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Consumer Guide: Cemeteries and Pre-Need Burial Contracts

The Virginia Cemetery Act

DPOR regulates only **for-profit cemeteries** that provide ***perpetual care***, as well as those that sell **pre-need burial contracts** (paid in advance) and are required to maintain **trust fund accounts**. Family-owned, non-profit, and church cemeteries, as well as those owned and operated by the state or localities, are exempt from licensure.

Perpetual care means the proper care, maintenance, embellishment, and reasonable administration of the cemetery grounds and buildings.

State law requires every licensed cemetery to provide a written [General Price List \(PDF\)](#) of all charges for services and property it offers, as well as an itemized statement of charges incurred for burial vaults, facilities, and other professional services.

Consumer Tips on Cemetery Services

- Find out whether the cemetery company is licensed (if required). You can use [License Lookup](#) to verify license status and review any past disciplinary action, or contact the [Cemetery Board](#) directly.
- Compare the prices on your contract with the cemetery's posted General Price List before signing the contract.
- Insist on a detailed contract that includes all itemized prices and specifies any future costs.
- Don't rely on verbal promises. Get all agreements about grave plots or burial merchandise and services in writing.
- Make sure the grave plot is fully identified in your contract, with space number and location. Look at a map of the cemetery to confirm that the plot you

purchase is located correctly.

- Ask whether your grave plot and merchandise are transferable if you move out of town or to another state. Include the details in writing in your contract.
- Find out about the cancellation and refund policies.
- Look at the overall quality of the cemetery's maintenance and care before you purchase a grave plot.
- Get a copy of the cemetery's own rules and regulations. Learn about your rights or restrictions regarding flower placement, cemetery operating hours, replacement of damaged or stolen merchandise, etc.
- A cemetery cannot prohibit you from installing markers purchased from outside dealers on your plot, provided the dealer meets the cemetery's own rules and regulations.

Consumer Tips on Pre-Need (Pay-in-Advance) Burial Contracts

- Insist on a detailed contract with a complete description of the grave plot and/or services purchased and whether the price is guaranteed.
- Ask about any additional costs, including the opening and closing of the grave "at need" (that is, at the time of burial, after the contract is paid up). Note the details in writing in your contract.
- If you feel pressured and change your mind after purchasing the pre-need contract, state law guarantees consumers the right to terminate the agreement within three days of its execution. In such instances, the cemetery company is required to provide a full refund (except for any property or supplies already delivered).

More Resources

The [Virginia Board of Funeral Directors and Embalmers](#) is responsible for regulating funeral directors, funeral establishments and crematories. That Board is housed at the Department of Health Professions. More information is available calling (804) 367-4479, or by visiting the [Department of Health Professions](#).

- Learn more by reading the Federal Trade Commission (FTC) consumer tips on [Buying a Cemetery Site](#).
- Visit the [Virginia Cemetery Board](#) website.

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Virginia Department of Professional and Occupational Regulation

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