



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
Southwest Region

1999 Bryan Street, Suite 2150
Dallas, Texas 75201

Matthew H. Wernz
Regional Director

January 24, 2024

SCI Texas Funeral Services, LLC
d/b/a Forest Park Westheimer Funeral Home & Cemetery
1929 Allen Parkway
Houston, Texas 77019

Re: Funeral Rule Compliance Notice

Dear Funeral Provider:

As you know, the Federal Trade Commission (“FTC”) has issued a trade regulation rule concerning funeral industry practices (“Funeral Rule”), 16 C.F.R. Part 453. The Funeral Rule became fully effective on April 30, 1984, and revisions to the Funeral Rule became effective on July 19, 1994. As amended, the Funeral Rule has the full force and effect of federal law.

The Funeral Rule requires that funeral providers disclose prices and other information to persons arranging funerals. The Funeral Rule requires disclosure of itemized price information both over the telephone and in writing concerning general funeral services and ancillary arrangements offered by the funeral provider, as well as price lists for caskets and outer burial containers. The Funeral Rule prohibits misrepresentations about legal, cemetery or crematory requirements pertaining to the disposition of human remains. Certain unfair practices also are prohibited, such as embalming for a fee without prior permission; requiring consumers to purchase caskets for direct cremation; or conditioning the purchase of any funeral good or service upon the purchase of any other funeral good or service. Moreover, the Funeral Rule requires that each person who arranges a funeral be given a statement of the funeral goods and services selected by that person and the price to be paid for each item. Failure to comply with the Funeral Rule may result in penalties of up to \$51,744 per violation.

FTC staff has obtained information that, in May 2023, during an undercover call placed by the FTC, Forest Park Westheimer Funeral Home represented over the telephone that it would email a General Price List. Instead of emailing a general price list that meets the requirements of the Funeral Rule, you emailed a list of package prices that does not meet the requirements for a General Price List under the Funeral Rule.

In staff’s view, the conduct described above violates the Funeral Rule. However, FTC staff does not currently plan to recommend to the Commission that it take formal legal action against Forest Park Westheimer Funeral Home, but you should take prompt remedial action to make sure Forest Park Westheimer Funeral Home does not misrepresent the written price information it sends to consumers.

Enclosed for your review is a copy of the business guide "Complying with the Funeral Rule." The guide is intended to help you comply with the Funeral Rule and includes compliant sample price lists that you can adapt to your business. If you have any questions after reviewing this letter and the guide, please call FTC attorney Luis H. Gallegos at (214) 979-9383.

Respectfully yours,



Matthew H. Wernz
Regional Director

Enclosure