



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

CONTACT: D. CHRISTOPHER GARRETT
OR SHANNON ASHFORD
615-741-6007 (OFFICE)

FEBRUARY 2012 DISCIPLINARY ACTION REPORT

Alarm Systems Contractors Board

- Respondent: AES-RLC Holdings, Inc., C-1026 Hixon, TN
Violation: TCA 62-32-312 (c), (d) & 62-32-319(2), (3) Failure to register alarm employee within thirty (30) days
Action: \$1,400 Civil Penalty plus \$100 Investigatory and Hearing costs
- Respondent: N-Control Surveillance Systems, Murfreesboro, TN
Violation: TCA 62-32-303(2) & 62-32- 304(a) & (k) Unlicensed activity
Action: \$2,000 Civil Penalty plus \$360 investigatory and hearing costs
- Respondent: SimplexGrinnell, LP, C-985, Johnson City, TN
Violation: TCA 62-32-307(d) & 62-32-312(a), (c), (d) Failure to register alarm employee within thirty (30) days
Action: \$200 Civil Penalty
- Respondent: Superior Alarm Services, Bossier City, LA
Violation: TCA 62-32-303(2), 62-32-304 (a),(b),(h),(j), & 62-32-312(c),(d) Unlicensed activity
Action: \$18,000 Civil Penalty plus \$1,570 Investigatory and Hearing costs
- Respondent: Telerent Leasing Corp., C-1311, Raleigh, NC
Violation: TCA 62-32-304(b),(c),(h) & Rule 0090-1-.05(6),(7),(8) failure to obtain a substitute qualifying agent within thirty (30) days.
Action: \$2,500 Civil Penalty
- Respondent: Cravens, Ronald W., QA-1193, Murfreesboro, TN
Violation: TCA 62-32-312(c),(d), & Rule 0090-01-.06(9)(e) Failure to register alarm employee within thirty (30) days
Action: \$100 Civil Penalty plus \$200 investigatory and hearing costs

Respondent: Harris, Robert E., QA-638, Knoxville, TN
Violation: TCA 62-32-303(2), 62-32-304 (a),(j),(k)& 62-32-312(c),(d)
Unlicensed activity
Action: \$2,000 Civil Penalty

Respondent: Johnson, Kyle M., QA-1310, Cumming, GA
Violation: Rule 0090-01-.06(9)(e) Failure to register alarm employee within
thirty (30) days
Action: \$1,400 Civil Penalty plus \$100 investigatory and hearing costs

Respondent: Lovell, James R., QA-307, Nashville, TN
Violation: Rule 0090-01-.06(9)(k) Failure to submit termination notice within
thirty (30) days
Action: \$100 Civil Penalty

Respondent: Rodriguez, Linda M., QA-1436, Cypress, CA
Violation: Rule 0090-01-.06(9)(k) Failure to submit termination notice within
thirty (30) days
Action: \$100 Civil Penalty

Respondent: Scheberle, Paul W., QA-1157, Knoxville, TN
Violation: Rule 0090-01-.06(9)(k) Failure to submit termination notice within
thirty (30) days
Action: \$100 Civil Penalty

Respondent: Shafer, John P., QA-1258, Franklin, TN
Violation: TCA 62-32-319(d) & Rule 0090-1-.07 Failure to place certificate
number on yard signs
Action: \$100 Civil Penalty

Respondent: Smith, Sidney S., QA-1480, Apex, NC
Violation: Rule 0090-01-.06(9)(k) Failure to submit termination notice within
thirty (30) days
Action: \$50 Civil Penalty

Respondent: Tupy, Michael A., QA-970, Provo, UT
Violation: Rule 0090-01-.06(9)(k) Failure to submit termination notice within
thirty (30) days
Action: \$600 Civil Penalty

Board of Accountancy

Respondent: Anita B. Lavalley
Violation: Failure to Pay Professional Privilege Tax
Action: \$500.00 Civil Penalty, Hearing Costs of \$200.00

Respondent: David W. McAdams
Violation: Advertising as a CPA with a Closed License
Action: \$2,010.00 Civil Penalty, Past Due Fees of \$890.00, Hearing \$200.00, Reinstate License to Inactive Status

Respondent: Howard L. Mercer
Violation: IRS Sanctions
Action: \$1,700.00 Civil Penalty, Probation

Respondent: Jamie Estes Singleton
Violation: Failure to File Personal and Business Income Tax
Action: \$1,500.00 Civil Penalty, 2 Hours of State-Specific CPE, Probation, Public Censure by Board

Respondent: Richard C. Vance
Violation: Failure to Pay Professional Privilege Tax
Action: \$500.00 Civil Penalty ,Past Due Privilege Tax, & Hearing Costs of \$200.00

Board For Licensing Contractors

Respondent: John T. Caston, Murfreesboro, TN
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Respondent: David Gaut Construction LLC, Dandridge, TN
Violation: Incompetence/Gross Negligence
Action: \$500 Civil Penalty

Respondent: Landscapes Etc. LLC/Matthew Tiemeyer, Louisville, TN
Violation: Unlicensed Activity
Action: \$5,000 Civil Penalty

Respondent: Professional Maintenance Group LLC, Nashville, TN
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Respondent: RT Roofing, Batesville, MS
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Respondent: Safe Step Walk In Tub Co., Nashville, TN
Violation: Failure to secure permit;
Failure to employ a licensed electrician to perform electrical work
Action: \$1,000 Civil Penalty

Respondent: Scott Steele Cleaning & Restoration LLC, Millersville, TN
Violation: Unlicensed Activity
Action: \$1,606 Final Order (Assessed Costs in Matter)

Collection Services Board

Respondent: Amsher Collection Services, Inc.
Violation: Failed to meet the Standards of Conduct
Action: \$1,000.00 Civil Penalty and Consent Order

Respondent: Troy Capital, LLC
Violation: Failed to meet the Standards of Conduct and unlicensed activity
Action: \$1,000.00 Civil Penalty and Consent Order

Respondent: Taylor, Reed and Sloan, Inc.
Violation: Failed to meet the Standards of Conduct and unlicensed activity
Action: \$1,000.00 Civil Penalty and Consent Order

Respondent: Vision Financial Corp.
Violation: Failed to respond to complaint
Action: \$250.00 Civil Penalty and Consent Order

Cosmetology Board

Respondent: All Star Nails, Jacksboro, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: All Star Nails, Kingsport, TN
Violation: Not wearing name tags
Action: \$500.00 Civil Penalty Assessed

Respondent: Ann's Nails, Germantown, TN
Violation: Complaint filed against shop
Action: \$1000.00 Civil Penalty Assessed

Respondent: Ashland Nails, Ashland City, TN
Violation: Unlicensed individual, floors dirty in shop
Action: \$1000.00 Civil Penalty Assessed

Respondent: Best Nails, Memphis, TN
Violation: Unlicensed individual, name tags, sterilization and sanitation
Action: \$500.00 Civil Penalty Assessed

Respondent: Eleganza Salon & Spa, Memphis, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: Eva Nails, Murfreesboro, TN
Violation: Sterilization, sanitation of the shop, wax machine in the shop
Action: \$500.00 Civil Penalty Assessed

Respondent: Great Clips for Hair #4405, Murfreesboro, TN
Violation: Cosmetologist license not posted and was expired
Action: \$500.00 Civil Penalty Assessed

Respondent: Laura's Beauty Shop, Parrottsville, TN
Violation: Shop and cosmetologist license was expired
Action: \$500.00 Civil Penalty Assessed

Respondent: Lee's Salon, Clarksville, TN
Violation: Cosmetologist working without id tag and license expired
Action: \$500.00 Civil Penalty Assessed

Respondent: Le's Nails, Hendersonville, TN
Violation: No id tags
Action: \$500.00 Civil Penalty Assessed

Respondent: Main Street Hair Designs, Mosheim, TN
Violation: Expired cosmetologist license
Action: \$500.00 Civil Penalty Assessed

Respondent: Music City Nails, Nashville, TN
Violation: Unlicensed individuals
Action: \$500.00 Civil Penalty Assessed

Respondent: Nail Spa, Dyersburg, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: Nail by Jordan, Morristown, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: Nails by Stephanie, Hendersonville, TN
Violation: Expired shop license
Action: \$500.00 Civil Penalty Assessed

Respondent: Nails 88, Clarksville, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: Rose's Nails, Memphis, TN
Violation: Performing waxing in a manicure shop, no name tags, no manager
Action: \$500.00 Civil Penalty Assessed

Respondent: Spa Nail Salon, Nashville, TN
Violation: Unlicensed individuals
Action: \$3500.00 Civil Penalty Assessed

Respondent: Spa Nails, Memphis, TN
Violation: Unlicensed individual, no name tags
Action: \$500.00 Civil Penalty Assessed

Respondent: Sweeting's Cosmetology Braiding Institute, Antioch, TN
Violation: Client was receiving cosmetology service in the school while no students were present and receiving instruction in the school.
Action: \$1000.00 Civil Penalty Assessed

Respondent: The Hair Gallery, Clarksville, TN
Violation: Expired shop license
Action: \$500.00 Civil Penalty Assessed

Respondent: TN Nails, Gallatin, TN
Violation: Waxing in a manicure shop
Action: \$3000.00 Civil Penalty Assessed

Respondent: Mchaealle Vanderpool, Nashville, TN
Violation: Change of shop location without notification
Action: \$500.00 Civil Penalty Assessed

Respondent: Ziba International, Nashville, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Board of Funeral Directors and Embalmers

Respondent: Brentwood-Roesch-Patton Funeral Home, Brentwood, TN
Violation: Misrepresentation or fraud in the conduct of the business of the funeral establishment (any advertisement that indicates a specific price shall include an itemized listing of each and every item, procedure or service and shall show the price of the item) and false or misleading advertising (advertisement stated that all services were handled on-site but this establishment neither possesses an on-site crematory or refrigeration unit)
Action: \$500 Civil Penalty

Respondent: Chattanooga Funeral Home & Crematory – North Chapel, Hixson, TN
Violation: Engaged in act or practice that is misleading or deceptive (charged an extra fee for an item already included in a direct cremation price), a cremation authorization form was not signed by a funeral director but instead by an apprentice and a Funeral Rule violation regarding the establishment's contract
Action: \$750 Civil Penalty

Respondent: Cremation and Funeral Services of Nashville, LLC, Nashville, TN
Violation: False or misleading advertising (copying the overall design and layout of a competitor's website including using the competitor's name and a quote from the competitor's customer) and failure to respond to a complaint from the Board within the time specified
Action: \$1000 Civil Penalty

Respondent: Cremation Society of Tennessee Maury County, Columbia, TN
Violation: Misrepresentation or fraud in the conduct of business of a funeral establishment (ran a price comparison advertisement in a local publication for this establishment and three competitors and the advertisement contained wording giving the public the impression that the State Board provided information contained therein)
Action: \$1000 Civil Penalty

Respondent: Jim Rush Funeral Homes, Cleveland, TN
Violation: A cremation authorization form failed to disclose the name, address and phone number of the crematory used, another cremation form failed to be signed by a funeral director and a Funeral Rule violation regarding an embalming disclosure on the establishment's contract
Action: \$500 Civil Penalty

Respondent: Legacy Funeral Home and Cremation Center, Inc., Soddy Daisy, TN
Violation: Engaged in act or practice that is misleading or deceptive (charged a fee on the contract for an item not furnished) and a cremation authorization form lacked the proper signature of a funeral director
Action: \$750 Civil Penalty and reimburse decedent's family \$2085, the amount overcharged

Respondent: R. S. Lewis & Sons Funeral Home, Memphis, TN
Violation: Engaged in the operation of a funeral establishment and conducted numerous funeral services while license expired and failed to respond to a complaint from the Board within the time specified
Action: \$1650 Civil Penalty

Respondent: Shackelford Funeral Directors, Savannah, TN
Violation: Aided and abetted an unlicensed person to practice within the funeral profession (an apprentice signed a cremation authorization form and numerous contracts as a funeral director while only registered with the Board as a student)
Action: \$1500 Civil Penalty

Respondent: Unicoi Funeral Home, Unicoi, TN
Violation: Engaged in unfair or deceptive acts or practices (charged a handling fee for merchandise purchased from a third party which is prohibited by the Funeral Rule and overcharged for goods and services as establishment provided the customer with two separate contracts with two different prices)
Action: \$1000 Civil Penalty

Home Inspector Licensing Program

Respondent: Christopher Parsons, South Haven, MS
Violation: Failure to submit current General Liability and Errors and Omissions insurance.
Action: Signed Consent Revocation Order

Motor Vehicle Commission

Respondent: Tate's Auto Sales, Jasper, TN
Violation: County Business License Expired
Action: \$250 Civil Penalty

Respondent: East TN Dodge-Chrysler-Plymouth-Jeep, Crossville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Enterprise Rent-A-Car Company of TN, Knoxville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Parkside Auto Superstore, Knoxville, TN
Violation: Unlicensed Activity/Advertising Violation
Action: \$5000 Civil Penalty

Respondent: U.S. Auto Sales, Inc., McMinnville, TN
Violation: Temporary Tag Log
Action: \$2000 Civil Penalty

Respondent: Town's Auto Sales, LLC Nashville, TN
Violation: Non-disclosure of Salvaged Title
Action: \$1000 Civil Penalty

Respondent: Pedro's Auto Sales, Inc. II, Nashville, TN
Violation: Unlicensed Activity
Action: \$15000 Civil Penalty

Respondent: Travis Company, Lebanon, TN
Violation: No Business Hours Posted
Action: \$250 Civil Penalty

Respondent: Winter's Auto Center, Knoxville, TN
Violation: Issuing More Than Two Temporary Tags
Action: \$500 Civil Penalty

Respondent: Pirtle & Howerton Automotive, Shelbyville, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Private Protective Security Services

Respondent: Harris, Derek A., AG-608568, Memphis, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$250 Civil Penalty

Real Estate Appraisers

Respondent: David S. Landes, Knoxville, TN
Violation: Respondent committed a large number of serious violations of USPAP in his 2 appraisals of a residential property - including an unclear identification of the subject property; an inconsistency between current neighborhood listing data reported on p. 2 of his URAR and that reported on his Form 1004MC; inconsistent application of location and age adjustments and failure to account or adjust for superior features of the comparables in the sales comparison approach; failure to comply with applicable assignment conditions of the client; and a lack of support in his work file for the subject's reported site value.
Action: Imposition of Probation for 18 months, and assessment of all investigatory and hearing costs. Probation requires Respondent to complete 30 hours of corrective education, and to submit 2 appraisal reports for review from his experience logs as requested by Executive Director.

Respondent: Jerry Ronald Wright, Old Hickory, TN
Violation: The sales comparison analysis, site value and cost approach were not adequately supported in an appraisal report.
Action: Fifteen (15) hour Site Valuation and Cost Approach course and a seven (7) hour Report Writing course.

Respondent: Gregory T. Underwood, Ooltewah, TN
Violation: The Respondent exceeded the license limits for a Certified Residential appraiser and failed to adequately describe the property history information and land description in an appraisal report.
Action: \$1500.00 civil penalty and a fifteen (15) hour USPAP course and a fifteen (15) hour Basic Appraisal Procedures course.

Respondent: Patrick Peters, Bartlett, TN
Violation: The sales contract, previous listing, neighborhood housing trends and the sales used were inadequately analyzed.
Action: \$500.00 civil penalty and a fifteen (15) hour Data Verification course and a fifteen (15) hour Site Valuation and Cost course.

Respondent: Donald W. Chandler, Walland, TN
Violation: The analysis of the sale contract, neighborhood sections and the sales comparison approach was inadequate. The report also failed to discuss any reconciliation that derived the indicated value.
Action: \$500.00 civil penalty and a thirty (30) hour Sales Comparison Approach course.

Real Estate Commission:

Respondent: Donna L. Bobo, Memphis, TN
Violation: Conduct which constitutes improper, fraudulent or dishonest dealing
Action: Revocation

Respondent: Charter Properties, LLC, Fairview, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: CPS Land, LLC, Brentwood, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: Ray G. Ishak, Knoxville, TN
Violation: Failure to timely complete required education
Action: \$350 Civil Penalty

Respondent: Norfolk Realty Limited, Franklin, TN
Violation: Sign violation
Action: \$250 Civil Penalty

Respondent: Prominent Realty Group, Brentwood, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: Ben Roberts, Jackson, TN
Violation: Advertising violation
Action: \$250 Civil Penalty

Respondent: Julius Sloss, Mt. Juliet, TN
Violation: Failure to timely complete required education
Action: \$600 Civil Penalty

Respondent: Mitanni R. Spruill, Memphis, TN
Violation: Failure to timely complete required education
Action: \$600 Civil Penalty

Respondent: Penny A. Tenpenny, Nashville, TN
Violation: Failure to exercise reasonable skill and care
Action: \$200 Civil Penalty

Respondent: Wealth Properties, Brentwood, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: WPI, D/B/A American Home Real Estate, LLC, Nashville, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

The Department of Commerce and Insurance works to protect consumers while ensuring fair competition for industries and professionals who do business in Tennessee. www.tn.gov/commerce/, [@TNCommerceInsur](https://twitter.com/TNCommerceInsur) (Twitter), <http://on.fb.me/uFQwUZ> (Facebook), <http://bit.ly/ry1GyX> (YouTube)