



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

**FOR IMMEDIATE RELEASE**

**CONTACT: KEVIN WALTERS**  
**615-253-8941 (office)**  
[Kevin.Walters@tn.gov](mailto:Kevin.Walters@tn.gov)

## **REGULATORY BOARDS DISCIPLINARY ACTION REPORT FEBRUARY 2015**

### **ACCOUNTANCY**

**Respondent:** Mark Fontenot, Cookeville, TN  
**Violation:** Failure to make payment per the terms of the consent order dated 16 December 2014  
**Action:** License moved from Suspended to Revoked

**Respondent:** Teresa M. Ciccolella, Atlanta, GA  
**Violation:** Failure to pay the Professional Privilege Tax.  
**Action:** License Suspended and not eligible to be reinstated until proof of good standing with the Department of Revenue is received

**Respondent:** Robert Wayne Haley, Lebanon, TN  
**Violation:** Participated in an \$18 million Ponzi scheme; pled guilty and convicted of a felony  
**Action:** Voluntary Revocation

### **ALARM SYSTEMS CONTRACTORS BOARD**

**Respondent:** Counterforce USA, LP, Houston, TX  
**Violation:** Unlicensed activity  
**Action:** \$28,750 Civil Penalty

**Respondent:** Red Hawk Fire and Security, LLC, Bartlett, TN  
**Violation:** Operating without a designated qualifying agent and failure to register alarm employee within thirty (30) days  
**Action:** \$16,750 Civil Penalty

## **ARCHITECTURAL AND ENGINEERING EXAMINERS**

No actions taken.

## **AUCTIONEER**

No actions taken.

## **BOARD FOR LICENSING CONTRACTORS**

Respondent: Nicholas Riendeau dba Rock Solid Construction, Collierville, TN  
Violation: Unlicensed Activity  
Action: \$250 Civil Penalty

Respondent: Lee J. Klein dba JME Consultants, Inc., Lansing, MI  
Violation: Unlicensed Activity  
Action: \$2,500 Civil Penalty

Respondent: Jeremiah Totherow dba Totherow Construction, Gruetli-Laager, TN  
Violation: Unlicensed Activity  
Action: \$10,305 Civil Penalty

Respondent: Dyson Grove Baptist Church, Butler, TN  
Violation: Unlicensed Activity  
Action: \$1,000 Civil Penalty

Respondent: Naun David Hernandez, Portland, TN  
Violation: Unlicensed Activity  
Action: \$10,295 Civil Penalty

## **BOARD OF EXAMINERS FOR LAND SURVEYORS**

No actions taken.

## **BOARD OF FUNERAL DIRECTORS AND EMBALMERS**

Respondent: Gardner Memorial Chapel, Inc., Nashville, TN  
Violation: Engaged in the operation of a funeral establishment while establishment license was expired and failed to respond within the time specified after receiving notice of an open complaint  
Action: \$350 Civil Penalty

Respondent: Bradley Noel Smith, Chattanooga, TN  
Violation: Failed to honor a financial obligation to a person in a timely manner with which the funeral establishment requested the performance of professional services  
Action: \$250 Civil Penalty

## **BURIAL SERVICES**

Respondent: Highland Hills Funeral Home & Crematory, Nashville, TN  
Violation: Provided discounts on preneed funeral contracts, failed to identify whether preneed funeral contracts were guaranteed or non-guaranteed, failed to maintain accurate accounts, books, and records of all preneed funeral contract and prearrangement insurance policy transactions, and failed to file an annual report within the specified time  
Action: \$750 Civil Penalty

Respondent: High Point Funeral Home & Crematorium, Memphis, TN  
Violation: Provided discounts on preneed funeral contracts, failed to maintain accurate accounts, books, and records of all preneed funeral contract and prearrangement insurance policy transactions, and failed to file an annual report within the specified time  
Action: \$500 Civil Penalty

Respondent: Forest Lawn Memorial Gardens, Goodlettsville, TN  
Violation: Failed to pay the Department of Commerce and Insurance in a timely manner for an examination of the cemetery's records  
Action: \$250 Civil Penalty and \$750 for Examination Fee

Respondent: Mountain View Memorial Gardens, Decatur, TN  
Violation: Failed, within the time specified, to deposit moneys into the trust funds which resulted in deficiencies, failed to submit an annual report, failed to carry fidelity bond coverage, and failed to pay consumer protection fees  
Action: \$2,000 Civil Penalty

Respondent: Oak Ridge Memorial Park, Oak Ridge, TN  
Violation: Filed an incorrect certification document with the trustee to receive earnings from the trust fund  
Action: \$500 Civil Penalty

Respondent: Planters Bank, Inc., Hopkinsville, KY  
Violation: Trustee made improper disbursements on multiple occasions when a cemetery company was ineligible for such disbursements due to their delinquent deposits to the trust fund

Action: \$1,000 Civil Penalty

Respondent: Resthaven Memorial Gardens, Incorporated, Clarksville, TN  
Violation: Failed, within the time specified, to deposit moneys into the trust funds which resulted in deficiencies, failed to maintain accurate contracts and an updated cemetery map records, and received unlawful disbursements from the trust fund by filing incorrect certification documents with the trustee

Action: \$4,000 Civil Penalty and Proof of Deposit of \$47,445.25 into the Improvement Care Trust Fund

## **COLLECTION SERVICES**

Respondent: West Asset Management, Inc., Omaha, NE  
Violation: Failure to remove a debt from Complainant's credit report while the debt was being disputed.  
Action: \$1,000 Civil Penalty

## **COSMETOLOGY & BARBER EXAMINERS BOARD**

Respondent: Duyen T. Tran, Tullahoma, TN  
Violation: Unlicensed activity; inspection sheet not displayed  
Action: \$1,000 civil penalty

Respondent: Beautiful Nails, Memphis, TN  
Violation: Sanitation violations  
Action: \$500 civil penalty

Respondent: Who's Next Barber Shop, Memphis, TN  
Violation: No manager present; licenses not properly displayed  
Action: \$1,000 civil penalty

Respondent: Envy Spa Nails Salon, Savannah, TN  
Violation: No manager present  
Action: \$1,000 civil penalty

Respondent: Klipz Hair Studio, Chattanooga, TN  
Violation: Unlicensed activity  
Action: \$450 civil penalty

Respondent: William Edge Salon Spa, Spring Hill, TN  
Violation: License not properly posted; ID tag violation  
Action: \$500 civil penalty

Respondent: Latonya Lashun Rayner, Jackson, TN  
Violation: Working on suspended license; ID tag violation  
Action: \$500 civil penalty

Respondent: Elite Nail Spa, Memphis, TN  
Violation: Sanitation violations; ID tag violations  
Action: \$1,250 civil penalty

Respondent: C Nails, Jackson, TN  
Violation: Unlicensed activity; ID tag violation; sanitation violations  
Action: \$1,000 civil penalty

Respondent: Platinum Clippers, Memphis, TN  
Violation: Unlicensed activity; sanitation violations  
Action: \$500 civil penalty

Respondent: Anointed Touch Salon & Barber Shop, Murfreesboro, TN  
Violation: License and inspection sheet not properly displayed; sign violation  
Action: \$750 civil penalty

Respondent: Hai Thi Nguyen (L.A. Nails), Florence, NC  
Violation: Unlicensed activity; sanitation violations  
Action: \$500 civil penalty

Respondent: Julia Van Bui, Sevierville, TN  
Violation: Unlicensed activity  
Action: \$1,000 civil penalty

Respondent: Andrea House, Jackson, TN  
Violation: Unlicensed activity  
Action: \$1,000 civil penalty

Respondent: Angela Chitpaiboon, Memphis, TN  
Violation: Unlicensed activity  
Action: \$1,000 civil penalty

Respondent: Tuan Anh Nguyen, Columbia, TN  
Violation: Unlicensed activity; sanitation violations  
Action: \$1,000 civil penalty

Respondent: Southern Roots Salon/Spa, East Ridge, TN  
Violation: Unlicensed activity  
Action: \$1,000 civil penalty

Respondent: Dinh Binh Pham, Knoxville, TN  
Violation: ID tag violations

Action: \$250 civil penalty

Respondent: Top Nails, Columbia, TN

Violation: Unlicensed activity; sanitation violations; ID tag violation

Action: \$1,250 civil penalty

## **GEOLOGY REGISTRATION PROGRAM**

No actions taken.

## **HOME INSPECTOR LICENSING PROGRAM**

No actions taken.

## **LOCKSMITH LICENSING PROGRAM**

Respondent: Aavengard Lock and Key, Murfreesboro, TN

Violation: Unlicensed activity

Action: \$1,500 Civil Penalty

## **MOTOR VEHICLE COMMISSION**

Respondent: Volunteer Motors & Trailer Sales, LLC, Knoxville, TN

Violation: Temporary Tag Log Violation

Action: \$1,000 Civil Penalty

Respondent: Volunteer Truck & Trailer Sales, Maynardville, TN

Violation: Temporary Tag Log Violation

Action: \$1,000 Civil Penalty

Respondent: Ole Ben Franklin Motors, Knoxville, TN

Violation: Sales by an Unlicensed Saleperson and Employing an Unlicensed Salesperson

Action: \$2,000 Civil Penalty

Respondent: Car-Mart of Columbia, Columbia, TN

Violation: Temporary Tag Log Violation

Action: \$1,000 Civil Penalty

Respondent: Tennessee Auto Sales #3, Clinton, TN

Violation: Temporary Tag Log Violation and Failure to Respond

Action: \$2,000 Civil Penalty

Respondent: Crown Chrysler Dodge Jeep, Chattanooga, TN  
Violation: Unlicensed Activity and Failure to Maintain a Proper Temporary Tag Log  
Action: \$16,000 Civil Penalty

Respondent: Auto Emporium, Smyrna, TN  
Violation: Failure to Maintain City/County Business License  
Action: \$500 Civil Penalty

Respondent: Watson's Auto Sales, LLC, Cookeville, TN  
Violation: Issuance of More Temporary Tags Than Allowed By Law  
Action: \$500 Civil Penalty

### **PRIVATE INVESTIGATION & POLYGRAPH COMMISSION**

No actions taken.

### **PRIVATE PROBATION SERVICES**

No actions taken.

### **PRIVATE PROTECTIVE SERVICES**

Respondent: De'ja' Vu of Nashville, Nashville, TN  
Violation: Unlicensed activity  
Action: \$210 Civil Penalty

### **REAL ESTATE APPRAISERS**

No actions taken.

### **REAL ESTATE COMMISSION**

Respondent: Justin K. Beavers, Jackson, TN  
Violation: Failure to supervise advertising of affiliate  
Action: \$500 Civil Penalty and attend one (1) regularly scheduled meeting of the Tennessee Real Estate Commission (in its entirety) within one hundred eighty (180) days

Respondent: Benjamin Essig Hammond, Byrdstown, TN

Violation: Failing to exercise adequate supervision over the activities of licensed affiliate  
Action: \$250 Civil Penalty and attend one (1) regularly scheduled meeting of the Tennessee Real Estate Commission (in its entirety) within one hundred eighty (180) days

Respondent: Behham "Ben" Brasher Van Gaasbeek, Chattanooga, TN  
Violation: Failure to diligently exercise reasonable skill and care in providing services to all parties to the transaction  
Action: \$500 Civil Penalty and attend one (1) regularly scheduled meeting of the Tennessee Real Estate Commission (in its entirety) within one hundred eighty (180) days

Respondent: Michael Brandon Buchanan, Jackson, TN  
Violation: Advertising violation: licensee's name featured in larger size than part of firm name on sign  
Action: \$500 Civil Penalty and attend one (1) regularly scheduled meeting of the Tennessee Real Estate Commission (in its entirety) within one hundred eighty (180) days

Respondent: Billy "Bill" Joe Stewart, Germantown, TN  
Violation: Failure to preserve for 3 years following its consummation records relating to any real estate transaction; Failing to exercise adequate supervision over the activities of any licensed affiliate; Failure to maintain records of escrow/trustee account for at least 3 years; and Violation of rule regarding deposits and earnest money  
Action: \$4,000 Civil Penalty and attend one (1) regularly scheduled meeting of the Tennessee Real Estate Commission (in its entirety) within one hundred eighty (180) days

Respondent: John Jay Quinn, III, Germantown, TN  
Violation: Multiple violations of TCA § 62-13-312(b)(14) and misleading or untruthful advertising  
Action: \$5,000 Civil Penalty with license suspension until paid; license demoted to Affiliate; attend two (2) regularly scheduled meetings of the Tennessee Real Estate Commission (in its entirety) within one hundred eighty (180) days of Respondent's execution of this order plus costs of \$560

## **SCRAP METAL DEALERS**

No actions taken.



## **SOIL SCIENTISTS**

No actions taken.

**The following individuals have had their licenses suspended in accordance with Tenn. Code Ann. §36-5-706 or Tenn. Code Ann. §56-1-313:**

### **Board of Cosmetology & Barber Examiners**

Gerald Williams	Memphis, TN
Malicious Ivy	Murfreesboro, TN
Charlene Jackson	Memphis, TN
Lisa Park	Brentwood, TN
Amy Peel	Drummonds, TN
Dwight Pope	Nashville, TN
Jennifer Newcomb	Springfield, TN
Sarah Storie	Byrdstown, TN
Ericck Cain	Memphis, TN

### **Motor Vehicle Commission**

Donovan Burton	Mercer, TN
----------------	------------

### **Private Protective Services**

Belinda Vernon	Madisonville, TN
Jeremy Vincent	Smyrna, TN
Ladaveon Burford	Lebanon, TN
Meko Davis	Nashville, TN
Shirley Dixon	Ripley, TN

### **Real Estate Commission**

Kimberly Rich	Huntington, TN
Joyce Shinault	Olive Branch, MS
James Withers	Nashville, TN
Michael Agee	Nashville, TN
Chanlicia Jordan	Jackson, MS
Steven Armstrong	Centerville, TN
Shawn Hawn	Rock Island, TN
John Aguirre	Nashville, TN
Erin Miller	Knoxville, TN
John Quinn, III	Collierville, TN

**The Department of Commerce and Insurance works to protect consumers while ensuring fair competition for industries and professionals who do business in Tennessee.**

**[www.tn.gov/commerce/](http://www.tn.gov/commerce/), @TNCommerceInsur (Twitter), <http://on.fb.me/uFQwUZ> (Facebook), <http://bit.ly/ry1GyX> (YouTube)**

DAVY CROCKETT TOWER, 12<sup>th</sup> FLOOR  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243  
[www.tn.gov/commerce/](http://www.tn.gov/commerce/)