

Bond Number: _____

PRENEED FUNERAL CONTRACTS SURETY BOND

**In Accordance with
Section 3411, Title 5 of the Delaware Code**

KNOW ALL MEN BY THESE PRESENTS;

That we, _____, as Principal, and
_____, a _____ Corporation, with
Principal office at _____,

as Surety, are held and firmly bound unto the State of Delaware, Office of the State Bank Commissioner, for the protection of that office and any person injured by a wrongful act, default, fraud or misrepresentation of a preneed funeral contract seller in the sum of _____ Dollars (\$), for payment of which sum, well and truly to be made, we bind ourselves, our personal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, application has been made to the Office of the State Bank Commissioner of the State of Delaware by said principal for a license to engage in business pursuant to the provisions of Chapter 34, Title 5 of the Delaware Code, and

WHEREAS, every licensee shall file with the Commissioner a surety bond in a principal sum which complies with the requirements of Commissioner's Regulation Number 3402 (Required amount of Preneed Funeral Contracts Surety Bond or Irrevocable Letter of Credit), said bond to be issued by a surety company authorized to transact business in the State of Delaware;

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION are such that:

- 1) The bond shall run to the State for the benefit of the Office of the State Bank Commissioner and for the benefit of all consumers injured by any wrongful act, omission, default, fraud or misrepresentation by a licensee in the course of its activity as a licensee. Compensation under the bond for such injured consumers shall be for amounts which represent actual losses. Compensation under the bond for the Office of the State Bank Commissioner shall be for any and all amounts that may become due and owing to Delaware under and by virtue of the provisions of Chapter 34, Title 5, and other applicable provisions of Title 5, of the Delaware Code and their promulgated regulations. Compensation under the bond shall not be payable for claims made by business creditors, third party service providers, agents or other persons otherwise in the employ of the licensee. Surety claims shall be paid to the Office of the State Bank Commissioner by the insurer no later than 90 days after receipt of

claim. Claims paid after 90 days shall be subject to daily interest at the legal rate. The aggregate liability of the surety on the bond, exclusive of any interest which accrues for payments made after 90 days, shall in no event exceed the amount of such bond.

- 2) If the licensee will faithfully comply with and abide by the provisions of Chapter 34, Title 5, and any other applicable provisions of Title 5, of the Delaware Code and all regulations promulgated pursuant thereto and will commit no wrongful act, default, fraud or misrepresentation, and perform all obligations and undertaking when engaging in the preneed funeral contract seller business in the State of Delaware, and will pay to the State of Delaware any and all money that may become due or owing to Delaware under and by virtue of the provision of Chapter 34, Title 5, and any other applicable provisions of Title 5, of the Delaware Code; then this obligation will be void; otherwise it will remain in full force and effect.
- 3) This bond is continuous in nature. However, this bond may be cancelled by the Surety giving 30 days written notice thereof to the Principal and the Office of the State Bank Commissioner. The 30 days notice begins the date the notice is received by the Office of the State Bank Commissioner. Upon expiration of the 30 days notice, the Surety is relieved of further liability under the bond, but is not relieved of liability for losses which occurred during the time the bond was in effect.

SIGNED AND SEALED THIS _____ DAY OF _____, 20_____.

Principal: _____

By: _____

**CORPORATE
SEAL**

Surety: _____

By: _____

**SURETY COMPANY
SEAL**