Endowed or Perpetual Care

All cemeteries must cut the grass on all graves and provide some degree of maintenance to other types of final resting places. Some cemeteries also sell “endowed” or “perpetual” care services. This means the buyer pays money to the cemetery and the cemetery holds that money and invests it. The cemetery may use the income on that trust, but not the principal, to pay for care beyond basic grass cutting, such as trimming plantings or cleaning the monument. The contract between the cemetery and the buyer will show what care will be provided.

The term “perpetual care” can be confusing. When a family has bought perpetual care, the cemetery must provide care only when the income on the trust (meaning interest and dividends) is large enough to cover the cost of caring for the space. Where the perpetual care account does not generate enough income to cover the cost of care, the cemetery may ask, but may not require, the family to increase the amount of money in the account. If the family does not increase the amount of money the cemetery may stop providing care shown in the contract.

For more information about cemetery regulation in New York, the Department of State Division of Cemeteries, and the State Cemetery Board go to https://dos.ny.gov/cemetery-disclosures-and-information