



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 September 2011

Alarm Systems Contractors Board

Respondent: Inter-Vac Systems Nashville, TN
Violation: TCA 62-32-304 (a), (j) & (k) Unlicensed activity
Action: \$15,000 Civil Penalty

Respondent: U. S. A. Security, Inc. ASC # 742 Knoxville, TN
Violation: TCA 62-32-304 (a), (b), (c), (j) & (k) Unlicensed activity
TCA 62-32-312 & 62-32-319 Failure to register alarm employees
within thirty (30) days
Action: \$4,000 Civil Penalty

Respondent: LaPointe, James M. QA # 1083 Knoxville, TN
Violation: TCA 62-32-303(9)(B)(i)(a), 62-32-319(b)(2), (3) & 4 & rules 0090-
01.-06(9)(i) and 0090-01-07(10) Conviction of crimes indicating lack
of good moral character, and failure to notify board of his
convictions within thirty (30) days
Action: Board refusal to issue any future license to any company he may
control, or to him as Alarm Qualifying Agent or Employee
Registrant
Civil Penalty \$4,000 plus \$560 investigatory and hearing costs

Architectural & Engineering Examiners

Respondent: Andre Christopher Ballard, R.A. #103626
Violation: Failed to pay the professional privilege tax for two (2) years or more.
Action: Indefinite suspension until such time as respondent provides proof of
payment in full.

Board For Licensing Contractors

Respondent: Distinctive Designs, Johnson City, TN
Violation: Pulling permit for improperly licensed contractor
Action: \$1,000 Civil Penalty

Respondent: Marvin R. Egan, Kingsport, TN
Violation: Poor Workmanship
Action: \$2,000 Civil Penalty

Respondent: Bobby Mercer DBA Indoor Comfort Heating & Cooling LLC, Paris, TN
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Board of Accountancy

Respondent: Ralph H. Turley, III - Murfreesboro, TN
Violation: Failure to Notify Board of Revocation of Arkansas License: Failure to Provide Professional Services in a Timely Manner;
Failure to File Personal Tax Returns.
Action: Hearing and Investigatory Costs Assessed Against Licensee;
License Retired; Reactivation of license Contingent Upon Board Approval.

Board of Examiners for Land Surveyors

Respondent: Kenneth A. Carroll, Hohenwald, TN
Violation: Violation of Standards of Practice
Action: \$250.00 civil penalty and evidence of correction of the land surveying documents

Respondent: Thomas L. Colbaugh, Decatur, TN
Violation: Violation of Standards of Practice
Action: \$250.00 civil penalty and evidence of correction of the land surveying documents

Board of Funeral Directors and Embalmers

Respondent: Donald Knight Ayers, Jr., Murfreesboro, TN
Violation: Practiced funeral directing and embalming while licenses were invalid
Action: \$250 Civil Penalty

Respondent: Chattanooga Funeral Home & Crematory – East Chapel, East Ridge, TN
Violation: Multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action: \$500 Civil Penalty

Respondent: Gina Marie Dolen, Kingsport, TN
Violation: Practiced funeral directing and embalming on numerous occasions while licenses were invalid
Action: \$1000 Civil Penalty

Respondent: Hamlett-Dobson Crematory, Fall Branch, TN
Violation: Allowed an individual to practice funeral directing and embalming on numerous occasions while licenses were invalid and cremation authorization forms failed to contain the funeral director's signature
Action: \$500 Civil Penalty

Respondent: Hamlett-Dobson Funeral Homes, Kingsport, TN
Violation: Allowed an individual to practice funeral directing and embalming on numerous occasions while licenses were invalid
Action: \$500 Civil Penalty

Respondent: Hamlett-Dobson Funeral Homes, Fall Branch, Fall Branch, TN
Violation: Allowed an individual to practice funeral directing while license was invalid
Action: \$500 Civil Penalty

Respondent: Jennings-Moore-Cortner Funeral Home, Lynchburg, TN
Violation: Cremation authorization form failed to contain the funeral director's signature and failed to retain a copy of the cremation authorization form in the decedent's file
Action: \$250 Civil Penalty

Respondent: John P. Franklin Funeral Home, Chattanooga, TN
Violation: Charged consumer slightly more than prices listed on three occasions and multiple aspects of the establishment's price lists and statement of funeral goods and services selected did not comply with the Funeral Rule
Action: \$500 Civil Penalty

Respondent: Jones Mortuary, LLC, Clinton, TN
Violation: Used the title of "Pre-need Director" for an individual on establishment's web site when employee was not licensed as a funeral director or preneed sales agent, used an establishment name not approved by the Board, unable to furnish documents on required size paper and multiple aspects of the establishment's price lists and statement of funeral goods and services selected did not comply with the Funeral Rule
Action: \$250 Civil Penalty

Respondent: Martin Wilson Funeral Home, LaFollette, TN
Violation: Multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action: \$750 Civil Penalty

Respondent: Mayes Family Services of Morristown, Morristown, TN
Violation: Charged consumer slightly more than prices listed on two occasions and failed to retain a copy of the cremation authorization form in the decedent's file on multiple occasions
Action: \$250 Civil Penalty

Respondent: Nashville Cremation Service, Nashville, TN
Violation: Conducted numerous cremations while establishment's license was invalid
Action: \$3300 Civil Penalty

Respondent: Oakley-Cook Funeral Home and Crematory, Bristol, TN
Violation: Used an establishment name on sign other than one approved by the Board, failed to place a permanent identification device in urn with cremated remains on two occasions, preparation room had significant clutter, dirty instruments, soiled linen and towels and an unsecured entrance
Action: \$750 Civil Penalty

Respondent: Larry David Oliver, Oliver Springs, TN
Violation: Practiced funeral directing while license was invalid
Action: \$750 Civil Penalty

Respondent: Queen Ann Funeral Home, Pulaski, TN
Violation: Conducted business on numerous occasions without a licensed funeral director of record in charge of the establishment
Action: \$250 Civil Penalty

Respondent: Superior Funeral Home, Memphis, TN
Violation: Unprofessional conduct – placement of viscera in a box which had a chemical company's name printed and a delivery sticker to a funeral establishment affixed to the outside of the box instead of placing the viscera back into the body cavity following embalming demonstrates conduct that is below the standard of care normally employed by licensees in this State
Action: \$1000 Civil Penalty

Respondent: Trinity Funeral Home, Paris, TN
Violation: Failed to have an operable fixed place of business, the establishment license, a funeral director's license serving as the establishment manager, price lists, contracts, and cremation authorization forms were not available for inspection and failed to obtain and maintain a copy of the latest inspection report and license of the crematory that the funeral home uses
Action: \$1000 Civil Penalty

Burial Services

Respondent: First Tennessee Bank, Trustee, Johnson City, TN
Violation: Unlawful withdrawals from the principal of the cemetery's improvement care trust fund on three occasions and failed to timely file trustee annual reports on numerous occasions
Action: \$2000 Civil Penalty

Respondent: Regions Morgan Keegan Trust, Chattanooga, TN
Violation: Unlawful withdrawals from the principal of three preneed funeral accounts held in trust and failed to timely file a trustee report
Action: \$750 Civil Penalty

Respondent: Rucker Memorial Chapel, Inc., Murfreesboro, TN
Violation: Failed to keep and maintain accurate accounts, books and records of all preneed funeral contract and prearrangement insurance policy transactions, failed to reimburse an overage to the beneficiary and failed to timely file an annual report
Action: \$1000 Civil Penalty

Locksmith Licensing Program

Respondent: Mondy's Lock & Key Ooltewah, TN
Violation: TCA 62-11-104(a), (b) Unlicensed activity
Action: \$1,000 Civil Penalty

Motor Vehicle Commission

Respondent: Onate's Auto Sales, Clarksville, TN
Violation: Issuing More Than Two Temporary Tags
Action: \$500 Civil Penalty

Respondent: Prince Auto Sales, Cleveland, TN
Violation: Unlicensed Activity (1 count)
Action: \$500 Civil Penalty

Respondent: Southern Fleet Liquidators, LLC, Nashville, TN
Violation: Unlicensed Activity (3 counts)
Action: \$3000 Civil Penalty

Respondent: Vintage Vettes, Murfreesboro, TN
Violation: False and Deceptive Acts
Action: \$3000 Civil Penalty

Respondent: Ron Auto Sales, Talbott, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Commodore Motors, Inc., Madison, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Dalton A/S, Straw Plains, TN
Violation: No Signage
Action: \$250 Civil Penalty

Respondent: L & L Equipment Sales, LLC, Fairview, TN
Violation: Unlicensed Activity
Action: \$1000 Civil Penalty

Respondent: D & R Powersports, Inc., Knoxville, TN
Violation: Unlicensed Activity
Action: \$7000 Civil Penalty

Private Investigation and Polygraph Commission

Respondent: Prosser, John PI # 6853 Knoxville, TN
Violation: TCA 62-26-213(3) Failure to notify of arrest within thirty (30) days
Action: \$250 Civil Penalty

Private Probation Council

Respondent: Washington County Probation Agency
Violation: Unlicensed Activity
Action: \$6,907 Consent Order and Civil Penalty

Private Protective Services

Respondent: American Protection Security and Guard - CSC # 12494
Nashville, TN
Violation: TCA 62-35-114 Failure to retain a certificate of insurance
evidencing general liability coverage
Rule 0780-5-2-.18 Failure to file written response to a complaint
within twenty (20) days
Action: Revocation

Respondent: Lewis Winston Security - CSC # 11768 Memphis, TN
Violation: TCA 62-35-134(a) Unlawful employment
Action: \$2,500 Civil Penalty

Respondent: Security Watch, Inc/ Ward, Cornelius Memphis, TN
Violation: TCA 62-35-104 Unlicensed activity
Action: \$2,000 Civil Penalty

Respondent: Tri-State Security, Inc. CSC # 11515 Columbia, TN
Violation: TCA 62-35-134 Unlawful employment
Action: \$1,000 Civil Penalty

Respondent: Branch, Charles - AG Reg. # 603338 Memphis, TN
Violation: TCA 62-35-112 Failure to notify of arrest within 30(thirty) days
TCA 62-35-130(a)(4) Conviction that reflects unfavorably on fitness
For registration card
Action: Revocation

Real Estate Appraisers

Respondent: Theodore Lewis, Nashville, TN
Violation: Violated USPAP in a residential appraisal by using inappropriate
comparable sales.
Action: A fifteen (15) hour Sales Comparison Approach course

Tennessee Real Estate Commission:

Respondent: Stanley B. Ashley, Atlanta, GA
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

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

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

Respondent: Deana B. Barber, Memphis, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Tim I. Burns, Memphis, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Ann Sullivan Cox, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: John W. "Bill" Cox, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Janan H. Dakak, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Jerry L. Downs, Kimball, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Gary S. Floto, Dandridge, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Linda "Susanne" Flynn, Hendersonville, TN
Violation: Advertising violation
Action: \$250 Civil Penalty

Respondent: Hilton B. Forcum, Nashville, TN
Violation: Failure to supervise activities of affiliates (E&O Ins.)
Action: \$1000 Civil Penalty

Respondent: Thomas M. Harris, Murfreesboro, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Cynthia "Cindy" A. Hopson, Gatlinburg, TN
Violation: Failure to timely complete required education
Action: \$250 Civil Penalty

Respondent: Stephen L. Lawson, Jefferson, NC
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Albert G. McDaniel, Nashville, TN
Violation: Failure to supervise activities of affiliates (E&O Ins.)
Action: \$1000 Civil Penalty

Respondent: Tee F. Miller, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: John R. Muller, Germantown, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: John T. Nixon, Franklin, TN
Violation: Failure to maintain E&O insurance
Action: \$325 Civil Penalty

Respondent: Lynn F. Pate, Nashville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Mary W. Prevost, Waynesville, NC
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Eric S. Rose, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Travis L. Shields, Kimball, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Austin C. Sledd, Germantown, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Lisa T. Smith, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Jacqueline "Nikki" Stout, Elizabethton, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Bruce M. Taylor, Oak Ridge, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Melvin E. Wiggins, Franklin, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Auctioneer Commission: No Action Taken
Collection Services Board: No Action Taken
Home Inspector Licensing Program: None