

WAC 308-51B-050 Determination of delivery. Cemetery prearrangement merchandise and services will be delivered within the meaning of RCW 68.46.050(1) when:

(1) Actual delivery of the merchandise is made to the contract beneficiary;

(2) Delivery of the merchandise is made to the cemetery authority for the contract beneficiary and the merchandise is permanently affixed to real property, columbarium or mausoleum; or

(3) Delivery of the merchandise to the cemetery authority for the contract beneficiary with the storage provided by the cemetery authority, provided:

(a) That fifty percent of the service charge of the installation and other services to be performed upon the merchandise is maintained in the prearrangement trust fund; and

(b) An insurance provision is maintained when merchandise is stored in a building or on cemetery grounds.

(4) The cemetery authority has paid its supplier for prearrangement merchandise, and the supplier has caused the merchandise to be manufactured and stored, and has caused title to the merchandise to be transferred to the contract beneficiary, and has agreed to ship the merchandise upon his request or the request of the cemetery authority; provided:

(a) That fifty percent of the service charge of delivery, installation and other costs are maintained in the prearrangement trust fund by the cemetery authority. The delivery and installation cost must be itemized on the prearrangement contract, in accordance with WAC 308-51B-020.

(b) This subsection will apply to the manufacture and storage of merchandise such as, but not limited to, vaults, liners, urns and marker bases.

[Statutory Authority: RCW 68.05.105 and 18.39.175. WSR 20-09-031, § 308-51B-050, filed 4/6/20, effective 5/7/20.]