



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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JANUARY 2006 Disciplinary Action Report

EDITORS: Tennessee Code Annotated, Section 56-1-302(a)(9) requires the Department of Commerce and Insurance to issue a monthly press release containing a disciplinary report which shall list all disciplinary actions taken by each board during the prior month. Below is a list of actions taken during the month of January 2006.

Alarm Systems Contractors Board

Respondent: Timothy Lee Little, Chattanooga, TN
Violation: Employed by more than one Alarm company
Action: \$500 Civil Penalty

Respondent: Security Monitoring Services, Longwood FL
Violation: Failure to properly register Alarm employee(s)
Action: \$21000 Civil Penalty

Respondent: Rhyne Built-In Amenities, Inc., Knoxville, TN
Violation: Failed to file for exclusion
Action: \$1500 Civil Penalty

Respondent: All Secure, Inc., Smyrna, TN
Violation: Failure to display certification number on flyer and failure to notify Board of change in company address
Action: \$850 Civil Penalty

Respondent: Protection Unlimited, Cordova, TN
Violation: Failure to properly register Alarm employee(s)
Action: \$1000 Civil Penalty

Respondent: Abstract Security, Inc., Knoxville, TN
Violation: Failure to submit Termination notice of employee(s)
Action: \$100 Civil Penalty

Respondent: Heartland Security, Inc., Greenville, TN
Violation: Failure to submit Termination notice of employee(s)
Action: \$50 Civil Penalty

Board of Accountancy

Respondent: Steven Fry Cordova, TN
Violation: Failure to comply with Peer Review Program
Action: \$1500 Civil Penalty

Respondent: Mulhern's Accounting Service, Inc. Memphis, TN
Violation: Use of the words "accountant" or "accounting" in business name
Action: Consent order with cease and desist

Respondent: Calvin Mackay Marietta, GA
Violation: Failure to comply with CPE regulations
Action: \$500 Civil Penalty

Board of Architectural and Engineering Examiners

Respondent: Robert D. Legler, Nonregistrant, Beaver Dam, KY
Violation: Unlicensed practice
Action: Cease & Desist Order

Respondent: Raymond Enfield, RA #100892, Elkhart, IN
Violation: Plan Stamping
Action: Revocation

Respondent: Robert L. Puckett, P.E. #5681, Memphis, TN
Violation: Plan Stamping
Action: 1 Year Suspension, \$2000 Civil Penalty, Law and Rules Exam

Respondent: Donald R. Ellison, P.E. #15749, Williamsburg, KY
Violation: Disciplined by the Alabama Board of Registration for Professional Engineers and Land Surveyors
Action: 6 Month Suspension, stayed, 6 Month Probation with quarterly written reports to the Board, Law and Rules Exam

Respondent: James Joseph Barlow, P.E. #106547, Raleigh, NC
Violation: Practiced on an expired license
Action: \$1800 Civil Penalty

Respondent: Robert E. Gregg, RA #19355, Clearwater, FL
Violation: Alleged practice outside area(s) of competence
Action: \$500 Investigative Costs, Law and Rules Exam, Cautioned

Board of Funeral Directors and Embalmers

Respondent: M. J. Edwards & Sons Funeral Home, Inc., Memphis, TN
Violation: Pricing violations, failure to provide statutorily required crematory disclosures, failure to include all necessary information on the permanent identification device, and failure to include the reason for embalming on the statement of funeral goods and services
Action: \$1250 Civil Penalty

Respondent: Buena Vista Funeral Home, Nashville, TN
Violation: Failure to list all caskets in the selection room on the price list and discrepancies between prices on the outer burial containers on display and those on the price list
Action: \$750 Civil Penalty

Respondent: Foothills Funeral Home, Maryville, TN
Violation: Pricing violations and failure to provide statutorily required crematory disclosures
Action: \$750 Civil Penalty

Respondent: Kiser Funeral Home, Greeneville, TN
Violation: Pricing violations, failure to provide statutorily required crematory disclosures, and failure to include required information on the permanent identification device
Action: \$750 Civil Penalty

Respondent: Davis and Campbell Funeral Home, Nashville, TN
Violation: Pricing violations and failure to make an embalmer's license available for inspection
Action: \$750 Civil Penalty

Respondent: Mountain City Funeral Home, Mountain City, TN
Violation: Advertising an unlicensed establishment and naming individuals in the advertisement that were not licensed as a funeral director
Action: \$500 Civil Penalty

Respondent: Austin & Bell Funeral Home, Greenbrier, TN
Violation: Failure to make the establishment license available and pricing discrepancies on the general price list and casket price list
Action: \$500 Civil Penalty

Respondent: Pikeville Funeral Home, Pikeville, TN
Violation: Failure to file and retain cremation authorization forms and failure to make the establishment license available
Action: \$500 Civil Penalty

Respondent: Tetrick Funeral Home, Bluff City, TN
Violation: Failure to have a licensed funeral director in charge of the establishment
Action: \$500 Civil Penalty

Respondent: Chattanooga Funeral Home & Crematory, Hixson, TN
Violation: A pricing violation, failure to provide statutorily required crematory disclosures, and cremation of a dead human body before receiving all statutorily required information
Action: \$500 Civil Penalty

Respondent: Harpeth Hills Memory Gardens, Funeral Home & Cremation Center, Nashville, TN
Violation: Failure to correct deficiencies on price lists
Action: \$500 Civil Penalty

Respondent: William Gunter and Sons Funeral Directors, Inc., Nashville, TN
Violation: Pricing violations, failure to provide required information on permanent identification device, failure to affix required identification device on deceased human remains, and failure to make an embalmer's license available for inspection
Action: \$500 Civil Penalty

Respondent: Forest Hills Funeral Home & Memorial Park – East, Memphis, TN
Violation: Failure to provide statutorily required crematory disclosures and failure to place required permanent identification device in urn
Action: \$500 Civil Penalty

Respondent: Karnes & Son Funeral Home, Dyer, TN
Violation: Failure to give a general price list to a consumer and failure to provide an itemized statement of funeral goods and services
Action: \$250 Civil Penalty

Respondent: M. J. Edwards & Sons Funeral Home, Inc., Memphis, TN
Violation: Unprofessional conduct – several mistakes on the portion of the certificate of death completed and filed by the funeral home
Action: \$250 Civil Penalty

Respondent: Professional Cremation Services, LLC, Johnson City, TN
Violation: Failure to provide statutorily required crematory disclosures and failure to provide required crematory receipt for deceased human remains
Action: \$250 Civil Penalty

Respondent: Tennessee Cremations, Inc., Memphis, TN
Violation: Failure to provide statutorily required crematory disclosures and failure to note the date and time the remains were released
Action: \$250 Civil Penalty

Board for Licensing Contractors

Respondent: David Godsey, Loudon, TN
Violation: Unlicensed activity
Action: \$250 Civil Penalty

Respondent: Birdseye View Construction, Inc., Mountain City, TN
Violation: Unlicensed activity
Action: \$500 Civil Penalty

Respondent: Legacy Homes, Collierville, TN
Violation: Exceeding limit
Action: \$1000 Civil Penalty

Respondent: Nathan Hinckley, Speedwell, TN
Violation: Unlicensed activity
Action: \$1000 Civil Penalty

Respondent: Ascent Builders, Springfield, TN
Violation: Misconduct and incompetence
Action: \$250 Civil Penalty

Respondent: Dishman Development, Inc., Sevierville, TN
Violation: Misconduct, gross negligence and incompetence
Action: Revocation

Respondent: Hale Electrical Contractors, Inc., Olive Branch, MS
Violation: Misconduct and incompetence
Action: Suspend License from February 1, 2006 until April 1, 2006

Private Investigation and Polygraph Commission

Respondent: James Watson Clark, Knoxville, TN
Violation: Failure to complete required continuing professional education
Action: \$250 Civil Penalty

Respondent: Aubrey Eugene Majors, Tullahoma, TN
Violation: Failure to complete required continuing professional education
Action: \$250 Civil Penalty

Respondent: James Randall Cooper
Violation: Failure to complete required continuing professional education
Action: \$250 Civil Penalty

Private Protective Services Program

Respondent: Men in Blue, Bartlett, TN
Violation: Failure to properly register security employee(s)
Action: \$100 Civil Penalty

Respondent: Murray Guard, Inc., Jackson, TN
Violation: Knowingly employed Guard/Officer without a valid registration
Action: \$100 Civil Penalty

Respondent: Larry E. Potter, Pleasant Hill, TN
Violation: Acting as a Guard/Officer without proper registration
Action: \$100 Civil Penalty

Respondent: S.E.B. Services of New York, Inc., Pleasantville, NY
Violation: Acting as a contract security company without license
Action: \$6000 Civil Penalty

Respondent: James Willie Hill, Horn Lake, MS
Violation: Failure to notify of arrest
Action: \$150 Civil Penalty

Respondent: Super D's Club
Violation: Acting as a Proprietary Security Organization without notifying the Commissioner
Action: \$100 Civil Penalty

Tennessee Pharmacy Board

- Respondent: Norma J. Combs, RT, Stanton, TN
Violation: Theft of controlled substances from the pharmacy
Action: Revocation of Pharmacy Technician Registration
- Respondent: Ella L. Johnson, RT, Johnson City, TN
Violation: Theft of controlled substances from the pharmacy
Action: Revocation of Pharmacy Technician Registration
- Respondent: Melissa L. May, RT, Elizabethton, TN
Violation: Theft of controlled substances from the pharmacy
Action: Revocation of Pharmacy Technician Registration
- Respondent: Jesse B. Watson, RT, Dyersburg, TN
Violation: Possession of illegal substance.
Action: Revocation of Pharmacy Technician Registration
- Respondent: Brandis L. Whaley, RT, Chattanooga, TN
Violation: Theft of controlled substances from the pharmacy
Action: Revocation of Pharmacy Technician Registration
- Respondent: April Coleman, DPH, Lexington, TN
Violation: Addicted to the use of alcohol, narcotics and other drugs
Action: Indefinite suspension of license
- Respondent: Charles E. Cuthbert, DPH, Franklin, TN
Violation: Addicted to the use of alcohol, narcotics and other drugs
Action: Indefinite suspension of license
- Respondent: Norman A. Ezzell, DPH, Chattanooga, TN
Violation: Addicted to the use of alcohol, narcotics and other drugs
Action: Indefinite suspension of license
- Respondent: Janice A. Lewis, DPH, Morristown, TN
Violation: Addicted to the use of alcohol, narcotics and other drugs.
Action: Indefinite suspension of license
- Respondent: Kevin Stapf, DPH, Powell, TN
Violation: Addicted to the use of alcohol, narcotics and other drugs
Action: Indefinite suspension of license
- Respondent: Roy L. Kinney, DPH, Germantown, TN
Violation: Unprofessional Conduct (Consumption of alcohol while engaging in the practice of pharmacy)
Action: License placed on a two (2) year term of probation.
- Respondent: Daniel E. Petty, DPH, Franklin, TN
Violation: Convicted of Second DUI
Action: License placed on a thirty (30) days suspension

Tennessee Motor Vehicle Commission

Respondent: Bankston Motor Homes, Inc., Nashville, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Bolton Auto Sales, Memphis, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Dave's Honda Haven, Memphis, TN
Violation: Advertising Violation/Temporary Tag Log/Sales on Open Titles
Action: \$3250 Civil Penalty

Respondent: Premier Nissan, Paris, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Tennessee Auto Auction, Nashville, TN
Violation: Did Not Meet Minimum Auction Requirements
Action: \$1000 Civil Penalty

Respondent: Airways Motors, Inc., Memphis, TN
Violation: Advertising Violations
Action: \$500 Civil Penalty

Respondent: Bowman's Service Center, Crossville, TN
Violation: Sales on Open Titles
Action: \$2000 Civil Penalty

Respondent: Hays Mitsubishi, Madison, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Hays Nissan, Madison, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Lakeview Cycles, Inc., Franklin, TN
Violation: Advertising Violations
Action: \$500 Civil Penalty

Respondent: Mid South Trucks, Lexington, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Mike Spear's Auto Sales, Livingston, TN
Violation: Temporary Tag Log/Sales on Open Titles
Action: \$1500 Civil Penalty

Respondent: Nashville Dodge, Nashville, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Poston Motors, Inc., Murfreesboro, TN
Violation: Advertising Violation/Temporary Tag Log/Sales on Open Titles
Action: \$1750 Civil Penalty

Respondent: Serra Chevrolet Cadillac, Bartlett, TN
Violation: Advertising Violations
Action: \$1750 Civil Penalty

Respondent: Toyota Knoxville Pre-Owned Center, Knoxville, TN
Violation: Advertising Violations
Action: \$500 Civil Penalty

Respondent: Jackson Auto Sales, Murfreesboro, TN
Violation: Improper Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Lowery Street Motors, LLC, Smyrna, TN
Violation: Sales on Open Titles
Action: \$2000 Civil Penalty

Respondent: Crencor Truck and Van Superstore, Goodlettsville, TN
Violation: Improper Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Frankie Dalton, Lewisburg, TN
Violation: Unlicensed Sales
Action: \$500 Civil Penalty

Respondent: Ramey Ford, Johnson City, TN
Violation: Improperly Kept Temporary Tag Log/Advertising Violation
Action: \$750 Civil Penalty

Respondent: Regent Dodge, Inc., Madison, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Round Up Truck Sales Inc., Seymour, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Best Deal Motors, Memphis, TN
Violation: Advertising Violations
Action: \$1000 Civil Penalty

Respondent: K & K Used Cars, Smithville, TN
Violation: Improperly Kept Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Magic Ride Auto Sales, Elizabethton, TN
Violation: Advertising Violations
Action: \$500 Civil Penalty

Respondent: McDivitt Motors, Covington, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: West Side Auto Sales, Madisonville, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Bookout's Auto Sales, Etowah, TN
Violation: Improperly Kept Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Suncoast RV, Louisville, TN
Violation: Improperly Kept Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Valley Auto Sales, Sweetwater, TN
Violation: Improperly Kept Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Under \$200 Cars and Trucks, Covington, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Tennessee Real Estate Commission

Respondent: Chere' Gosney, Clarksville, TN
Violation: Failure to exercise reasonable skill and care
Action: \$100 Civil Penalty

Respondent: Thomas V Cannon, Sr. Chattanooga, TN
Violation: Improper dealings
Action: \$1500 Civil Penalty

Respondent: Robert Leedy, Sevierville, TN
Violation: Improper dealings
Action: \$1000 Civil Penalty

Respondent: Helen S Black, Sevierville, TN
Violation: Failure to exercise reasonable skill and care
Action: \$500 Civil Penalty

Respondent: Tammy Damron, Spencer, TN
Violation: Improper dealings
Action: \$300 Civil Penalty

Respondent: Varallo Investment Properties, Nashville, TN
Violation: Failure to maintain an escrow account
Action: \$500 Civil Penalty

Respondent: RAM Partners, LLC, Atlanta, GA
Violation: Unlicensed Activity
Action: \$56,500 Civil Penalty