

MANITOBA
THE PUBLIC UTILITIES BOARD ACT
THE CEMETERIES ACT

Order No. 69/06

May 8, 2006

BEFORE: Graham F. J. Lane, C.A., Chairman
Monica Girouard, C.G.A., Member
Susan Proven, P.H.Ec., Member

**AN APPLICATION OF THE ALDERWOODS GROUP TO PASS
ACCOUNTS DEALING WITH THE PERPETUAL CARE FUNDS**

1.0 Background

The Alderwoods Group, (“the Applicant”) on May 26, 2004 made an application to the Board for the Passing of Accounts for the perpetual care fund of all cemetery properties owned by the Applicant in the Province of Manitoba in accordance with *The Cemeteries Act* (the Act) for the period from January 1, 2001 to December 31, 2003. In support of this application, the Applicant filed the following information:

- Chapel of Eternal Memories Mausoleum Trust Account reconciliation showing additions to the perpetual care fund by means of new deposits, capital investment changes, and income and deletions being perpetual care expenses, trustee fees and miscellaneous fees reflecting a balance in the fund of \$1,181,949.95 as at December 31, 2003.
- Waverley Memorial Gardens Trust Account reconciliation showing additions to the perpetual care fund by means of new deposits, capital investment changes and income and deletions being perpetual care expense, trustee fees and miscellaneous fees reflecting a balance in the fund for the period of \$550,729.69 as at December 31, 2003.
- Garry Memorial Park Trust Account reconciliation showing additions to the perpetual care fund by means of new deposits, capital investment changes and income and deletions being perpetual care expenses, trustee fees and miscellaneous fees reflecting a balance in the fund for the period of \$611,252.12 as at December 31, 2003.
- Green Acres Memorial Gardens (1969) Limited/Holy Angel Mausoleum Trust Account reconciliation showing additions to the perpetual care fund by means of new deposits, capital investment changes and income and deletions being perpetual care expenses, trustee fees and miscellaneous fees reflecting a balance in the fund for the period of \$1,296,956.19 as at December 31, 2003.

The Applicant filed on December 15, 2005 further details on its perpetual care expenses and on its inventory of spaces available and financial statements respecting its operation. Also, on November 16, 2005 the Board received confirmation from TD Waterhouse (The

Canada Trust Company) that only the income from the fund was paid out to the Applicant in each of the operating years.

2.0 Board Finding

Having reviewed the information provided by the Applicant for the period January 1, 2001 to December 31, 2003, the Board is satisfied that the perpetual care funds have been dealt with in accordance with the Act. The Board will therefore pass the accounts. The Board is also of the view that the passage of time between passing of accounts should not exceed three years. The Board will therefore order that the owner file an application with the Board for passing accounts for the period January 1, 2004 to December 31, 2006 by no later than June 30, 2007.

3.0 It Is Therefore Ordered That:

1. An account of the Applicant's dealings with the perpetual care funds of all its cemetery properties located in the Province of Manitoba for the period from January 1, 2001 to December 31, 2003, are pursuant to Section 31(2) of The Cemeteries Act, BE AND IS HEREBY PASSED.
2. An application be filed with the Board for the passing of accounts for the perpetual care fund of the Applicant for the three-year period from January 1, 2004 to December 31, 2006 by no later than June 30, 2007.

Fees payable upon this Order - \$1,200.00

THE PUBLIC UTILITIES BOARD

"Graham F. J. Lane, C.A."

Chairman

"G. O. Barron"
Acting Secretary

Certified a true copy of Order No.
69/06 issued by The Public Utilities
Board

Acting Secretary