

BEYOND

5 - February 2023

The Bereavement Authority of Ontario magazine



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About *Beyond*

Beyond is an all-digital, family focused magazine providing useful and interesting stories about the bereavement care industry and why it matters to you.

It is the magazine of the Bereavement Authority of Ontario, a government delegated administrative authority focused on protecting and informing families.

www.TheBAO.ca

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My focus is on protecting families

That means informing you and enforcing the law, while regulating and supporting BAO licensees in being their professional best for you

*By Jim Cassimatis,
Interim CEO & Registrar, BAO*

It's my pleasure to introduce myself as the newly appointed Interim CEO & Registrar of the Bereavement Authority of Ontario (BAO).

In my year and a half at the BAO, as the Director of Operations, I've enjoyed working with our team in better organizing our work to focus more on protecting the public interest and supporting licensed professionals on the many regulations and compliance requirements in the bereavement sector.

In my new interim role, while the BAO Board of Directors starts its search process for the next CEO and Registrar, I am focused on continuing to deliver high quality services and actions to elevate trust and

the image of the bereavement sector.

It's a unique business. The sector we license and regulate covers funeral homes, cemeteries, crematoriums and hydrolysis facilities. Our licensees chose to work for families in their time of grief as their profession. It's highly honourable, sensitive and challenging work to provide services to people in what is often the hardest time in their lives.

The rules

As the government-delegated regulator for this sector we are here to ensure families receive the services they need in compliance with the law (the *Funeral, Burial and*



Cremation Services Act, 2002), regulations and our directives.

Put simply, we're here to make sure licensees follow the rules for you. But it's so much more than that.

It's about consumer protection. Protecting families for us means making sure you have information readily available, such as providing our free Consumer Information Guide and in the emails and phone calls we receive.

It also means dealing with the few in the business who take advantage of people at the most vulnerable time in their lives following the loss of a loved one.

In general, regulators must focus much of their attention on non-compliant businesses or individuals – the rule breakers.

Our BAO staff team devotes much expertise, time and energy on the rule breakers in our industry, who need reminding of their legal and professional obligations. That “reminding” comes in the form of imposing licence conditions, suspensions, and even revocations, which put them out of business.

Caring professionals

Thankfully, the rule breakers are very much the exception among our caring and highly professional 9,500 business and personal licensees.

A big piece of our work at the BAO

involves providing support and guidance to the sector – which most individuals and businesses welcome from us.

Supporting our licensees with guidance on how to comply with the rules as the regulator is a key to constantly improving services for you and your family.

For example, we've put a lot of support during the last year on small cemeteries, whose staff and volunteers have been very receptive to our guidance on the law and how to ensure their cemeteries will be maintained for generations to come.

Family focus

My job – with our team of inspectors, licensing and financial compliance officers and all 37 of us at the BAO – is to ensure the right regulatory balance of enforcement and support to you and those who serve you in your times of grief.

We do that while providing information and answering your questions on our website, social media, through emails and phone calls. Please contact us if you have a question or an issue that needs addressing.

Click
here!

Save your family and yourself added stress at a time of grief.

You can pre-arrange a funeral so the
plans are ready when they are needed.

Read about this and much more in our free BAO [Consumer Information Guide](#),
which tells you about your rights and options.



Notice to the Consumer: Cemeteries are forever



If you are the seller of a property that includes a cemetery, you must make sure the cemetery is disclosed to a buyer before purchase. (Photo: Union Cemetery, Oshawa)

The legal terminology is ‘in perpetuity’. When it comes to cemeteries that’s how long they must be maintained. In short, cemeteries are forever.

The Bereavement Authority of Ontario (BAO) often deals with individuals or incorporated businesses buying or looking to sell a property with a small cemetery included, or an old church with an adjacent cemetery on the same land title.

Quiet neighbour but...

A graveyard can make for a quiet neighbour, but owning one comes with legal responsibilities.

Some think they can turn cemetery land into a real estate development. It’s possible to use land on the property outside of the cemetery boundary for other purposes. But you will always have to maintain the cemetery and keep it licensed with the BAO. That means regular mainten-

ance, including mowing the lawn and keeping a clear path to the cemetery ensuring access for mourners and the public. It's the law – the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)*.

The same rule applies if you find a cemetery on a property. The owner of a property, on which a cemetery is located, is required to become licensed with the BAO and must protect and maintain the cemetery. Plus, as per the FBCSA, cemeteries cannot be disturbed.

Disclosure

Similarly, if you are the seller of a property that includes a cemetery, you must make sure the cemetery is disclosed to a buyer before purchase. The seller is also obligated to tell the prospective buyer that any new owner must become the licensed operator of that cemetery, whether there is room for additional burials or not.

Trust fund

It is also the legal obligation of a cemetery owner/operator to keep a Care and Maintenance Trust Fund, which ensures the cemetery will be maintained for generations in perpetuity.

So, remember that having a

cemetery on the property raises a number of obligations and restrictions including inability to build on or alter the property. Since burials are considered to be in perpetuity, a new buyer should not presume that the cemetery can be moved or cancelled.



This small Baptist Pioneer Cemetery is located behind homes in a Brooklin subdivision in north Whitby.

For more information please contact the BAO at Licensing@TheBAO.ca.

Thanks and respect Small cemeteries serve their communities in grief and heritage

Well maintained grave-sites and protection of our local heritage don't just happen by accident. That's why cemeteries need to be licensed with the Bereavement Authority of Ontario (BAO). Licensing of cemeteries by the BAO ensures that identification of the landowner, maintenance, and safe entry to these historical gems are regulated. But of equal importance, BAO staff support cemeteries in getting this done. Staff at the authority provides support especially to smaller cemeteries with little or no Care and Maintenance Funds, or revenue from burials. During the past 18 months the BAO's Licensing and Financial Compliance teams, together with its Special



Project Lead, have worked hard to connect with small, often volunteer-run, cemeteries to ensure they are supported toward becoming licensed and establishing or applying their own cemetery bylaws.

Municipalities' key role

Some small cemeteries may need to become the responsibility of their local municipalities, if or when they are abandoned or out of funds and resources to adequately maintain and protect them from destruction.

The BAO has facilitated this



Community support for Millgrove Cemetery, in Hamilton, has soared since the small cemetery started adhering more to BAO licensing requirements and improving maintenance, says volunteer Ron Service. "Decoration Day (pictured) was also a more popular event with the residents this June, as people celebrated the lives of those who once lived in the community."

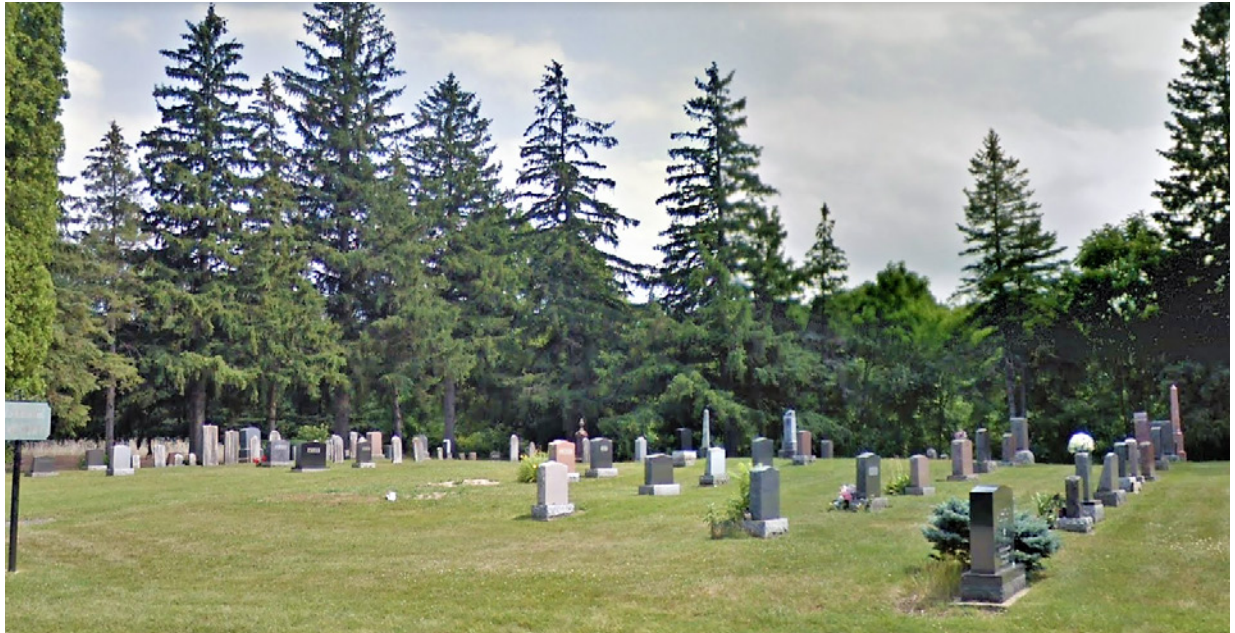
often-necessary process with municipalities, such as at Halldimand County. The municipality has agreed to become the licensed operator of the small and historically significant Street-Barnes Cemetery, which is the resting place of several Black Americans who fled slavery in the US through the Underground Railroad to Canada in the 1800s.

"Small and larger municipal cemeteries serve their communities providing a peaceful place to pay their respect, grieve and even

reflect on our heritage," says Michael D'Mello, Deputy Registrar, Bereavement Authority of Ontario.

"All cemeteries enhance a sense of community in the largest of cities and smallest of hamlets across Ontario. That's why maintaining them is so vital to who we are and how we got here," he says.

"Across all communities we have expansive cemeteries that continue to meet the needs of large



Rosebank Cemetery, in Petersburg, near Waterloo (Google)

and growing urban centres. But it's the very small ones, often run by volunteers or municipalities, that also maintain local history that could otherwise be forgotten," he adds.

BAO helps small cemeteries comply with the law

Many smaller cemeteries have difficulties complying with the law and BAO Annual Licensing Reports. Lack of Care and Maintenance Funds, resources and staff play into the risk that a cemetery could become abandoned or neglected.

Rosebank Cemetery Secretary Marion Opthoog, a volunteer, knows this well as there are fewer than 10 burials a year and not much revenue at her small

cemetery. She says she enjoys supporting grieving people at the cemetery in Petersburg, near Waterloo. "A community only stays together when you have a bunch of people doing things. If we volunteer we can make a difference in our small community."

But things work much more smoothly for local families and for the four cemetery board volunteers when rules are in place and adhered to, she says. "If you don't have regulations and by-laws, the cemetery could go into disrepair. Without rules nothing gets done."

She adds that support from the BAO's Compliance Team has also made following the rules much easier. "You guys are very approachable and nice to deal with," she says of the BAO.

Cemetery turnaround garners community support

A cemetery board can become set in its ways, says Ron Service, a volunteer Secretary Treasurer with Millgrove Cemetery in Hamilton.

"We were in a bit of trouble a year ago or so and getting many complaints over a lack of maintenance. We were reluctant to give information to the BAO." The board wasn't accepting the authority of the government-delegated authority, he says. "The BAO froze our licence, and because of that we got ourselves fixed up." Service adds, "Overall, the board did a good job for over 100 years. We had just not kept up with the changing times."

Creative approach

"Our board has turned over since then, and now we have nine board members who are all very supportive of compliance and of what we're doing."

Becky Galer is the Chair of the Millgrove Cemetery Board of volunteers, which has been adopting many newer and novel ideas to help sustain it for many years to come.

Service, a former IT manager, said the cemetery is now applying for charitable status to



Chair of Millgrove Cemetery Becky Galer, Secretary Treasurer Ron Service and their colleagues on the volunteer board of directors have been adapting to the times to maintain the cemetery in the Hamilton area.

better support its work and is active on social media. "In general, we try to use social media to keep the community up to date. Now, we're finding that we're getting more people out to maintain monuments. We are also doing our own scatterings and our own interments."

"If you don't have regulations and bylaws, the cemetery could go into disrepair."

- Marion Opthoog

Saying goodbye to faithful companions: Burying pets in Ontario



For children and adults, pets are beloved members of the family. Long Point, Ontario, 2022

In 1996, spouses Nancy and Colin Graham lost their beloved family dog Beau to bone cancer. That painful experience led them to open Thistledown Pet Memorial crematorium in Uxbridge, Ontario, a service that supports people coping with loss.

“The objective of Thistledown Pet Memorial is to help ensure pet owners and their pets are treated with dignity and respect when that fateful day arrives, and the pet passes on,” says Nancy.

Honouring deceased pets and supporting the surviving owners are nothing new. The Ontario [Dead Animal Disposal Act](#) enables homeowners to remember

and reflect on their non-human family members by burying them in cemeteries or their backyards within specific guidelines, and in accordance with applicable municipal bylaws.

Cremated pet remains can be buried with their owners

“People may not know that their cremated pet remains can be buried with them in a human cemetery when the time comes. It’s important to note that this applies only to house pets,” says Michael D’Mello, Deputy Registrar, Bereavement Authority of Ontario.



Thistledown Pet Memorial , Inside the crematorium, Memorial plaques hung inside Thistledown



*Michael D'Mello, Deputy Registrar,
Bereavement Authority of Ontario*

"Such joint burials must be in a separate area of a human cemetery, set aside for pet and owner burials," he adds.

Mount Pleasant Group's Meadowvale and Thornton cemeteries allow consumers to bury the remains of their pets with their predeceased owners. Patty Harris, team lead of the cemeteries' Pet and Family Sections, says the service became available to consumers last fall following Mount Pleasant's bylaw changes in April 2022. "When the consumer comes to us and [the pet's] cremation has already taken place, we help facilitate the pet interment," says Harris.

Members of the family

Rick Cowan, Assistant Vice President, Marketing and Communications at Mount Pleasant Group, says that grief is real after someone loses a pet, though others may not understand it. He says



*Patty Harris, Pet and Family Sections
Team Lead, Mount Pleasant Group*



*Rick Cowan, Assistant Vice President,
Marketing and Communications,
Mount Pleasant Group*

it was essential for the organization to recognize this and create accessible and inclusive spaces and opportunities to validate pet owners' grief and wishes, even though this sentiment may not be widespread.

"Many pet owners feel guilty when they acknowledge that they're grieving over a lost pet because non-pet owners may not understand that grief," adds Cowan. "Responses can sometimes be harsh, but the reality

is that many pet owners consider these pets to be part of their family."

Nancy Graham agrees. "The loss can have a huge, short and long-term impact on the pet's owner and immediate family, extended family, friends, and the pet's vet clinic staff." The Grahams penned a book titled *Life, Loss, and Celebration*, which discusses the tight bonds between animals and humans and prepares owners for the inevitable loss of their pets.

Veterinarians

Owners who need help determining where to begin once their pet passes away or require more details on the disposal of their pet's remains are encouraged to reach out to a local pet loss support service or their veterinarian.

Kim Huson, Executive Partner,

"The death of an animal can be an emotional and difficult time for an animal owner"

- Kim Huson

Communications at the College of Veterinarians of Ontario, the authority that oversees the practice of veterinarians, says, "The death of an animal can be an emotional and difficult time for an animal owner. Their veterinarian can be helpful to individuals by discussing options for disposing of animal remains, as well as recommending supports for animal owners who may be grieving."



Map layout of Meadowvale Pet and Family Section, Map layout of Thornton Pet and Family Section

Reclaiming the unclaimed:

Providing a dignified end for unclaimed bodies

It's natural to assume that once someone passes, families and friends rally to say goodbye and begin the process of grief and disposition. But that's not always the situation because in municipalities across the province, there are people who die and their remains are abandoned and never claimed.

Ontario's [Anatomy Act](#) defines an abandoned body as a deceased person who is "unclaimed by a relative or friend within twenty-four hours after the death." Michael D'Mello, Deputy Registrar of the Bereavement Authority of Ontario (BAO), says bodies are generally declared unclaimed by the Office of the Chief Coroner for Ontario. But the initial scope

of the office is limited as it has no authority to dispose of a body. For example, an unclaimed person who has passed cannot be cremated unless a warrant is issued by the Chief Coroner.

"We look online for names and put out a short obituary since we do not know much on the individual who passed"

- Michelle Glendinning



Oftentimes, people are simply unaware of the passing of a friend or family member. To assist in locating an individual to claim the body, the police or the Office of the Public Guardian and Trustee may become involved. “The BAO’s role is to connect these parties together depending on what the scenario is for the consumer,” says D’Mello.

Specific processes for locating a claimant and making final arrangements are defined in the Chief Coroner’s [document](#) for conducting a reasonable search for a next of kin. But some bodies remain unidentified and are never claimed.



Nathan Romagnoli, Owner and Funeral Director of eco Cremation and Burial Services Inc.

Nathan Romagnoli, owner and funeral director of eco Cremation and Burial Services Inc., says they handle a large share of permanently unclaimed bodies within the Greater Golden Horseshoe region in southern Ontario. He says that there's always a story behind each of the departed, such as not having a strong social network or financial resources to commit to a burial. Every person's disposition is still handled with utmost respect.

"Part of eco's community-based mandate is to care for society at large," says Romagnoli. "We also open up opportunities for volunteer pallbearers if they want to meaningfully and functionally help in burials."

Challenges

Challenges persist however, Romagnoli says, since each municipality becomes responsible for funding these burials. He says that since prices have increased for staffing, caskets and fuel for transportation, it's becoming concerning for supporting operations. "When you consider the rise in costs over the last decade, there may be times ahead where we are unable to do this," says Romagnoli. "It may become



*Michelle Glendinning, Funeral Director
of Kitchener's Henry Walser Funeral
Home*

a crisis that becomes unsustainable."

Michelle Glendinning, Funeral Director of Kitchener's Henry Walser Funeral Home says that, as a community funeral home, laying to rest unclaimed remains with basic resources is about healing and knowing that a good deed was done.

"It's the right thing to do because they are human beings, and so are we," says Glendinning. "They deserve to be respected at the end of their life."

Coping with grief: CBC Radio interviews Serena Lewis



Serena Lewis, MSW, RSW has more than 20 years of experience working in the fields of health and long-term care, education, and non-profit sectors.

Serena Lewis is a *Beyond* magazine contributor. A grief specialist, she was recently featured on CBC Radio's Mainstreet with Jeff Douglas where they discussed the loss of a community member and the challenges at this time of the year.



Click to listen

Credit: CBC Nova Scotia www.cbc.ca/ns

Religious burials: Islamic traditions on honouring the life of a departed Muslim

Ontario is one of the world's most diverse jurisdictions. With more than 15 million residents in 2022, there are many observed religious and cultural bereavement practices throughout the province. *Beyond magazine* will feature one burial practice of a different religion in future issues to provide insight into how Ontarians honour their loved ones.

How Islam honours life and legacy

Burying a Muslim is a delicate, yet sophisticated process steeped in tradition and honour.

Mubarak Mamdani, Chairperson of the funeral committee at Islamic Shia Ithna-Asheri Jamaat of Toronto (Jaffari Centre) and Maulana Syed Muhammad Riz-

vi, Jaffari Centre's Imam, spoke with the BAO about Islamic burials.

Cremation has become very popular in many countries, including in Canada and within the province of Ontario.

But certainly not every culture and religion permits it. Cremation is forbidden in Islam, Rizvi reminds us.



Islamic Shia Ithna-Asheri Jamaat of Toronto (Jaffari Centre) at night

Time is important

He adds that the time between the moment of passing to burial should not exceed twenty-four hours. Delays may happen, such as family from abroad wanting to participate in an interment, but the preference is to do it promptly, says Rizvi.

“Our committee, made up of volunteers who are available 24/7 every day of the year, looks after all processes involving burials,” says Mamdani, who is also a BAO-licensed transfer service sales representative. “When someone passes away, we conduct transportation and pick up the body as soon as possible, even before it goes to the morgue.”

Ghusl/Bathing

Mamdani adds that before the burial, Ghusl, the ritual bathing of the Mayyit, or deceased, must be committed. The Pickering Islamic Centre’s Funeral Support [Guide](#) states that Ghusl is “recommended, Islamically, that an adult male should be bathed by his father, sons, or brothers... with similar arrangements by the Centre, a female may be bathed by her mother, daughter, or sister.” At no time can someone of another gender or a non-Islamic person touch the body of a deceased Muslim, Mamdani says.

Kafan, the Islamic shroud that is placed on the Mayyit, also has unique directives in its placement. It consists of three pieces

for males: the long sheet Li-fafa, the loincloth Izar, and the Qamees tunic. For females, the Sinaband, a sheet to cover the chest, is placed between the Izar and Qamees.

“When someone passes away, we conduct transportation and pick up the body as soon as possible, even before it goes to the morgue.”

- Mubarak Mamdani

Facing Mecca

Once the Ghusl and Kafan is completed, the funeral prayer can begin. Afterwards, the body is buried by being slightly tilted on its right side facing the north-east to the mosque in Mecca, the holy city of Islam in Saudi Arabia. In addition to leading the prayers and previously conducting cemetery burial rites, Rizvi says that his primary role in the process is to assist the committee.



*Mubarak Mamdani,
Funeral Committee Chairperson of
Jaffari Centre*



*Maulana Syed Muhammad Rizvi,
Imam of Jaffari Centre*

Guidance for unusual situations

“Questions may arise on certain aspects or situations, which are new for the committee,” says Rizvi. “I will be there to guide them on extraordinary circumstances, and also help other Shia centres in the GTA should they have specific questions.”

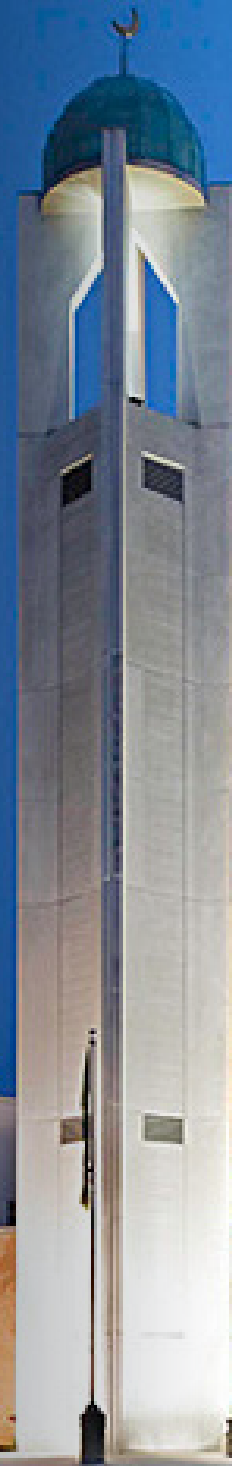
One unusual situation arose during the COVID-19 pandemic

with respect to the Ghusl, says Rizvi. In some cases, if someone's remains have been discovered a few days after passing, health authorities would wrap the body in plastic and order that it be sealed.

Rizvi says that Tayammum, or dry ablution, the Islamic act of purification using cleansed sand or mud in the absence of water, was then placed over the plastic bag. This ensures that no physical contact with the body would have been made, while also maintaining Islamic customs.

Mamdani and Rizvi say that the centre has been very fortunate to have a lot of support and accommodation from the province's legal and health authorities, and the Bereavement Authority of Ontario, to allow for these streamlined processes.

"That has made things easier for us, and we are very lucky to have that support," says Rizvi. "For us, in Islam, there is a religious duty of the individual, or family, or community at large, to ensure the burial is [completely] done."



Exterior of the Jaffari Centre

“ I felt protected.
I checked the
Canadian Regulatory Guide.”



INFORMING THE PUBLIC - PROMOTING REGULATORS - PROTECTING CANADIANS



www.regulatoryguide.ca