Care Trust Fund for Grave Markers and Memorials?

5. How many interments did you sell during the calendar year?

   This question asks how many burials and entombments (the services to open and then close an interment space) you conducted.

6. How many contracts did you sell during the calendar year?

   For this question, please limit your response to contracts that include the sale of interment rights. Interment rights are statutorily defined to mean the right to place remains in a specific location for use as a final resting place or memorial. Interment space is broadly defined and includes a grave space, lawn crypt, mausoleum crypt or niche. Include any sale of an Additional Right of Interment. How many Certificates of Interment Rights were sold? Answer carefully, because this number is used to calculate the filing fee.

7. Does the cemetery use the Total Return Distribution Method? (Upload any Total Return Distribution correspondence revision, updates, or needed for review.)

   191 IAC 101.8, an administrative regulation, allows a perpetual care cemetery to elect to distribute income from the trust fund using what is known as a “Unitrust” or “Total Return Distribution” method. Subject to certain restrictions and limitations, this is a method under which the amount distributed is a percentage of the fair market value of the care fund as of the last day of the calendar year immediately preceding the distribution year. A filing with the Insurance Division is required prior to adoption of the Total Return Distribution Method.
8. **Do you sell cemetery merchandise or services? (Upload agreement used for cemetery merchandise and services with annual report.)**

   If you receive payments in advance for merchandise (such as vaults, monuments and memorials) or services (such as services to open and close an interment space) not in connection with an at-need service at the time of death, you may be required to comply with the licensing, trusting and other requirements of Iowa Code chapter 523A.

9. **Is the cemetery affiliated with a funeral home or another cemetery?**

10. **Did the cemetery borrow funds from the perpetual care account during the calendar year? (Upload repayment ledger with annual report).**

    This question is related to Iowa Code sections 523I.810 and 523I.811A. In general, loans from perpetual care trust funds are not allowed. Subject to certain restrictions, loans are possible “to acquire additional land for cemetery purposes, to repair a mausoleum or other building or structure intended for cemetery purposes, to build, improve, or repair boundaries, roads and walkways in the cemetery, to construct a columbarium, mausoleum, or similar structure to create additional interment spaces, to purchase equipment for tree, shrub, and lawn care, to purchase backhoes or similar equipment used to open and close interment spaces, or to purchase recordkeeping software used to maintain ownership records or interment records.” A filing with the Division is required. With the rare exception of some emergency situations, a repayment schedule is required.

11. **I have viewed my Account Information and made edits or confirmed information is correct.**

    In our system an account is the information related to the perpetual care cemetery and we are asking if you have reviewed the applicable information to make sure it is current.

12. **I have viewed my Contact Information and made edits or confirmed the information is correct.**

    In our system a contact is the person making filings and receiving communications from us. This question asks if that person has reviewed their applicable information to make sure it is current.

You will have the ability to provide explanatory notes and comments.

**ADDITIONAL QUESTIONS**

If you have sold a Perpetual Care Trust Fund you will be asked five additional questions.

1. **Account Principal Balance of Perpetual Care Trust Fund on 12/31. (Upload bank statement, Treasurer report, or city audit with annual report.)**
2. **Enter the total deposits on new contracts issued for the calendar year.**

   This response needs to be a number, such as 12, rather than a word(s), such as twelve.

3. **Enter the amount withdrawn during the calendar year.**

   This response needs to be a number, such as 12, rather than a word(s), such as twelve.

4. **Enter the interest/dividends earned during the calendar year.**

   This response needs to be a number, such as 12, rather than a word(s), such as twelve.

5. **Enter the amount deposited for gifts or donations during calendar year.**

   This response needs to be a number, such as 12, rather than a word(s), such as twelve.

If you have a Perpetual Care Trust Fund for grave markers and memorials, you will be asked two additional questions.

1. **Account Principal Balance of Perpetual Care Trust Fund for Grave Markers and Memorials, if any, on 12/31. (Upload bank statement with annual report.)**

   This response needs to be a number, such as 12, rather than a word(s), such as twelve.

2. **Name of Financial Institution Holding the Grave Marker and Memorials Perpetual Care Trust Fund.**

If your cemetery uses the Total Return Distribution Method, you will be asked eight supplemental questions.

1. **If yes, date Cemetery converted to the Total Return Distribution Method.**

   The format needs to be mm/dd/yyyy, such as 04/15/2018.

2. **If yes, describe your asset allocation by investment category (see instructions) and provide dollar amount per category.**

   Instructions: The concept of asset allocation means creation of a mix of different types and categories of assets, such as stocks, bonds and cash or cash equivalents. You might have other categories, such as real estate. Please provide a short list of applicable categories and the
applicable percentage for each category.

3. **If yes, amount of Annual Payout for Calendar Year.**

   This response needs to be a number, such as 12, rather than a word(s), such as twelve.

4. **If yes, amount of inflation adjustment calculated for the calendar year.**

   This calculation allows cemeteries and the Division to evaluate the success of the total return distribution method regarding growth in the fair market value of the trust fund. After adjusting for additional deposits, the trust fund should at least be keeping up with inflation. If not, distribution amounts might need to be reduced. Please use the consumer price index for all urban consumers (CPI-U) issued by the U.S. Department of Labor’s Bureau of Labor Statistics. That amount was **2.1 %** for 2017. The amount of inflation adjustment for the calendar year is 2.1% of the fair market value of the perpetual care trust fund on 12/31/2016.

5. **If yes, percentage used for distribution.**

6. **If yes, describe any changes in investment policy.**

7. **If yes, Fair Market Value of the trust fund at the end of the year the Cemetery converted to Total Return Distribution Method.**

   This response needs to be a number, such as 12, rather than a word, such as twelve.

8. **If yes, Fair Market Value of trust fund on 12/31.**

   This response needs to be a number, such as 12, rather than a word, such as twelve.

If you indicate that you sell prepaid merchandise and services, you will be asked one additional question.

**If yes, list the names & license numbers of the preneed seller and sales agent.**

If you indicate that you are affiliated with another funeral home or cemetery you will be asked one additional question.

**If yes, identify the name and location of the funeral home or other cemetery.**

If you indicate you have an outstanding loan from your perpetual care trust fund, you will be asked four supplemental questions.

1. **If yes, did the cemetery submit a request to borrow funds to the Division?**
2. **If yes, what is the total aggregate amount borrowed during the calendar year?**

   This response needs to be a number, such as 12, rather than a word, such as twelve.

3. **If yes, has the cemetery started repayment on the amount borrowed?**

4. **If yes, what is the remaining dollar amount left to repay?**

   This response needs to be a number, such as 12, rather than a word, such as twelve.