

October 5, 2015

Dear Governor Haley,

I had the great pleasure of hearing you speak at the 17th Annual United Way “Women Make a Difference” conference on Thursday, September 24, 2015 at the TD Convention Center in Greenville, South Carolina. I was the person initiating the applause on several occasions. Your speech however brief was extremely inspiring, encouraging and motivating to say the least. So much so, that I could not help but feel that you would be willing to help me with my most prevalent and pressing “war story”, one which is not to dissimilar from your own.

I have contacted your office on several occasions without success. After hearing you speak, I knew I had to make one last effort to communicate with you. I would like to provide as brief as possible a synopsis of my situation in the dire hope that you will be willing and able to help me. After my father’s passing five and a half years ago, I inherited Webb-Settles Funeral Home, Inc., our family owned and operated funeral home business of 74 years in downtown Greenville. The business has been struggling, as have many others, since the decline of the economy in 2008.

Unfortunately, I have been met with a great many challenges both internally and externally. Internally, I had to resolve a \$60,000 vendor litigation, diffuse disgruntled employee situations, and make several attempts to deal with back tax issues (without sufficient funds) due to what I consider to be a predatory lending mortgage loan of 17% interest on the property. These are just a few of the inherited internal issues that required my attention while I was simultaneously completing a master’s degree in Business Administration, of which I had already begun.

The external issues have to do with my situation and the lack of understanding and consideration from the Funeral Service Board and the state tax office. I have been required to appear before the board twice. When I initially appeared before the Board I had been dealing with the issue of the scarcity of licensed individuals within the limited parameters of the law. This meeting resulted in the board serving the business a cease and desist order as of October, 2014. Webb-Settles has been shut down for an entire year now. Upon my next visit, I had obtained my Funeral Director’s license as of June 8, 2015, after being required to complete two, two-year apprenticeships for what I was told was a lack of sufficient paperwork. At this meeting I had found and presented a clause in the board’s own law that states that as a licensed corporate officer I would be allowed to

run my own business without the need to hire a full-time manager. Based on this law, the one year stipulation the board is imposing upon me as a licensed funeral director would only come into play if there were a need to hire a full-time manager. This one year stipulation is found only under the definition of a manager in the law. Otherwise, by the board's own law, a corporation officer can own and operate their own business without the need for a manager. This law is clearly stated as an either/or situation as per the inset below:

SECTION 40-19-270. (E) When more than one person proposes to engage in the operation of a funeral establishment or crematory as a partnership or a corporation, one of the partners or corporation officers must be a licensed funeral director OR the corporation or partnership must employ a full-time manager. No partner or corporate officer shall hold himself out through advertising or otherwise as being a licensee unless the person is licensed in accordance with this chapter.

The reason given as to why the board opposed my interpretation of the law is that I was interpreting it erroneously, when it is clearly stated. Later, after I had obtained my license the board used the argument that due to back sales tax and the fact that the business' name had an extra "s" in it (since 1992), I would have to correct the name, pay the back taxes and wait one full year after being licensed in the state of South Carolina before they would allow me to reopen. I have contacted the Secretary of State and was told that the "administrative desolation" temporarily in place is only a slap on the hand due to back sales tax owed by my father and that the business is still considered incorporated and should operate as such. Prior to reaching out to you, I have contacted the board's administrative staff repeatedly, the Director of LLR, Richele Taylor's office, the board's governmental liason, Lisia Kudelka and Betty Cooper of the governor's office. In my exhaustive struggles for help, I have been told repeatedly by these individuals that the board has the final say. I am hard pressed to believe that any governmental body or public institution for that matter would be allowed to operate unchecked. I believe the board refuses to acknowledge their own law in this instance for fear of setting a precedent. However, if a precedent is needed why not set one?

I am aware that the board is appointed by you the governor based on recommendations from industry associations and the public. I am hoping that you might have some jurisdiction over the board's adherence to their own laws, at face value. Governor Haley, I would like to ask you to investigate this matter on my behalf to see if

there is anything you can do to help my situation. Such as asking the board to waive the one-year requirement that would only apply, as per the law stated above, where there would be a need to hire a full-time manger. I would welcome an opportunity to speak with you further about this matter to see what steps if any can be taken. By not allowing me to open I am being forced to close my family business of 74 years. Longevity of this magnitude within the community should be rewarded not punished or at minimum allowed to function.

According to my oncologist, all the stress manifested by these circumstances has played a large part in my having contracted breast cancer as well in 2012. I am thankfully in remission and would not like to reactivate an occurrence due to continued stress. I am determined to keep my family legacy alive for myself and my family. I am therefore begging for assistance, Governor Haley! You had mentioned in your speech that few women run for office, for good reason I might add. When met with such extreme opposition who would willfully subject themselves to such treatment.

I have tried to provide as much information as possible to paint a clear picture of my most pressing "war story" in the hope that you might see how I am being met with obstacle after obstacle. I know that were you to investigate, an entirely different picture may possibly be painted. I therefore, feel there may be a need for greater clarification and would appreciate an audience with you at your earliest convenience. I am available at any time convenient to you.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Tanoka Settles Acker". The signature is written in a cursive, flowing style with a large, decorative flourish at the end.

Tanoka Settles Acker