AUGUST 2006 Disciplinary Action Report

EDITORS: Tennessee Code Annotated, Section 56-1-302(a)(9) requires the Department of Commerce and Insurance to issue a monthly press release containing a disciplinary report which shall list all disciplinary actions taken by each board during the prior month. Below is a list of actions taken during the month of AUGUST 2006.

**Alarm Systems Contractors Board**

- **Respondent:** Consolidated Alarms, Inc., Clarksville, TN  
  **Violation:** Unregistered employee  
  **Action:** $300 Civil Penalty

- **Respondent:** Gallaher & Associates, Alcoa, TN  
  **Violation:** Branch office not certified by Board  
  **Action:** $1500 Civil Penalty

- **Respondent:** Hamilton Alarm Company, Inc., Cleveland, TN  
  **Violation:** Correspondence without certification number  
  **Action:** $100 Civil Penalty

- **Respondent:** Interactive Security Systems, LLC, Nashville, TN  
  **Violation:** Installed CCTV without certification  
  **Action:** $1000 Civil Penalty

- **Respondent:** Koorsen Protection Services, Inc., Huntsville, AL  
  **Violation:** Branch office not certified by Board  
  **Action:** $1000 Civil Penalty

- **Respondent:** Monitronics International, Inc., Dallas, TX  
  **Violation:** Failed to register employee(s) within 30 days  
  **Action:** $8400 Civil Penalty

- **Respondent:** Safet Systems, Inc., Knoxville, TN  
  **Violation:** Failed to register employee(s) within 30 days  
  **Action:** $700 Civil Penalty

- **Respondent:** Security Enterprises, Inc., Cordova, TN  
  **Violation:** Correspondence without certification number  
  **Action:** $100 Civil Penalty
Respondent: WB Technologies, Nashville, TN  
Violation: Failed to notify Board of change of address  
Action: $500 Civil Penalty

Respondent: WB Technologies, Nashville, TN  
Violation: Failed to register employee(s) within 30 days  
Action: $200 Civil Penalty

**Auctioneer Commission**

Respondent: Johnny Barnes, Hohenwald, TN  
Violation: Conducting auctions as an apprentice auctioneer without his sponsor being present and advertising violations.  
Action: Revocation of apprentice auctioneer license

**Board of Barber Examiners**

Respondent: College Street Barber Shop, Clarksville, TN  
Violation: Expired master barber license  
Action: $250 Civil Penalty

Respondent: Moore’s Barber Shop, Nashville, TN  
Violation: Expired shop license  
Action: $500 Civil Penalty

Respondent: Richard’s Barber Shop, Memphis, TN  
Violation: Expired master barber license  
Action: $600 Civil Penalty

Respondent: Shear Perfection Barber Shop, Hermitage, TN  
Violation: Expired shop license  
Action: $300 Civil Penalty

Respondent: The Kutting Edge Barber, Pulaski, TN  
Violation: No shop license  
Action: $300 Civil Penalty

**Tennessee Collection Service Board**

Respondent: Consolidated Recovery Systems, Memphis, TN  
Violation: Failure to respond to complaint  
Action: $250 Civil Penalty

Respondent: Plaza Associates, New York, NY  
Violation: Failure to respond to complaint  
Action: $250 Civil Penalty

Respondent: TSYS Total Debt Management, Norcross, GA  
Violation: Unlicensed collection activity  
Action: $1000 Civil Penalty
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Action: $1000 Civil Penalty

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Violation: Unlicensed collection activity  
Action: $1000.00 Civil Penalty

Respondent: Capital Management Services, Inc., Buffalo, NY  
Violation: Threatening to take action that agency cannot legally take  
Action: $250 Civil Penalty

Respondent: Universal Collections, Somerville, TN  
Violation: Unlicensed collection activity  
Action: $86 Civil Penalty

Respondent: Financial Collection Agency of TN, Bartlett, TN  
Violation: Failure to respond to complaint within twenty days  
Action: $250 Civil Penalty

Board for Licensing Contractors

Respondent: Artisans A Home Improvement Co., Inc., Thompson Station, TN  
Violation: Hiring an unlicensed electrician  
Action: $500 Civil Penalty

Respondent: Bickford, Allen, Sevierville, TN  
Violation: Unlicensed activity  
Action: $250 Civil Penalty

Respondent: Broadrick, Jay, Gallatin, TN  
Violation: Unlicensed activity  
Action: $2500 Civil Penalty

Respondent: G T L, Inc., Oakfield, TN  
Violation: Unlicensed activity  
Action: $1000 Civil Penalty

Respondent: Gallihar Construction Company, Inc., Chuckey, TN  
Violation: Misconduct  
Action: Relinquishment of License

Respondent: Jorgensen Builders, LLC, Maryville, TN  
Violation: Terms and conditions  
Action: Revocation

Respondent: Kim’s Landscaping & Lawn Care, Knoxville, TN  
Violation: Unlicensed activity  
Action: $3000 Civil Penalty

Respondent: McColley, Shawn & April, Chattanooga, TN  
Violation: Unlicensed activity  
Action: $2500 Civil Penalty
Respondent: Molder, John Plumbing Co., Johnson City, TN
Violation: Exceeding limit and working out of class
Action: $2500 Civil Penalty

Respondent: Simmons, Jody & Connie, Centerville, TN
Violation: Unlicensed activity
Action: $500 Civil Penalty

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Violation: Unlicensed activity
Action: $500 Civil Penalty

Respondent: Smith, Dan, Parsons, TN
Violation: Unlicensed activity
Action: $1000 Civil Penalty

Respondent: Spann Construction, White Bluff, TN
Violation: Unlicensed activity
Action: $1000 Civil Penalty

Respondent: Universal Window & Siding, Kingsport, TN
Violation: Unlicensed activity
Action: $1000 Civil Penalty

Respondent: Wade, Tony, Buchanan, TN
Violation: Unlicensed activity
Action: $500 Civil Penalty

Respondent: Wright, Jimmie E. Builders, Jamestown, TN
Violation: Exceeding limit and working out of class
Action: $2500 Civil Penalty

Cosmetology Board

Respondent: A Touch of Class, Nashville, TN
Violation: Practicing barbering in cosmetology shop
Action: $500 Civil Penalty

Respondent: Andrei of Dynasty, Knoxville, TN
Violation: Unlicensed operator
Action: $500 Civil Penalty

Respondent: Cali Nails, McMinnville, TN
Violation: License not displayed, unsanitary
Action: $500 Civil Penalty

Respondent: Carmen’s Estetica, LaFayette, TN
Violation: Operating shop without a license, unsanitary tools
Action: $1,000 Civil Penalty
Respondent: Cheveux the Salon, Chattanooga, TN
Violation: Unlicensed operator
Action: $500 Civil Penalty

Respondent: Elite Nail, Clarksville, TN
Violation: Unlicensed operator, wax machine
Action: $1,000 Civil Penalty

Respondent: Full Salon & Nail Spa, Smyrna, TN
Violation: Unlicensed operator
Action: $2,000 Civil Penalty

Respondent: Gordon & Company, Nashville, TN
Violation: Unlicensed operator
Action: $500 Civil Penalty

Respondent: Jennifer Nails, Nashville, TN
Violation: Unlicensed operator, hot wax machine
Action: $2,000 Civil Penalty

Respondent: Lina's Nails, Cordova, TN
Violation: No manager at shop
Action: $500 Civil Penalty

Respondent: Magical Nails, Murfreesboro, TN
Violation: Shop not licensed for waxing
Action: $500 Civil Penalty

Respondent: Nail Trix, Johnson City, TN
Violation: Unlicensed operator, expired license, hot wax machine
Action: $2,000 Civil Penalty

Respondent: New Nails, Harriman, TN
Violation: Unlicensed operator, unsanitary, no fumigants, no tags
Action: $2,000 Civil Penalty

Respondent: Perfect Nails, Murfreesboro, TN
Violation: Unlicensed operator
Action: $500 Civil Penalty

Respondent: Pro Top Nails, Lebanon, TN
Violation: Operating shop before inspection
Action: $500 Civil Penalty

Respondent: Regal Nail, Chattanooga, TN
Violation: Unlicensed operator
Action: $1,500 Civil Penalty

Respondent: Sister’s African Hair, Clarksville, TN
Violation: Unlicensed operator
Action: $500 Civil Penalty
Respondent: SK Nails, Nashville, TN  
Violation: Unlicensed operator  
Action: $500 Civil Penalty

Respondent: Snizo’s Barber Shop, Jackson, TN  
Violation: Operating shop before inspection  
Action: $250 Civil Penalty

Respondent: Soddy Nails, Soddy Daisy, TN  
Violation: Unlicensed operator, hot wax machine in manicure shop  
Action: $1,000 Civil Penalty

Respondent: Stylemasters Academy of Cosmetology, Newport, TN  
Violation: No instructor, unsanitary  
Action: $1,000 Civil Penalty

Respondent: V.I.P. Nail Salon, Crossville, TN  
Violation: Unsanitary, no sanitizer  
Action: $1,000 Civil Penalty

Respondent: Vivian’s Beauty Boutique, Murfreesboro, TN  
Violation: Unlicensed operator  
Action: $500 Civil Penalty

Respondent: Vogue Beauty Salon, Oak Ridge, TN  
Violation: Unlicensed operator  
Action: $250 Civil Penalty

Board of Funeral Directors and Embalmers

Respondent: Robert C. Bean, Alcoa, TN  
Violation: Immoral or unprofessional conduct – possession of drug paraphernalia and addicted to the use of a habit-forming drug  
Action: Suspension of license as a funeral director and embalmer for one year

Respondent: Davis Funeral Home, Harriman, TN  
Violation: Several FTC price violations and expired license of funeral director listed as manager at time of inspection  
Action: $500 Civil Penalty

Respondent: E. H. Ford Mortuary, Memphis, TN  
Violation: Several FTC price violations  
Action: $1000 Civil Penalty

Respondent: E. H. Ford Mortuary, Memphis, TN  
Violation: Immoral or unprofessional conduct – late in filing death certificates  
Action: $250 Civil Penalty

Respondent: Family Mortuary, Inc., Chattanooga, TN  
Violation: Price lists, current licenses of establishment, funeral director and embalmer and crematory license that funeral home uses not available and no permanent ID device  
Action: $1250 Civil Penalty
Respondent: Family Mortuary, Inc., Chattanooga, TN  
Violation: FTC price violations, current license of establishment, funeral director and embalmer and crematory license and latest crematory inspection report not available and no permanent ID device  
Action: $1000 Civil Penalty

Respondent: Johnson-Coleman Funeral Home, Inc., Gallatin, TN  
Violation: FTC price violations  
Action: $250 Civil Penalty

Respondent: Johnson’s House of Atena, Nashville, TN  
Violation: FTC price violations, crematory authorization form lacked required data and crematory license that funeral homes uses not available  
Action: $500 Civil Penalty

Respondent: Lawrence-Sorensen Funeral Home, Inc., Jackson, TN  
Violation: Several FTC price violations  
Action: $250 Civil Penalty

Respondent: Nashville Embalming, LLC, Nashville, TN  
Violation: FTC price violations, funeral contracts missing and crematory license and latest crematory inspection report not available  
Action: $1000 Civil Penalty

Respondent: Stephenson-Shaw Funeral Home, Jackson, TN  
Violation: FTC price violations  
Action: $250 Civil Penalty

Respondent: Woodhaven Funeral Home & Memorial Gardens, Powell, TN  
Violation: FTC price violations  
Action: $500 Civil Penalty

**Burial Services Program**

Respondent: Disyal Funeral Home, Lebanon, TN  
Violation: Establishment failed to have current registration as a preneed seller  
Action: $250 Civil Penalty

Respondent: Jim Rush Funeral Homes, North Chapel, Cleveland, TN  
Violation: Establishment failed to have current registration as a preneed seller  
Action: $250 Civil Penalty

Respondent: Jim Rush Funeral Homes, Wildwood Chapel, Cleveland, TN  
Violation: Establishment failed to have current registration as a preneed seller  
Action: $250 Civil Penalty
<table>
<thead>
<tr>
<th>Respondent</th>
<th>Location</th>
<th>Violation</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brinks of Morristown</td>
<td>Morristown, TN</td>
<td>Advertising violation</td>
<td>$250 Civil Penalty</td>
</tr>
<tr>
<td>Dalton Tire, Inc.</td>
<td>Bean Station, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>Direct Automotive Wholesale</td>
<td>Smyrna, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>Duke Auto Sales, Inc.</td>
<td>Nashville, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>East Side Motors</td>
<td>Lobelville, TN</td>
<td>Unlicensed activity</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>Erwin Motors, Inc.</td>
<td>Erwin, TN</td>
<td>Operating a dealership without a license</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>Guinn Used Cars, Inc.</td>
<td>Memphis, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>H &amp; D Sales, Decherd</td>
<td>TN</td>
<td>All locations not licensed</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>International Cars Co.</td>
<td>Murfreesboro, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>J.H. Sales, Old Hickory,</td>
<td>TN</td>
<td>Advertising violation</td>
<td>$250 Civil Penalty</td>
</tr>
<tr>
<td>Jackson Equipment</td>
<td>Atwood, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>Michie Auto Sales, Inc.</td>
<td>Michie, TN</td>
<td>Advertising violation</td>
<td>$250 Civil Penalty</td>
</tr>
<tr>
<td>Midtown Motors, Union City</td>
<td>TN</td>
<td>Advertising violation</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>Respondent</td>
<td>Violation</td>
<td>Action</td>
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<tr>
<td>Service and Repair, Nashville, TN</td>
<td>Unlicensed sales</td>
<td>$500 Civil Penalty</td>
<td></td>
</tr>
<tr>
<td>Stones River Mitsubishi, Murfreesboro, TN</td>
<td>Advertising violation</td>
<td>$250 Civil Penalty</td>
<td></td>
</tr>
<tr>
<td>Thompson Ford Mercury Mazda, Tullahoma, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
<td></td>
</tr>
<tr>
<td>Town Auto Sales, Nashville, TN</td>
<td>Incomplete temporary tag log</td>
<td>$500 Civil Penalty</td>
<td></td>
</tr>
</tbody>
</table>

**Board of Pharmacy**

<table>
<thead>
<tr>
<th>Respondent</th>
<th>Violation</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>William B. Badger, DPH, Mt. Juliet, TN</td>
<td>Addicted to the use of alcohol, narcotics and other drugs</td>
<td>Indefinite suspension</td>
</tr>
<tr>
<td>James M. Bishop, RT, Hermitage, TN</td>
<td>Theft of controlled substances from the pharmacy</td>
<td>Revocation</td>
</tr>
<tr>
<td>Ronald Blocker, DPH, Lewisburg, TN</td>
<td>Failure to provide patient counseling</td>
<td>$100 Civil Penalty</td>
</tr>
<tr>
<td>CVS Pharmacy #6421, Columbia, TN</td>
<td>Failure to provide patient counseling</td>
<td>$500 Civil Penalty</td>
</tr>
<tr>
<td>David Douglas, DPH, Maryville, TN</td>
<td>Addicted to the use of alcohol, narcotics and other drugs</td>
<td>Indefinite suspension</td>
</tr>
<tr>
<td>John Flanders, DPH, Harriman, TN</td>
<td>Addicted to the use of alcohol, narcotics and other drugs</td>
<td>8-month Suspension and five (5) year term of probation</td>
</tr>
<tr>
<td>Paula Henderson, DPH, Mt. Pleasant, TN</td>
<td>Failure to provide patient counseling</td>
<td>$100 Civil Penalty</td>
</tr>
<tr>
<td>Robert W. Howse, RT, Nashville, TN</td>
<td>Theft of controlled substances from the pharmacy</td>
<td>Revocation</td>
</tr>
<tr>
<td>Charles M. Jackson, DPH, Manchester, TN</td>
<td>Addicted to the use of alcohol, narcotics and other drugs</td>
<td>Indefinite suspension</td>
</tr>
</tbody>
</table>
Respondent: K-Mart Pharmacy #7461, Clarksville, TN  
Violation: Failure to provide patient counseling  
Action: $500 Civil Penalty

Respondent: James T. Lewis, DPH, Cleveland, TN  
Violation: Unprofessional conduct – forged prescriptions  
Action: Revocation

Respondent: Amy H. Muiznieks, DPH, Clarksville, TN  
Violation: Failure to provide patient counseling  
Action: $100 Civil Penalty

Respondent: Paul Neun, DPH, Columbia, TN  
Violation: Failure to properly license pharmacy technician  
Action: $100 Civil Penalty

Respondent: Miranda E. Pelfrey, RT, Sevierville, TN  
Violation: Theft of controlled substances from the pharmacy  
Action: Revocation

Respondent: Christi Secrest, DPH, Columbia, TN  
Violation: Failure to provide patient counseling  
Action: $100 Civil Penalty

Respondent: Roger A. Smithson, DPH, Woodbury, TN  
Violation: Violated term of probation  
Action: Revocation

Respondent: John R. Swann, DPH, Signal Mountain, TN  
Violation: Second DUI conviction  
Action: Thirty (30) days suspension

Private Protective Services Program

Respondent: Johnson, Marcus Sherrill, Memphis, TN  
Violation: Failed to notify the Commissioner of Arrest within 30 days  
Action: $100 Civil Penalty

Violation: Unregistered Employee  
Action: $500 Civil Penalty

Respondent: McClanahan, Matthew, Nashville, TN  
Violation: Acting as security guard without obtaining registration  
Action: $100 Civil Penalty

Tennessee Real Estate Appraiser Commission

Licensee: James C. Davenport, , Chatsworth, GA  
Violation: Failure to calculate gross living area correctly, included carports and utility Rooms as part of the GLA, the mistakes affected the cost/sales approaches  
Action: $1000 Civil Penalty
Licensee: Rex McCasland, Memphis, TN
Violation: Failure to analyze current sales contract, accurately describe subject, and failed to appraise subject “as is” when it should be “subject to”
Action: $1000 Civil Penalty

Tennessee Real Estate Commission

Respondent: Betty Diane Arnold, Shelbyville, TN
Violation: Failure to exercise reasonable skill and care
Action: $750 Civil Penalty

Respondent: Coldwell Banker Nelson Realtors Inc, Maryville, TN
Violation: Advertising violation
Action: $100 Civil Penalty

Respondent: Darrell Murray Auction & Realty Co., Athens, TN
Violation: Advertising violation
Action: $100 Civil Penalty

Respondent: James T. McCarthy, Memphis, TN
Violation: Failure to timely remit monies belonging to others
Action: $1000 Civil Penalty

Respondent: James C. McSpadden, Knoxville, TN
Violation: Improper conduct and failure to timely remit monies belonging to others
Action: $2000 Civil Penalty

Respondent: On the Lake Realty
Violation: Advertising violation
Action: $100 Civil Penalty

Respondent: J. Thomas Patterson, III, Nashville, TN
Violation: Failure to adequately supervise affiliates
Action: $250 Civil Penalty

Respondent: Re/Max Preferred Group, Cookeville, TN
Violation: Advertising violation
Action: $100 Civil Penalty

Respondent: Re/Max Real Estate Ten of Morristown Inc, Morristown, TN
Violation: Advertising violation
Action: $100 Civil Penalty

Respondent: Re/Max Real Estate Ten of Morristown Inc, Morristown, TN
Violation: Advertising violation
Action: $200 Civil Penalty

Respondent: J. Paul Richardson & Sons, Fayetteville, TN
Violation: Failure to disclose personal interest
Action: $1000 Civil Penalty
Respondent: Brady M. Smith, Nashville, TN  
Violation: Failure to timely complete administrative measures  
Action: $250 Civil Penalty

Respondent: Town & Country Realtors of East TN Inc, Maryville, TN  
Violation: Advertising violation  
Action: $100 Civil Penalty

Respondent: Kathryn Whitwell, Columbia, TN  
Violation: Failure to exercise reasonable skill and care  
Action: $1500 Civil Penalty