



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

CONTACT: D. Christopher Garrett
615.741.6007 (office)

REGULATORY BOARDS DISCIPLINARY ACTION REPORT July 2011

Architectural and Engineering Examiners

Respondent: Walter Steven Keith, RA #11686
Violation: Failed to comply with continuing education audit requirements in a timely manner.
Action: \$500 Civil Penalty, Law and Rules Exam and Automatic audit of next renewal.

Alarm Systems Contractors Board

Respondent: Installation One
Woodland, CA
Violation: TCA 62-32-304(a), (j), & (k) Unlicensed activity
Action: \$1,000 Civil Penalty plus \$200 Investigatory and hearing cost

Respondent: SWS, LLC dba Securewatch
ASC # 1403 Hixson, TN
ASC # 1498 Johnson City, TN
ASC # 1508 Knoxville, TN
ASC # 1501 Nashville, TN
QA # 1336 Bish, George
QA # 204 Eaves, Jon
QA # 980 Perlov, Terry
Violation: TCA 62-32-304, 62-32-307, 62-32-312 & 62-32-319 Failure to register alarm employees within thirty (30) days
Action: \$18,000 Civil Penalty

Board of Accountancy

Respondent: Thomas L. Borgognoni, Jackson, TN
Violation: Gross Negligence in Performance of Services
Action: \$5000.00 Civil Penalty, Two (2) Years Probation
Two (2) Additional Hours of TN State Specific Ethics CPE

Respondent: Lee Gowan, Maryville, TN
Violation: Failure to Maintain Independence
Action: \$3000.00 Civil Penalty

Respondent: Joseph Edward Lautigar, Chattanooga, TN
Violation: Unlicensed Activities
Action: \$2000.00 Civil Penalty

Respondent: Jimmy Rodefer, Knoxville, TN
Violation: Failure to Maintain Independence
Action: \$2000.00 Civil Penalty

Respondent: Glenn Russell, Munford, TN
Violation: Failure to Respond to CPE Audit
Action: \$500.00 Civil Penalty Two (2) Additional Hours of TN State Specific Ethics CPE, Show Proof of All CPE and Penalty Hours

Respondent: Summit CPA Services, Inc., Bristol, TN
Violation: Unlicensed Activities, Offering Services on Expired License.
Action: \$500.00 Civil Penalty Two (2) Additional Hours of TN State Specific Ethics CPE

Board of Funeral Directors and Embalmers

Respondent: Harold Hays Brummitt, McKenzie, TN
Violation: Unprofessional conduct – treated a member of the public in a disrespectful manner by using conversation characterized by irreverence
Action: \$750 Civil Penalty

Respondent: T. Scot Carter, Cleveland, TN
Violation: Filing of Quarterly Reports of Apprenticeship Training beyond the allotted time
Action: Shall not receive credit for the time period(s) affected and shall serve the remaining amount of time necessary to complete training as required by law

Respondent: Christian Funeral Directors, Memphis, TN
Violation: Failed to provide an itemized written statement at the conclusion of funeral arrangements, charged for services that were neither provided nor requested and failed to file an application for a change of ownership within the allotted time
Action: \$2000 Civil Penalty plus \$200 Administrative Costs and must submit Change of Ownership Application with the required fees within thirty days

Respondent: Gary L. Crider, Dalton, GA
Violation: Filing of Quarterly Reports of Apprenticeship Training beyond the allotted time
Action: Shall not receive credit for the time period(s) affected and shall serve the remaining amount of time necessary to complete training as required by law

Respondent: Jared Lee Howard, Jonesborough, TN
Violation: Filing of Quarterly Reports of Apprenticeship Training beyond the allotted time
Action: Shall not receive credit for the time period(s) affected and shall serve the remaining amount of time necessary to complete training as required by law

Respondent: Memorial Funeral Chapel, Elizabethton, TN
Violation: Immoral or unprofessional conduct – willfully failed to pay for services received and paid for merchandise with worthless checks, misrepresentation or fraud in the conduct of the business of the funeral establishment, failed on multiple occasions to obtain and maintain a copy of the current licenses and latest inspection reports of the crematory that the funeral home uses, failed on multiple occasions to affix a permanent identification device to a deceased human remains and multiple aspects of the establishment's price list did not comply with the Funeral Rule
Action: \$12,750 Civil Penalty and agree that the establishment license shall be suspended for six (6) months in addition to any other lawful discipline should the establishment be found to have willfully failed to respond to a complaint within a period of the next two years

Respondent: J. A. Stalcup, Jr., Elizabethton, TN
Violation: Immoral or unprofessional conduct – willfully failed to pay for services received and paid for merchandise with a worthless check on multiple occasions and misrepresentation or fraud in the conduct of the business of the funeral establishment
Action: \$3500 Civil Penalty and agree that his licenses as a funeral director and an embalmer shall be suspended for six (6) months in addition to any other lawful discipline should licensee be found to have willfully failed to respond to a complaint within a period of the next two years

Board For Licensing Contractors

Respondent: Lizzio Development Group, LLC, Johnson City, TN
Violation: Poor Workmanship
Action: \$5,000 Civil Penalty

Respondent: Phillip Murphy & Murphy Brothers Mech. Contractors, Powell, TN
Violation: Unlicensed Activity and Loaning License
Action: \$2,000 Civil Penalty

Respondent: H & H Construction Associates, Madison, TN
Violation: Poor Workmanship
Action: \$500 Civil Penalty

Respondent: Donald C. Green, Cleveland, TN
Violation: Submission of False Evidence
Action: Revocation

Respondent: Sharpton Painting, Lebanon, TN
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Burial Services

Respondent: Magnolia Gardens Cemetery, Covington, TN
Violation: Deficiency in both the Improvement Care Trust Fund and Merchandise & Services Trust Fund and failed to deposit funds into trust funds within the specified time
Action: \$2000 Civil Penalty and place un-deposited funds into Merchandise & Services Trust Fund and Improvement Care Trust Fund, including late penalty payment

Respondent: Memorial Funeral Chapel, Elizabethton, TN
Violation: Using a preneed funeral contract on multiple occasions that had not been previously approved by the Commissioner
Action: \$500 Civil Penalty

Respondent: Memorial Funeral Chapel, Elizabethton, TN
Violation: The funeral establishment was unlawfully designated as the beneficiary on multiple prearrangement insurance policies and failed to keep and maintain accurate accounts, books and records in this state of all preneed funeral contract and prearrangement insurance policy transactions
Action: \$250 Civil Penalty

Respondent: Mt. Olivet Cemetery, Nashville, TN
Violation: Offered or sold preneed funeral contracts without first registering with the Commissioner as a Preneed Seller, burial vaults were being sold on a preneed basis but failed to deposit all of the funds with Trustee and cemetery merchandise and/or services were itemized on contracts but failed to deposit any funds into trust
Action: \$500 Civil Penalty

Home Inspector Licensing Program

Respondent: Daniel Walton, Arlington, TN
Violation: Unlicensed practice.
Action: \$200.00 civil penalty and signed a Cease and Desist consent order.

Motor Vehicle Commission

Respondent: Winters Auto Center, Knoxville, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Viles Automotive, Powell, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Alexander Motors, Inc., Jackson, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Walker Chevrolet, Inc., Franklin, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Newton Nissan of Gallatin, Gallatin, TN
Violation: Advertising Violation
Action: \$1000 Civil Penalty

Respondent: El Amigo Auto Sales, LLC, Oak Ridge, TN
Violation: Temporary Tag Log Violation/Business Records
Action: \$750 Civil Penalty

Respondent: Affordable Auto Mart, LLC, Jackson, TN
Violation: Open Title
Action: \$500 Civil Penalty

Private Protective Services

Respondent: Celebration Homes
Violation: TCA 62-35-123 & 62-35-134 Unlicensed activity and unlawful employment
Action: \$1,000 Civil Penalty

Respondent: Abston, Eric AG Reg. #611274 Nashville, TN

Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$250 Civil Penalty

Respondent: Cadwallader, Robert AG Reg. # 305069 Antioch, TN
Violation: TCA 62-35-115 Unlicensed activity
Action: \$250 Civil Penalty

Respondent: Cogbill, Julius AG Reg. # 608488 Memphis, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$100 Civil Penalty

Respondent: Graham, Robert AG Reg. # 600140 Memphis, TN
Violation: TCA 62-35-130
Action: Suspension

Respondent: Shaw, Danny AG Reg. # 601616 White Bluff, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$100 Civil Penalty

Respondent: Davis, Linda UG Reg. # 343944 Cordova, TN
Violation: 62-35-130(e)
Action: Revocation

Respondent: Downs, Bobby UG Reg. # 396672 Memphis, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Welty, Patrick UG Reg. # 385748 Nashville, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$100 Civil Penalty

Real Estate Appraisers

Respondent: Sandra K. Parker, McEwen, TN
Violation: Violated USPAP in two (2) residential appraisal reports by misreporting the comparable sales; making errors in the analysis of the comparables; failed to properly keep records, and failing to include reconciliation comments to explain the value.
Action: \$500.00 civil penalty and a 30 hour Sales Comparison course and a 15 hour Site Valuation and Cost Approach course.

Real Estate Commission:

Respondent: Judy Kaye Adkins, Knoxville, TN

Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Connie Douglas Boone, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Kendra Cooke, Brentwood, TN
Violation: Advertising violation
Action: \$250 Civil Penalty

Respondent: Brannon C. Graybill, Isle Of Palms, SC
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Robert O. Hyde, Memphis, TN
Violation: Conduct which constitutes improper, fraudulent or dishonest dealing
Action: \$3106 Civil Penalty

Respondent: TN Land & Lakes, Brentwood, TN
Violation: Agency disclosure violation
Action: \$250 Civil Penalty

Respondent: Gail Wallin Johnson, Brentwood, TN
Violation: Failure to supervise activities of affiliate
Action: \$250 Civil Penalty

Respondent: Michael J. Kemether, Atlanta, GA
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: James W. Knox, III, Butler, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Pamela Brady La Chapelle, Mt. Juliet, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Joshua K. Lefevre, Jackson, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Anthony M. McGregor, Memphis, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Martha Powell, Southaven, MS

Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Janeene S. Ross, Vilas, NC
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Steven D. Strand, Memphis, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Debra S. Totten, Abingdon, VA
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Adam C. Vassar, Greenbrier, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Nicole "Nikki" Y. Welcher, Nashville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty