



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-5065
615-741-2241

DON SUNDQUIST
GOVERNOR

ANNE B. POPE
COMMISSIONER

TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
APRIL 2002 DISCIPLINARY ACTIONS

NASHVILLE – The Department of Commerce and Insurance's regulatory boards and commissions took the following disciplinary actions in April 2002:

TENNESSEE BOARD OF ACCOUNTANCY

L. JOE EDMONDSON, II	9137 Saddlebow Dr. Brentwood, TN 37027-6060	\$500 Civil Penalty	Tennessee Code Annotated, Section 62-1-113 provides that licensees who perform attest services must provide those services pursuant to statements on standards relating to those services adopted by reference or directed by the board.
FERRON W. THOMPSON	7233 Old Brownsville Rd. Arlington, TN 38002	\$500 Civil Penalty & One Year Probation	Tennessee Code Annotated, Section 62-1-201 requires a peer review once every three years for all firms engaged in attest services. Licensee's Peer Review was not filed in a timely manner.
MATTHEW MITCHELL	274 North McLean Blvd. Memphis, TN 37112	\$500 Civil Penalty & required a pre-issuance review before issuing any attest reports.	Tennessee Code Annotated, Section 62-1-201 requires a peer review once every three years for all firms engaged in attest services. Licensee's Peer Review was not filed in a timely manner.

TENNESSEE REAL ESTATE COMMISSION

RICK D. HOLLIS	704 East College St Dickson TN 37055	Agreed Citation \$500 Civil Penalty	Tennessee Code Annotated, Section 62-13-312(b)(14) and Commission Rule 1260-2-.12(2)(d) advertising violation.
ROBERT E. FRANKLIN	131 E. Meeting St Dandridge TN 37725	Consent Order \$1000 Joint Civil Penalty with Firm Franklin Realty	Tennessee Code Annotated, Section 62-13-312(b)(1)(4)(14)(20) and TCA62-13-403(4)(5) misleading advertising regarding public water on MLS.
FRANKLIN REALTY	131 E. Meeting St Dandridge TN 37725	Consent Order \$1000 Joint Civil Penalty with Principal Broker, Robert E. Franklin	Tennessee Code Annotated, Section 62-13-312(b)(1)(4)(14)(20) and TCA62-13-403(4)(5) misleading advertising regarding public water on MLS.
ZAFER ROBACK	8550 Kingsport Pike Knoxville TN 37919	Final Order Revocation	Tennessee Code Annotated, Section 62-13-312(b)(1)(14)(20); 62-13-403(7); 62-13-405 improper dealing

TENNESSEE BARBER EXAMINERS BOARD

31 W BARBER SHOP	321 West Drive White House, TN 37188	\$300 Civil Penalty	Tennessee Code Annotated, Section 62-3-109 makes it unlawful to operate a shop without a license
LLOYD AND COMPANY	610 W. College Murfreesboro, TN 37127	\$300 Civil Penalty	Tennessee Board of Barber Examiners Rule 0200-3-.03 provides floors, walls, ceilings and windows must remain free of dirt, dust and other unclean substances. Tennessee Board of Barber Examiners Rule 0200-3-.10(2) provides all lavatories and shampoo bowls shall be kept clean and free from soiled linens.
MAGIC CUTS	3580 Hickory Hill Rd. Memphis, TN 38115	\$300 Civil Penalty	Tennessee Code Annotated, Section 62-3-109 makes it unlawful to operate a shop without a license

TENNESSEE CONTRACTOR LICENSING BOARD

LOGIC SYSTEMS CORP.	Unlicensed	\$1,000 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
GRAYSTEEL IND.MAINT.	Unlicensed	\$1,000 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
DONALD DUNNING	Unlicensed	\$500 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118

LUSK COMPANY #44252		\$250 Civil Penalty	Failure to respond pursuant to Tennessee Code Annotated, Section 62-6-118
UNION CONSTRUCTION, INC #24253		\$500 Civil Penalty	Working out of class pursuant to Tennessee Code Annotated, Section 62-6-118
SUPERIOR ENTERPRISES #43828		\$750 Civil Penalty	Failure to respond, exceeding limit, failure to complete project, pursuant to Tennessee Code Annotated, Section 62-6-118
STARKS CONSTRUCTION	Unlicensed	\$1,000 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
MIRACLE REVIVAL TABERNACLE CHURCH	Unlicensed	\$1,000 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
D & N CONTRACTING, LLC #40736		\$1,000 Civil Penalty	Working on expired license, pursuant to Tennessee Code Annotated, Section 62-6-118
MARINE MECHANICAL	Unlicensed	\$500 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
DAN'S HOME IMPROVEMENT	Unlicensed	\$500 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
KHOURY BROTHERS, LLC	Unlicensed	Cease and Desist Order \$1,000 Civil Penalty	Unlicensed activity pursuant to Tennessee Code Annotated, Section 62-6-118
MDH BUILDERS, INC #37014		\$250 Civil Penalty	Working on expired license pursuant to Tennessee Code Annotated, Section 62-2-118

TENNESSEE ARCHITECTURAL & ENGINEERING EXAMINERS BOARD

JAMES A. QUARVE, PE #104759 (EXPIRED)	1802 Buck Hollow Road New Market, TN 37820	\$500 Civil Penalty & Take/Pass Board's Law and Rules Exam	Practiced or offered to practice on an expired license. Tennessee Code Annotated, Section 62-2-101 and 62-2-105(a)(1)(D) and (b)(1).
ROBERT R. MCKINNEY, JR., PE #13756 (EXPIRED)	540 Old Lebanon Dirt Road Hermitage, TN 37076	\$1,000 Civil Penalty	Practiced or offered to practice on an expired license. Tennessee Code Annotated, Section 62-2-101 and 62-2-105(a)(1)(D) and (b)(1).
JERRY LEE BOND, ARCHITECT #19508	1508 Augusta Drive Marietta, GA 30067	\$1,500 Civil Penalty & Suspension for three (3) months effective April 26, 2002; Take/Pass Board's Law and Rules Exam	Practiced on an expired license and used the title "Registered Architect;" sealed documents prepared by nonregistrants; practiced outside area(s) of competence; enabled nonregistrants to practice engineering; gross negligence, incompetency, and/or misconduct in the practice of landscape architecture and/or architecture, and/or engineering, thereby endangering the health, safety, and welfare of the public. TCA, Section 62-2-101, 62-2-105 (a)(1) (D) and (b)(1), 62-2-306(b), Board Rule 0120-2-.02(1), TCA § 62-2-306(b) Rules 0120-2-.08(5), 0120-2-.03(3), 0120-2-.07(2) (a) and (b) and (3), and TCA § 62-2-308(a)(1)(B).

TENNESSEE MOTOR VEHICLE COMMISSION

LIBERTY DODGE, INC.	8178 Hwy. 64 Bartlett, TN	\$16,800 Civil Penalty	Motor Vehicle Commission Rule 0960-1-12 states that false, misleading and deceptive advertising is prohibited.
METRO SALES & LEASING	4960 Elmore Rd. Memphis, TN 38128	\$750 Civil Penalty	Tennessee Code Annotated, Section 55-17-114 states that employing any person who has not been licensed as a salesperson is unlawful.

EAGLE AUTO SALES	431 W. Liberty Covington, TN 38019	\$1,000 Civil Penalty	Tennessee Code Annotated, Section 55-17-114 states that false and misleading representations in connection with business is unlawful.
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TENNESSEE PRIVATE PROTECTIVE SERVICES

CARMIKE CINEMAS	800 RIVERGATE KWY 37072	\$500 Civil Penalty	Tennessee Code Annotated, Section 62-35-123(a), operating as an unlicensed proprietary security organization
APRIL D. HIGUERA	P. O. BOX 198683 37219	\$300 Civil Penalty	Tennessee Code Annotated, Section 62-26-207, employing apprentice prior to issuance of apprentice license
WILLIAM M. REECE	1087 PEDRO SHOUN LN 37613	\$250 Civil Penalty	Tennessee Code Annotated, Section 62-26-225, failure to obtain necessary continuing education

TENNESSEE AUCTIONEER COMMISSION

ALBERT M. HINCHEY	862 S Highway 92 Dandridge, TN	Consent Order \$1,000 Civil Penalty Paid	Tennessee Code Annotated, § 62-19-111. (11) All contracts for services to be performed by an auction firm, except an auto auction as defined in §55-17-102(2), must negotiated for and signed by an auctioneer who is a member of the firm or by the auctioneer's attorney
RODNEY R MANNING	862 S Highway 92 Dandridge, TN	Consent Order \$1,000 Civil Penalty Paid	Rule § 0160-1-.12. 8(d) Any violation of this rule shall subject the apprentice auctioneer, the sponsoring auctioneer and/or the nonsponsoring employer auctioneer to disciplinary action by the Commission.
CLARK MAPLES AUCTION CO	123 East College St Murfreesboro, TN	Agreed Citation \$100 Civil Penalty Paid	Rule § 0160-1-.12. 9(a) An apprentice may not execute a contract to conduct an auction without the approval of his/her sponsor noted on the document, but he/she may sign a contract in order to indicate he/she procured the client and the auction.
MIDDLE TENNESSEE AUCTION & GALLERY INC	5776 East Division St Mt Juliet, TN	Agreed Citation \$500 Civil Penalty Paid	Rule § 0160-1-.20. (1) Advertising in any form that is designed to give notice of an upcoming auction must include the name and license number of the auction firm or gallery responsible for holding the sale.
ALLSTATE AUCTION & REAL ESTATE COMPANY	2825 Hartford Dr Nashville, TN	Agreed Citation \$100 Civil Penalty Paid	Rule § 0160-1-.20 (4) Any advertising or advertisement purporting or suggesting that an auction sale is being held in conjunction with or as a result of a bankruptcy proceeding, or that items to be sold at auction were previously purchased in connection with a bankruptcy proceeding shall contain the bankruptcy court case number assigned by the court of jurisdiction for such proceeding.
ALLEY AUCTION, INC	4610 Middlebrook Pike Knoxville, TN	Agreed Citation \$300 Civil Penalty Paid	Rule § 0160-1-.20. (1) Advertising in any form that is designed to give notice of an upcoming auction must include the name and license number of the auction firm or gallery responsible for holding the sale.
FURROW AUCTION COMPANY	1022 Elm St Knoxville, TN	Agreed Citation \$300 Civil Penalty Paid	Rule § 0160-1-.20. (3) Advertising for a sale at which some items will be auctioned with reserve and some items will be auctioned without reserve shall clearly and conspicuously indicate this fact to the public. In written advertisements for such a sale, the font size, style and case of the type used in publicizing the part of the sale is to be held without reserve shall not differ from the font size, style and case used to publicize the part of the sale to be held with reserve.
J P KING INC	10213 Mont haven Pk Pl Hendersonville, TN	Agreed Citation \$100 Civil Penalty	Rule § 0160-1-.20. (3) Advertising for a sale at which some items will be auctioned with reserve and some items will be auctioned without reserve shall clearly and conspicuously indicate this fact to the public. In written advertisements for such a sale, the font size, style and case of the type used in publicizing the part of the sale is to be held without reserve shall not differ from the font size, style and case used to publicize the part of the sale to be held with reserve.
COMAS MONTGOMERY RLTY & AUCTION CO INC	817 S Church St Murfreesboro, TN	Agreed Citation \$100 Civil Penalty	Rule § 0160-1-.20. (1) An auctioneer, auction firm or gallery shall disclose the existence and amount of any "buyer's premium," commission, or fee to be charged to buyers at an auction sale. Such disclosure shall be made in all advertising and orally announced immediately prior to the start of an auction.
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