

consumers@attorneygeneral.gov

www.attorneygeneral.gov



Consumer Complaint Form

Bureau of Consumer Protection
15th Floor, Strawberry Square
Harrisburg, PA 17120

1-800-441-2555 - PA ONLY
1-717-787-9707

Required fields are marked with an asterisk*
Your information:

Form for Mr. David and Mrs. Darla Dowling. Includes fields for veteran status, age group, name, address (273 Krulock Rd), city (Uniontown), state (PA), zip (15401), county (Fayette), and email (ddowling@atlanticbb.net).

If completing this form on behalf of someone else, please complete the following information:

Form for Ella Patek (Deceased). Includes fields for veteran status, age group, name, address (273 Krulock Rd), city (Uniontown), state (PA), zip (15401), county (FayetteS), and phone numbers.

Who is the complaint against?

Form for Stephen E. Kezmarsky III Funeral Home. Includes fields for business name, phone number, name of individual (Stephen Kezmarsky), mailing address (71 S Pennsylvania Ave), city (Uniontown), state (PA), zip (15401), county (Fayette), product (Life Insurance for a funeral package), date of purchase (08/2012), and purchase price (?????).

Legal Representation:

| | | | |
|--|--|----------------------------|----------|
| Have you retained an attorney? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| Attorney's Name | | | |
| Address | | | |
| City | | State | Zip Code |
| County | | | |
| Daytime Phone Number () | Have you filed a legal action? <input type="checkbox"/> Yes <input type="checkbox"/> No | If yes, please state when: | |
| Where was the legal action filed? | What decision was made? | | |

Other Agencies:

| |
|---|
| Have you contacted other agencies? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| What agencies were contacted? |
| What action was taken? |

Complaint Information:*

Please explain your complaint. You may use additional sheets if necessary. Please print or type clearly. Try to be brief, but be sure to tell **WHAT** happened, **WHEN** it happened and **WHERE** it happened. Be specific about any oral statements the business made to you, **ESPECIALLY** those that influenced you to deal with the company. Describe events in the order in which they happened. Attach **COPIES** of all contracts, letters, receipts, canceled checks (front & back), advertisements or any other papers that relate to your complaint.

| |
|---|
| My mother Ella had a life insurance policy of \$13,276.00 which was turned over to Mr. |
| Kezmarsky to cover Ella's funeral costs per a state PDA waiver for my mother to stay in our home instead of going to a nursing home. The policy was turned over directly to Mr. |
| Kezmarsky. The funeral cost were \$10,339.00 and my sister and I never received the |
| balance from the insurance policy. Mr. Kezmarsky tried to give to give my husband and I |
| a check but told us to hold off cashing it. When we called to say we were cashing the |
| check we were told the account was closed. |
| We asked for a receipt showing the amount of the insurance check received because it |
| was accruing interest and we never received one. |
| Funeral expenses attached. |
| How many other families signed over insurance policy's due to the PDA waiver ? + |

What would you like the business to do to settle your complaint?

| |
|-------------------------|
| The business is closed. |
| |
| |
| |
| |
| |
| |
| |
| |

PLEASE READ CAREFULLY

THE ATTORNEY GENERAL CANNOT ACT AS YOUR PRIVATE ATTORNEY

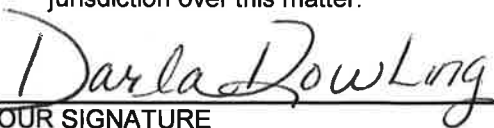
As a law enforcement agency, the primary function of the Office of Attorney General is to represent the public at large by enforcing laws prohibiting fraudulent or deceptive trade practices that impact the public interest.

The Attorney General, through the Bureau of Consumer Protection ("Bureau"), provides a mediation service to consumers where an attempt may be made to mediate individual consumer complaints which fall within the Bureau's jurisdiction. The information you provide will be used in an attempt to resolve your complaint and will be shared with the party(ies) against which the complaint is filed. Additionally, your complaint may be shared with or referred to other Governmental Law Enforcement or Regulatory Agencies.

NOTE: We cannot mediate a matter which is or has been the subject of legal action.
Your complaint will be kept on file and may be used to establish violations of PA law.

By signing below:

1. I certify that the information provided in my complaint, including my identity and any factual statements or allegations, are true and correct to the best of my knowledge, information and belief.
2. I certify that I have read and understand the informational sheet about the mediation process; and, further certify my understanding that the Bureau cannot provide individual legal representation to me.
3. I certify that I have authorized the Bureau to contact the party(ies) against which I have filed a complaint; and, that I further authorize the party(ies) against which I have filed a complaint to communicate with and provide information related to my complaint to the Bureau.
4. I certify that I have authorized the Bureau to transfer my complaint, and any or all attachments related to it, to another federal, state, local or other agency which may have jurisdiction over this matter.



YOUR SIGNATURE

02/22/2018

DATE

Please include copies of all documents regarding your problem. Be sure to send COPIES, not originals.

consumers@attorneygeneral.gov

www.attorneygeneral.gov



Consumer Complaint Form

Bureau of Consumer Protection
15th Floor, Strawberry Square
Harrisburg, PA 17120

1-800-441-2555 – PA ONLY
1-717-787-9707

WHEN SHOULD YOU FILE A COMPLAINT

If you are unable to resolve a problem with a business (see, "Problem-Solving Tips", *below*), you may wish to file a complaint with the Office of Attorney General, Bureau of Consumer Protection ("Bureau"). You can download a complaint form from our website at www.attorneygeneral.gov or you can call our toll-free number, 1.800.441.2555, to have a form mailed to you.

The Bureau provides a mediation service to consumers where an attempt may be made to mediate individual complaints which fall within the Bureau's jurisdiction. The information you provide will be used in an attempt to resolve your complaint and will be shared with the party(ies) against which the complaint is filed. Additionally, your complaint may be shared with or referred to other governmental law enforcement or regulatory agencies.

NOTE: (1) Participation in the mediation process is voluntary and we cannot compel a business to cooperate; and (2) We cannot mediate a matter that is already or has been the subject of legal action.

When we receive your completed complaint form, it will be reviewed by our staff and, depending on the nature of the complaint, one of the following courses of action may be taken.

- We may refer your complaint to a local, state or federal agency, which has primary jurisdiction over the subject matter. If your complaint is referred to such an agency or organization, you will be notified by mail of its name and address, so you may follow up on your complaint.
- If your complaint falls with the Bureau's jurisdiction, we may attempt to initiate our voluntary mediation process with the business, in which case you will receive a letter with your file number and the name of the agent who will handle the mediation. Please keep your file number for future reference when contacting this office.

NOTE: Because of the volume of complaints the Bureau receives, it may take some time before we review and process your complaint. We ask for and appreciate your patience during this time.

NOTE: In order to document your complaint file and keep it up-to-date, we request communications from you and the business to be in writing.

- You will be notified by mail when we receive information regarding your case.
TO HELP US HELP YOU, PLEASE REFRAIN FROM CALLING FOR "STATUS REPORTS."

If mediation efforts are not successful, you may be advised to seek relief either through a private attorney or through Magisterial District Court. The Bureau cannot provide you with private legal counsel or offer legal advice. The Bureau represents the public at large in its enforcement of the Unfair Trade Practices and Consumer Protection Law ("Consumer Protection Law"). The Consumer Protection Law *does* provide individual consumers with the ability to bring a private action, citing unfair and deceptive business practices.

PROBLEM-SOLVING TIPS

It is helpful for you to try to resolve your own complaint before contacting the Bureau. However, if you have exhausted your efforts to resolve the problem without success, contact the Office of Attorney General promptly for assistance.

NOTE: If your claim involves a dispute of charges placed on your credit card, or billing statement or if a merchant has promised to reverse or credit your charge card but has failed to do so, you must act quickly to preserve your right to challenge a charge. Under the Federal Fair Credit Billing Act, your credit card company must receive a written dispute notice from you within 60 days after the first bill containing the disputed charge was mailed to you. **The Bureau cannot dispute this charge for you.** Look at the back of your credit card statement for specific information regarding the procedure for filing your dispute. You must file your dispute with your credit card company, a complaint to the merchant or company that made

Funeral Service Statement
Stephen E. Kezmarsky III Funeral Director

Funeral of Ella Patek

A. CHARGE FOR SERVICES SELECTED

1. PROFESSIONAL SERVICES

| | |
|------------------------------------|-------------------|
| Services of Funeral Director/Staff | <u>\$ 1150.00</u> |
| Embalming | <u>\$ 900.00</u> |
| Other preparation of body: | |
| Dressing and casketing | <u>\$ 75.00</u> |
| Cosmetology | <u>\$ 75.00</u> |

SUBTOTAL OF PROFESSIONAL SERVICES **\$ 2200.00**

2. FACILITIES AND SERVICES

| | |
|--|--------------------|
| Use of Facilities and Services for Viewing | **\$ <u>750.00</u> |
| Use of Facilities for Funeral Ceremony | **\$ <u>325.00</u> |
| Use of Prep Room | **\$ <u>350.00</u> |

SUBTOTAL OF FACILITIES ****\$ 1425.00**

**** NOTE: Actually paid Dolfi \$2000.00 for this part, but used my prices**

3. AUTOMOTIVE EQUIPMENT

| | |
|--|------------------------------|
| Vehicle to transfer remains to f. home | <u>\$ (275.00) NO CHARGE</u> |
| Hearse | <u>\$ 250.00</u> |
| Lead Car | <u>\$ 150.00</u> |

SUBTOTAL OF AUTOMOTIVE **\$ 400.00**

Total of Professional Services, Facilities and Automotive Equipment **\$ 4025.00**

B. CHARGE FOR MERCHANDISE SELECTED:

| | |
|---|---------------------|
| Casket Pieta | *\$ <u>3625.00</u> |
| • Charge as per general casket price list | |
| Vault | <u>\$ 975.00</u> |
| Register Book | <u>\$ No Charge</u> |
| Prayer Cards | <u>\$ No Charge</u> |

TOTAL OF MERCHANDISE **\$ 4600.00**

TOTAL FUNERAL (A AND B): **\$ 8625.00**

Funeral Service Statement
Stephen E. Kezmarsky III Funeral Director

Funeral of Ella Patek

Cash Advances:

| | | |
|----------------------------|-----------------|------------------|
| St. John's | | |
| Priest: | \$ 125.00 | |
| Organist: | \$ 100.00 | |
| Cantor: | No Charge | |
| Servers: | \$ 30.00 | |
| Herald Standard Obit | \$ 467.00 | |
| Death Certificates | <u>\$ 42.00</u> | |
| TOTAL CASH ADVANCES | | \$ 764.00 |

| | |
|--------------------------------|-------------------|
| TOTAL FUNERAL (PAGE 1): | \$ 8625.00 |
| TOTAL CASH ADVANCES: | \$ 764.00 |

| | |
|----------------------|-------------------|
| TOTAL FUNERAL | \$ 9389.00 |
|----------------------|-------------------|

Additional Charge paid by Stephen Kezmarsky Beneficiary of Insurance:

| | |
|--|---------------------------|
| Open/Closing at St. John's - Brookvale - | \$ 950.00 |
| Total Paid | <u>\$ 10339.00</u> |

Funeral Service Statement
Stephen E. Kezmarsky III Funeral Director

Funeral of Ella Patek

Trinity - Met Life Total (Stephen Kezmarsky Beneficiary)

Policy Numbers: 782731428 MS
647102007 A
882732812 M

Total of Insurance: \$ 13,276.00
I received – after fees \$ 12,643.58

**Funeral Service Statement
Stephen E. Kezmarsky III Funeral Director**

Funeral of Ella Patek

I am willing to make bill include flowers and make little higher so money goes to family and not state.