



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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## REGULATORY BOARDS DISCIPLINARY ACTION REPORT June 2011

### Alarm Systems Contractors

Respondent: Professional Security Consultants & Design, LLC  
ASC # 1092 Knoxville, TN  
Violation: TCA 62-32-307, 62-32-312 & 62-32-319  
Failure to register alarm employee within thirty days  
Action: \$150 Civil Penalty

Respondent: Walker, Michael Anthony QA # 481 Knoxville, TN  
Violation: TCA 62-32-304 TCA 62-32-307, 62-32-312 & 62-32-319  
Failure to register alarm employee within thirty days  
Action: \$150 Civil Penalty

### Architectural and Engineering Examiners

Respondent: Raymond D. Hall, P.E. #23391  
Violation: Failed to comply with continuing education audit requirements in a timely manner.  
Action: \$1,000 Civil Penalty, Law and Rules Exam and Automatic audit of next renewal.

Respondent: Mark A. Vieira, P.E. #16987  
Violation: Failed to Pay the Privilege Tax for three (3) years.  
Action: \$500 Civil Penalty, \$200 Administrative Costs and Law and Rules Exam.

### Auctioneer Commission

Respondent: Auction Services International (c/o John D. Rice, Sr.)  
Violation: Respondent engaged in conduct constituting operation of an auction in Tennessee without a valid Tennessee Auction Firm License.  
Action: Civil Penalty of \$250

## **Board of Accountancy**

Respondent: Nicole Belflower, Cordova, TN  
Violation: Failure to Respond to CPE Audit  
Action: \$1000.00 Civil Penalty Two (2) Additional Hours of TN State Specific Ethics CPE, Show Proof of All CPE and Penalty Hours

## **Board of Examiners for Land Surveyors**

Respondent: Jeremy Moore, Kingston Springs, TN  
Violation: Unlicensed conduct.  
Action: \$1000.00 civil penalty.

## **Board of Funeral Directors and Embalmers**

Respondent: Bowers Funeral Home, Inc., Decatur Chapel, Decatur, TN  
Violation: Engaged in the operation of a funeral establishment on an expired license and multiple aspects of the establishment's price list and contract did not comply with the Funeral Rule  
Action: \$500 Civil Penalty

Respondent: Cox & Son Funeral Home, Inc., Jellico, TN  
Violation: Failed to retain a copy of an authorization for cremation form, duplication of charges which resulted in an overcharge to the consumer on various occasions and failed to submit documents to the Board on the required size paper  
Action: \$1500 Civil Penalty

Respondent: Dockery Funeral Home, Inc., Morristown, TN  
Violation: Failed to retain a copy of an authorization for cremation form on multiple instances, failed to obtain and maintain a copy of the latest inspection report of the crematory that the funeral home uses and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$250 Civil Penalty

Respondent: Gardner Memorial Chapel, Inc., Nashville, TN  
Violation: Failed to have a licensed funeral director in charge for the funeral establishment, failed to submit documents to the Board on the required size paper and multiple aspects of the establishment's price list and contract did not comply with the Funeral Rule  
Action: \$500 Civil Penalty

Respondent: H. H. Hudson Funeral Home, Dyersburg, TN  
Violation: Failed to have the current license of an embalmer available for inspection, failed to obtain and maintain a copy of the license and latest inspection report of the crematory that the funeral home uses, failed to respond to an inquiry from the Board within the time specified in the notice and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$1200 Civil Penalty

Respondent: Holley-Gamble Funeral Home, Lake City, TN  
Violation: The signature of the arranging funeral director had been signed on the authorization for cremation form by someone other than the funeral director and aspects of the establishment's price list did not comply with the Funeral Rule  
Action: \$250 Civil Penalty

Respondent: Johnson's House of Atena, Nashville, TN  
Violation: Engaged in the operation of a funeral establishment on an expired license, failed to have a licensed funeral director in charge for the funeral establishment, failed to have the current license of an embalmer available for inspection, failed to obtain and maintain a copy of the latest inspection report of the crematory that the funeral home uses, the preparation room was not maintained in an orderly manner, free from clutter and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$1000 Civil Penalty

Respondent: Jordan Funeral Home, Pulaski, TN  
Violation: Failed to have the current license of an embalmer available for inspection and an aspect of the establishment's price list did not comply with the Funeral Rule  
Action: \$250 Civil Penalty

Respondent: Roundtree, Napier & Ogilvie Funeral Home, Franklin, TN  
Violation: Failed to have the current license of each funeral director available for inspection, failed to report changes of a manager and ownership to the Board within the specified time and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$500 Civil Penalty

Respondent: Roundtree, Napier & Ogilvie Funeral Home, Columbia, TN  
Violation: Failed to report changes of a manager and ownership to the Board within the specified time, operating the funeral establishment by a name other than the name approved by the Board, failed to respond to an inquiry from the Board within the time specified in the notice and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$500 Civil Penalty

Respondent: Rucker Memorial Chapel, Inc., Murfreesboro, TN  
Violation: Engaged in the operation of a funeral establishment on an expired license, duplication of charges which resulted in an overcharge to the consumer on various occasions and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$750 Civil Penalty

Respondent: West-Murley Funeral Home, Oneida, TN  
Violation: Failed to have the current licenses of each funeral director and embalmer available for inspection, the preparation room was not maintained in an orderly manner, free from clutter and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$1000 Civil Penalty

Respondent: Williams Funeral Homes & Crematory, Columbia, TN  
Violation: Posted the name of an individual as a licensed funeral director on their web-site when the individual was not yet licensed  
Action: \$500 Civil Penalty

### **Board For Licensing Contractors**

Respondent: Hutch Pool & Spa, Inc., Springfield, TN  
Violation: Unlicensed Activity  
Action: \$1,000 Civil Penalty

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Respondent: Leisure Scapes, Lakeland, TN  
Violation: Unlicensed Activity  
Action: \$1,000 Civil Penalty

### **Burial Services**

Respondent: Crest Lawn Funeral Home and Cremation Center, Cookeville, TN  
Violation: Failed to file annual reports within the time specified, used a preneed contract form that had not been approved by the Commissioner, failed to submit an insurance enrollment or application form to the insurance company within fifteen calendar days of receipt and preneed records lacked proper documentation to verify payments paid by the trust, insurance or an individual  
Action: \$350 Civil Penalty

Respondent: Janie R. Green Daugherty, Lawrenceburg, TN  
Violation: Composed numerous preneed funeral contracts without being registered as a preneed sales agent and instead signed the name of her husband to the contracts who is registered as a preneed sales agent  
Action: \$2300 Civil Penalty

Respondent: Philip Ray Garner, Cleveland, TN  
Violation: Wrote numerous preneed funeral contracts without being registered as a preneed sales agent  
Action: \$750 Civil Penalty

Respondent: Robert Ledford Funeral Home and Chapel, Erwin, TN  
Violation: Failed to file an annual report within the time specified  
Action: \$250 Civil Penalty

Respondent: Smith Brothers Funeral Directors, Nashville, TN  
Violation: Failed to properly register as a preneed seller at all pertinent times and employees wrote multiple preneed funeral contracts without being registered as preneed sales agents  
Action: \$1000 Civil Penalty

Respondent: Whitson Funeral Home, Cookeville, TN  
Violation: Numerous preneed funeral contract files failed to contain a copy of the prearrangement insurance policy as required by law  
Action: \$1000 Civil Penalty

### **Cosmetology Board**

Respondent: A-Nails, Cordova, TN  
Violation: Unlicensed individuals  
Action: \$5000.00 Civil Penalty Assessed

Respondent: Brow Art, Memphis, TN  
Violation: Unlicensed shop and unlicensed individual  
Action: \$3000.00 Civil Penalty Assessed

Respondent: Elegant Nails, Clarksville, TN  
Violation: No id tags, hot wax machine  
Action: \$1000.00 Civil Penalty Assessed

Respondent: Elite Nails, Clarksville, TN  
Violation: No id tags, sterilization, sanitation, unlicensed individuals  
Action: \$1500.00 Civil Penalty Assessed

Respondent: Fancy Nails, Memphis, TN  
Violation: No manager, id tags, hot wax machine in the shop  
Action: \$750.00 Civil Penalty Assessed

Respondent: Miller-Motte Technical College, Clarksville, TN  
Violation: Consumer complaint regarding aesthetics service given from a student  
Action: \$1000.00 Civil Penalty Assessed

Respondent: Nail Art, Clarksville, TN  
Violation: Sterilization, id tag, unlicensed individual  
Action: \$3000.00 Civil Penalty Assessed

Respondent: Sumthin Unique, Fayetteville, TN  
Violation: Unlicensed shop and unlicensed individual  
Action: \$1000.00 Civil Penalty Assessed

Respondent: T-Nails, Smyrna, TN  
Violation: Wax machine in the shop  
Action: \$500.00 Civil Penalty Assessed

### **Home Inspector Licensing Program**

Respondent: Lowell Steele, Murfreesboro, TN  
Violation: Failure to submit current General Liability Insurance and current certificate of Errors and Omissions Insurance.  
Action: Revocation of license and payment of investigatory and hearing costs.

Respondent: Jeff Scott Thacker, Church Hill, TN  
Violation: Failure to submit current General Liability Insurance and current certificate of Errors and Omissions Insurance.  
Action: \$1200.00 civil penalty and assessment of investigatory and hearing costs.

### **Motor Vehicle Commission**

Respondent: Winters Auto Center, Knoxville, TN  
Violation: Business Hours Not Posted  
Action: \$250 Civil Penalty

Respondent: Jeremy's Car Corral, Shelbyville, TN  
Violation: Unlicensed Activity  
Action: \$5200 Civil Penalty

Respondent: Advance Motors, Murfreesboro, TN  
Violation: False and Deceptive Acts  
Action: \$1000 Civil Penalty

Respondent: Victory Nissan of Knoxville, Knoxville, TN  
Violation: Advertising Violation  
Action: \$1500 Civil Penalty

Respondent: East Tennessee Dodge-Chrysler-Jeep, Crossville, TN  
Violation: Advertising Violation  
Action: \$10,000 Civil Penalty

Respondent: R & R Auto Sales, Savannah, TN  
Violation: Open Titles  
Action: \$1000 Civil Penalty

Respondent: Best Motors, Chattanooga, TN  
Violation: Temporary Tag Log  
Action: \$500 Civil Penalty

Respondent: Classy Auto Sales and Rentals, Sparta, TN  
Violation: Temporary Tag Log  
Action: \$500 Civil Penalty

### **Private Protective Services**

Respondent: Freshour, James Beau AG Reg. #604835 Greenville, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
Action: \$250 Civil Penalty

Respondent: Lynn, Cedric J. AG Reg. # 611322 Memphis, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
Action: \$250 Civil Penalty

Respondent: Mars, James J. AG Reg. # 610570 Memphis, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
Action: \$100 Civil Penalty

Respondent: Golden, Candice Latrice UG Reg. # 374644 West Memphis. AR  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
Action: \$100 Civil Penalty

Respondent: Hale, Archie Daniel UG Reg. # 367230 Chattanooga, TN  
Violation: TCA 62-35-115(a) Acting as a security guard without a valid registration  
Action: \$500 Civil Penalty

## **Real Estate Appraisers**

Respondent: Melissa C. Handwerker, Olive Branch, MS.  
Violation: Violated USPAP in an appraisal report by failing to include a summary of the analysis of the listing history, failing to report a crack across the house which was caused by settlement and failing to adequately reconcile this physical depreciation within the sales comparison and cost approaches.  
Action: \$500.00 civil penalty, a fifteen (15) hour Residential Report Writing course, a seven (7) hour Marshall and Swift course and one (1) year probation.

## **Real Estate Commission:**

Respondent: Julie A. Birl, Jackson, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Edward G. Browning, Powell, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Janie Canfield, Alexandria, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Norman G. Carter, Greeneville, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Deborah R. Dye, Kingsport, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Charles G. Dillingham, East Ellijay, GA  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Bill E. Fox, Nashville, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Hayes Gibson, Franklin, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty



Respondent: Byron A. Holt, Birmingham, AL  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: William "Marty" Howell, Adel, GA  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Ronald E. Mann, Morristown, TN  
Violation: Failure to timely complete required education  
Action: \$550 Civil Penalty

Respondent: Heather P. Preslopsky, Johnson City, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Joan C. Richardson, Dallas, TX  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Michael "Mike" L. Rose, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Matthew "Matt" Sherrill, Nashville, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Joy A. Smith, Knoxville, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Alex L. Walker, Memphis, TN  
Violation: Failure to notify commission of firm address change  
Action: \$600 Civil Penalty

Respondent: Wanda E. Walker, Chattanooga, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1000 Civil Penalty

Respondent: Brenda M. Westbrook, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Wendy M. Winegardner, Knoxville, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

