**Section 1249.340 Receivership**

a) When a cemetery authority is suspended or revoked, an unlicensed person has conducted activities requiring cemetery authority licensure under the Act, or the cemetery authority is winding up the business for dissolution, the Division, through the Attorney General, may petition the circuit courts of this State for appointment of a receiver to operate the cemetery. The Director shall nominate a receiver who shall, upon approval by the Circuit Court and under the Director's direction, for the purpose of receivership, take possession of and title to the books, records and assets of the cemetery authority. The Director shall require of the receiver such security as he or she deems proper. The receiver may operate the cemetery until the Director determines that the business is dissolved or possession should be restored to a licensee and the Circuit Court terminates the receivership.

b) In the case of dissolution, upon the order of a circuit court, the receiver may sell or compound any bad or doubtful debt and may sell the personal property of the cemetery on terms approved by the court. The receiver shall succeed to whatever rights or remedies the unsecured creditors of the cemetery may have against the owners, operators, stockholders, directors, members, managers or officers arising out of their claims against the cemetery. Nothing shall prevent creditors from filing their claims in the liquidation proceeding.

c) All expenses of the receivership, including reasonable receiver's and attorney's fees approved by the Director and the Circuit Court, and all expenses of any preliminary or other examinations into the condition of the cemetery or receivership incurred by the Division, and all expenses incident to the possession and control of any property or records of the cemetery incurred by the Division shall be paid out of the assets of the cemetery. The foregoing expenses shall be paid prior to and ahead of all claims.