

# BURIED IN TROUBLE

*Out of the business Lawsuit filed In business of trust A funeral home falls on hard times, bringing bitter complaints from its clients and suppliers.*

By Gil Smart, Staff Writer

After a long bout with bone cancer, Joseph M. Witmer, 47, died Dec. 27. His family was devastated.

Then things got worse.

Witmer's mother, Donna Tangert, of Lancaster, called Gundel Funeral Home to make arrangements for her son's cremation and memorial service. She paid \$3,000, which she understood would include the cost of the newspaper obituary, among other things.

But the obituary didn't appear. She called Gundel and its owner, Benjamin M. Siar Jr., to ask why. No one called back, she said. So she placed, and paid for, the obituary herself.

Her son was cremated -- but his ashes went missing.

"I called [Gundel] every day," she said. "They kept saying, 'We'll be there tomorrow, we'll be there the next day.' " But the Jan. 5 memorial service at the Gundel Funeral Home in Conestoga came, and was held, with no ashes, and no death certificate.

Tangert said she continued to call the funeral home but got no response. She called Social Security, only to discover that Gundel hadn't reported her son's death. She posted a comment on a local website, blasting the funeral home. She called the Better Business Bureau and filed a complaint.

Three weeks after her son's death, she finally received the ashes and death certificate, she said. But she's still mad.



"It was bad enough that my son passed away," Tangert said. "But this was a horrible experience."

Tangert's not alone. The past few months have been very bumpy for Gundel Funeral Home -- and for the clients and suppliers along for the ride.

Founded in Conestoga in 1945 by Oscar Gundel, the funeral home -- owned by Siar since the mid-2000s -- expanded into the city in 1962. But earlier this month, Gundel was evicted from its 415 N. Duke St. location.

In December, Gundel was sued by a Leola burial vault company after amassing nearly \$21,000 in unpaid bills, according to the complaint. At least two local florists say Gundel owes them money.

And families are fuming, saying obituaries are riddled with errors -- when they appear at all -- flowers and other items aren't ordered until the last moment, and their desperate calls to Siar are almost never returned.

No one knows exactly what's happening at Gundel. But Carol Gundel Falk, daughter of the man who started the business, said it's

tarnishing her family's name -- and hurting people already in the throes of grief.

"I just don't understand how [Siar] can treat people the way he's been treating them," she said.

Gundel Falk stressed that her family "has had nothing to do with the business for the past five or six years." The lone remaining thread was cut "a couple weeks ago" when she said she evicted Gundel from 415 N. Duke St., a property she still owns.

The former mortuary building is to be sold to the Atlee Hall law firm, which will turn it into law offices. Gundel now operates solely out of its Conestoga location, at 3225 Main St.

Two messages to Siar seeking comment for this story last week were not returned.

Local funeral directors say Gundel's problems are widely known in the industry. No one knows exactly what's going on, though some suggest personal problems -- Siar's wife filed for divorce in 2011, according to court records -- could have something to do with it.

Customers say they have no idea what's wrong, but some have gotten so frustrated they've taken their complaints to online forums.

In a September posting on Caring.com, one reviewer wrote of ordering four small urns and a main urn for a loved one's ashes. Gundel, the reviewer wrote, said the small urns were on backorder; when the family went to pick up the main urn, "the director dangled the bag of the remaining ashes in front of us and asked if we want him to keep them to fill the other urns when they come in. Who wants to see their loved one in a baggie!"

When the smaller urns finally arrived, "we picked them up and took them home ... only to open them and find out they were EMPTY. We called the director and his excuse was and I

quote 'He [expletive] up,' yes that is what he said."

Donna Tangert posted her story in a forum on the WGAL website, prior to finally getting her son's ashes. "This is horrible," she wrote. "Three weeks of me calling the funeral home and BBB [Better Business Bureau] and still no results.

"Where are Joe's ashes. Please help me find him."

Linda Brooks, of Lititz, a friend of Tangert's, had prearranged her mother's funeral with Gundel. "We had no problem with my father's funeral in 2006," she said.

This time would be different. Her mother died Thursday, Dec. 6. "We met with [Siar] Friday and went over everything we wanted in the paper" for the obituary, she said. "He [Siar] said, 'How about Sunday?' " The family agreed.

But the obituary didn't run Sunday -- or Monday or Tuesday. Gundel finally submitted it Wednesday, Brooks said, but it was rife with errors. A family friend finally submitted an alternate obituary and paid for it to appear.

Meanwhile, no one could reach Siar. Brooks said no one was sure if a grave had been opened or a burial vault purchased. Increasingly desperate phone calls went unreturned.

Finally, "we started threatening with a lawyer. ... And he said [to Siar], 'If you start to have this funeral and don't even have the box the casket sits in, if that's not in the ground ... there'll be trouble,' " Brooks said.

The funeral ultimately went off without a hitch, but Brooks is still upset. "We dealt with Gundel all our lives," she said. "Now we keep watching the funerals to see which ones [Gundel] gets."

In December, Evans Eagle Burial Vaults, Leola, filed a lawsuit in the Lancaster County Court of Common Pleas against Gundel. The complaint alleges that between May and November 2012,

Evans sold Gundel supplies and services totaling \$20,998.26, but the bills went unpaid. The complaint, filed on behalf of Evans by attorney Robert W. Pontz, of the Lancaster firm Brubaker Connaughton Goss & Lucarelli LLC, demands payment, along with court costs.

But in an interview last week, Pontz said Siar hasn't even been served with a copy of the complaint yet -- because no one can find him. "This is just a pretty straightforward collection action, but [Siar] is proving elusive to serve," Pontz said.

Other suppliers also are having a hard time reaching Siar. "He owes us money," said one local florist who asked that neither his name nor the name of his business appear in this article. "We were going along fine for years and years; then something happened."

The florist has tried to call Siar, but the funeral director's voice mailbox is full, he said.

Jack Shenk, owner of Flowers by Paulette in Lancaster, never did business with Gundel -- until November, when Siar called. "We did two [funerals] in November, and one in December," Shenk said. He grew concerned when invoices went unpaid. Then he saw a Dec. 18 newspaper article on Atlee Hall taking over Gundel's North Duke Street location.

Shenk said he made several calls to the funeral home, and an employee finally dropped off a check for \$500, a portion of what he was owed. The check bounced, Shenk said.

He's angry. "I feel like [Siar] screwed us personally," Shenk said. "Like he couldn't go to anyone else, so he called me."

Some local funeral directors worry Gundel's problems could reflect poorly on them.

"When things like this happen, it doesn't help anyone in the industry," said Mark DeBord, funeral director at Kearney A. Synder Funeral Home.

"And the thing is, I could have been helpful to [Siar]," DeBord said. "But he doesn't answer [the phone], and he doesn't return calls."

Kearney A. Snyder is one of several local funeral homes running ads offering to transfer existing prearrangements from other funeral homes -- ads created in response to the turmoil at Gundel.

"We've gotten a lot of Gundel customers," said Chad Snyder, funeral director at Charles F. Snyder Funeral Home, which is also running the ads. He, too, said he would have been happy to help Gundel, if possible, to minimize problems for grieving customers.

"It's a shame, what's happening," Snyder said.

"In this industry, trust is everything."

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