IN THE MAT TER OF
CHARLES GAYDEN
and the entity operating as
GAYDEN FUNERAL HOME
JENA, LOUISIANA
FILED: MAR 13 2025

LOUISIANA STATE BOARD
OF EMBALMERS
AND FUNERAL DIRECTORS

Case No. 23.24.0025

CLERK

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND BOARD ORDER

This matter came before the Louisiana State Board of Embalmers and Funeral Directors on February 13, 2025, for a ruling on an Admission and Consent submitted by the parties.

CHANEL R. DEBOSE, Prosecuting Attorney, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

KIM MICHEL, Executive Director, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

CARRIE L. JONES, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

After considering the law, the evidence, the entire record of these proceedings, and the Admission and Consent submitted by the parties for a ruling on the Admission and Consent, CHARLES GAYDEN and the entity operating as GAYDEN FUNERAL HOME, who waived their rights to appear before the Board to be a part of the proceedings, the Louisiana State Board of Embalmers and Funeral Directors which was made part of the record before the Board on February 12, 2025.

The Louisiana State Board of Embalmers and Funeral Directors rules as follows:

FINDINGS OF FACT

That **CHARLES GAYDEN (E-2146)** is a licensee of this Board and the owner and manager of **GAYDEN FUNERAL HOME, (#2156),** Jena, Louisiana, thereby subject to the jurisdiction of this Board.

That evidence presented by the parties, the evidence contained within the record of these proceedings, together with the admission and consent submitted by the parties support the Board's conclusion that Charles Gayden, individually and as owner and manager of the entity operating as Gayden Funeral Home is guilty of violating the following statute: LA R.S. 37:846 (A) (5) **for taking an unreasonable amount of time to correct and deliver the death certificate of the late**

Lester Darnell Buford, Sr. to Demetra Buford or her brother, Lester Darnell Buford, Jr., daughter and son of the decedent respectively and legal next of kin.

As to **CHARLES GAYDEN**, the Louisiana State Board of Embalmers and Funeral Directors finds that **CHARLES GAYDEN, (#E-2146)**, is the owner, manager, and designated agent of the entity operating as **GAYDEN FUNERAL HOME, (#2156)**, New Orleans, Louisiana, and both, the licensee and the entity is subject to the jurisdiction of this Board.

That evidence contained within the record of these proceedings, together with the admission and consent of the parties, support the Board's conclusion that Charles Gayden in his individual capacity, in his capacity as licensee and manager, and in his capacity as owner, and designated agent of the entity operating as Gayden Funeral Home, a licensed entity subject to the jurisdiction of this Board, violated following statute: LA R.S. 37:846 (A) (5) **for taking an unreasonable amount of time to correct and deliver the death certificate of the late Lester Darnell Buford, Sr. to Demetra Buford or Lester Darnell Buford, Jr., daughter and son of the decedent respectively and legal next of kin.**

CONCLUSIONS OF LAW

"Dishonest conduct" is defined in LA R.S. 37:831(31) as a standard of personal behavior by a funeral director, or embalmer, or both, characterized by a willful distortion of the truth in an attempt to deceive, cheat or defraud.

"Unethical or unprofessional conduct" is defined in LA R.S. 37:831(85) as a standard of personal behavior by a funeral director, or embalmer, or both, or intern, or individual working under the authority of a temporary license not conforming to accepted, professional principles of the funeral service profession.

The Board found that Charles Gayden and the entity operating as Gayden Funeral Home (collectively referred to as "Respondents") violated LA R.S. 37:846 (A)(5) because Respondents took an unreasonable amount of time to correct and deliver the death certificate of the late Lester Darnell Buford, Sr. to Demetra Buford or Lester Darnell Buford, Jr., daughter and son of the decedent respectively and legal next of kin.

BOARD ORDER

Accordingly, for the reasons as stated and noted herein above;

IT IS ORDERED BY THE BOARD that Charles Gayden (#E-2146), owner and manager of the entity operating as Gayden Funeral Home, and the entity operating as Gayden Funeral Home (#2156) violated LA R.S. 37:846 (A)(5) when Respondents took an unreasonable amount of time to correct and deliver the death certificate of the late Lester Darnell Buford, Sr. to Demetra Buford or, Lester Darnell Buford, Jr., daughter and son of the decedent respectively and legal next of kin.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to this violation, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, or by imprisonment for not less than thirty days nor more than one-hundred eighty days for each offense, or both such fine and imprisonment; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. As it relates to LA R.S. 37:846 (A)(5) Charles Gayden and the entity operating as Gayden Funeral Home are fined the sum of one thousand, two hundred, fifty ($1,250.00) dollars for the above cited violation.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, or by imprisonment for not less than thirty days nor more than one-hundred eighty days for each offense, or both such fine and imprisonment; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. Pursuant to this statute Charles Gayden and the entity operating as Gayden Funeral Home are to reimburse the Board's expenses as follows: General Counsel, Carrie L. Jones, the sum of One Thousand Eight Hundred Ninety ($1890.00) and Prosecuting Attorney, Chanel Robinson Debose, the sum of one thousand, two hundred, twenty-three dollars, and two cents

($1,223.02) for the handling of this matter from January 2, 2025, the date the matter was accepted by the Board through the date of this Order.

IT IS FURTHER ORDERED BY THE BOARD that the total fines and fees assessed to Charles Gayden and the entity operating as Gayden Funeral Home is One Thousand Two Hundred Fifty dollars ($1,250.00) fines, Prosecuting Attorney's fee One Thousand Two Hundred Twenty Three and Two Cents ($1.223.02) and General Counsel's fee One Thousand Eight Hundred Ninety ($1890.00). The above assessed fines and attorneys' fees totaled are Four Thousand Three Hundred Sixty Three Dollars and Two Cents ($4363.02) are to be paid by Charles Gayden and the entity operating as Gayden Funeral Home within thirty (30) days of receipt of this Order.

IT IS FURTHER ORDERED BY THE BOARD that should the costs not be received by the Board within thirty (30) days of the receipt of this Order, then the license of the establishment operating as Gayden Funeral Home, Jena, Louisiana shall be suspended until such time that all costs are paid.

BY ORDER OF THE BOARD

SECRETARY

Metairie, Louisiana
March 13, 2025

CERTIFICATE OF SERVICE

On _____, 2025, I served a true copy of the Administrative Complaint and Subpoena and Notice of Hearing in Case No: 23.24.0025 on:

Charles Gayden, in his individual capacity and as Registered Agent, owner and manager of the entity operating as:
Gayden Funeral Home
P.O. Box 2196
Jena, LA 71342
via certified mail

_____
Executive Director