



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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REGULATORY BOARDS DISCIPLINARY ACTION REPORT March 2011

Alarm Systems Contractors Board

Respondent: Holmes Surveillance / William Matthew Holmes.
Violation: Unlicensed Activity.
Action: \$ 500 Civil Penalty.

Respondent: Robert Ray Sherlin DQA# 1270.
Violation: Unlicensed activity.
Action: \$2,000 Civil Penalty.

Respondent: Security Systems of TN, LLC
Violation: Unlicensed activity.
Action: \$500 Civil Penalty.

Auctioneer Commission

Respondent: Jack Earlywine
Violations: Unlicensed Activity
Action: Cease and Desist Letter

Board of Accountancy

Respondent: CFO Business Strategies, Inc. Franklin, TN
Violation: Preparing Financial Statements Without All Critical Elements, Failure to Obtain Peer Review in a Timely Manner
Action: \$1500.00 Civil Penalty, Enroll in Peer Review Program
8 Hours of Penalty CPE Relative to Compilations and Audits

Respondent: William S. Easley, II, Mount Juliet, TN
Violation: Unlicensed Activity 4th Complaint
Action: \$1500.00 Civil Penalty

Respondent: Integrity CPA Services, Brentwood, TN
Violation: Failure to Obtain Peer Review in a Timely Manner
Action: \$1000 Civil Penalty

Respondent: John H. North, CPA , Brownsville, TN
Violation: Operating Firm on Expired License
Action: \$1000.00 Civil Penalty

Respondent: Satyabrata Shaw, Memphis, TN
Violation: Failure to Report Involvement in a Civil Suit on 2006
Renewal Form; Failure to Comply with CPE Audit
Action: \$1000.00 Civil Penalty, 160 Hours of CPE on or Before
September 24, 2011, 2 Penalty Hours State Specific Ethics
on or Before June 24, 2011

Respondent: Paul Swallows, CPA, Cookeville, TN
Violation: Operating Firm on Expired License
Action: \$1000.00 Civil Penalty

Board of Funeral Directors and Embalmers

Respondent: A & B Crematory, Huntingdon, TN
Violation: Allowed unlicensed person to sign cremation authorization form as
“person in charge”, aiding and abetting unlicensed individual in the
practice of funeral directing and failure to properly complete
cremation authorization form
Action: \$1000 Civil Penalty

Respondent: Alexander Funeral Home, Gallatin, TN
Violation: Failed to provide reason for embalming and lacked an itemized
listing of the prices on several Statements of Funeral Goods and
Services Selected
Action: \$250 Civil Penalty

Respondent: Cremation & Funeral Services of Tennessee, Pegram, TN
Violation: Failed to obtain and maintain a copy of the current license and
latest inspection report of the crematory that the funeral home uses,
failed to properly complete the authorization forms for all
cremations, failed to keep establishment in working order as air
quality control was inadequate and public areas were not cared for
and multiple aspects of the establishment’s price lists and contract
do not comply with the Funeral Rule
Action: \$500 Civil Penalty

Respondent: Henry Louis Smith Funeral Directors, Nashville, TN
Violation: Failed to obtain and maintain a copy of the current license and latest inspection report of the crematory that the funeral home uses, failed to present proper authorization form signed by authorizing agent or funeral home, using an establishment name other than the exact name approved by the Board, co-mingled cremated human remains and gave the cremains to the wrong surviving family members, failed to attach a permanent identification device, failed several times to properly disclose reason for embalming and files had charges that were inconsistent with the price lists
Action: \$1000 Civil Penalty and Suspension of funeral director's license for six (6) months

Respondent: Holmes Funeral Home, Nashville, TN
Violation: Unrepaired water damage in the preparation room and arrangement office, the reason for embalming and the description of the merchandise sold was missing on several contracts and multiple aspects of the establishment's price lists and contract do not comply with the Funeral Rule
Action: \$750 Civil Penalty

Respondent: Legacy Funeral Home and Cremation Center, Inc., Soddy Daisy, TN
Violation: Statement of Funeral Goods and Services Selected contained price discrepancies, failed to maintain a separate record of the location and manner of final disposition of remains from the crematory and failed to provide a proper receipt for delivery of deceased human remains to the crematory
Action: \$500 Civil Penalty

Respondent: Stockdale-Malin Funeral Home, Camden, TN
Violation: Failed to provide the reason for embalming on several Statements of Funeral Goods and Services Selected, failed to provide proper pricing on the General Price List and Casket Price List and failed to clean and properly sanitize the instruments, tables and other equipment in the preparation room
Action: \$500 Civil Penalty

Burial Services

Respondent: Monte Vista Burial Park, Johnson City, TN
Violation: Charged a six hundred dollar (\$600.00) "monument right" because the consumer purchased a marker from an outside supplier. This fee was assessed for the installation of a monument by non-cemetery personnel and exceeded the fee amount allowable under Tennessee law.
Action: \$750 Civil Penalty

Respondent: Jay G. Osborn, III, CPA, Trustee, Jackson, TN
Violation: While covered by errors and omissions liability insurance and serving as Trustee of a preneed funeral trust, failure to provide proof of coverage by errors and omissions liability in an amount equal to or greater than the amount held in trust
Action: \$250 Civil Penalty

Collection Service Board

Respondent: Account Management Services of TN, license #9
Violation: Failure to keep accurate and complete client records
Action: Revocation of License

Respondent: Gregory Dean Craig, license #73
Violation: Failure to maintain trust account in manner prescribed by law
Action: Revocation of License

Cosmetology Board

Respondent: Bea's Hair Salon, Clarksville, TN
Violation: License or grade not posted at the shop
Action: \$250.00 Civil Penalty Assessed

Respondent: Elegant Nails, Clarksville, TN
Violation: Unlicensed individual or name tags
Action: \$2500.00 Civil Penalty Assessed

Respondent: Elite Nail & Spa, Goodlettsville, TN
Violation: Sanitation and sterilization of the shop, no id tags, laminated license in the shop
Action: \$500.00 Civil Penalty Assessed

Respondent: Hair Studio at Lennox, Nashville, TN
Violation: Expired cosmetologist license
Action: \$500.00 Civil Penalty Assessed

Respondent: Lacey's Hair Care Salon, Memphis, TN
Violation: License not posted, tools laying out, shop license expired
Action: \$500.00 Civil Penalty Assessed

Respondent: Julie's Hair & Color Studio, Murfreesboro, TN
Violation: Sanitation and sterilization
Action: \$500.00 Civil Penalty Assessed

Respondent: Miracles Hair Salon, Hendersonville, TN
Violation: Id tags, dirty tools, expired cosmetologist license
Action: \$1000.00 Civil Penalty Assessed

Respondent: Q Nails, Sevierville, TN
Violation: Unlicensed individual
Action: \$2000.00 Civil Penalty Assessed

Respondent: Regal Nails, Lenoir City, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Sapphire Nails Spa, Franklin, TN
Violation: Operating shop before inspection
Action: \$1000.00 Civil Penalty Assessed

Respondent: Studio BBC Inc. Nashville, TN
Violation: Expired cosmetologist license
Action: \$500.00 Civil Penalty Assessed

Respondent: Ultra Nails, Manchester, TN
Violation: Sanitation and sterilization
Action: \$1000.00 Civil Penalty Assessed

Respondent: Zion Hair Studio, Nashville, TN
Violation: Relocated salon without proper procedure
Action: \$500.00 Civil Penalty Assessed

Motor Vehicle Commission

Respondent: Middle Tennessee Imports, Inc., Nashville, TN
Violation: No Buyer's Guides in Vehicles
Action: \$500 Civil Penalty

Respondent: Express Auto, New Johnsonville, TN
Violation: Open Title
Action: \$500 Civil Penalty

Respondent: Wolfchase Honda, Bartlett, TN
Violation: Failure to Pay-Off Trade In
Action: \$500 Civil Penalty

Respondent: German's Auto Sales, Cookeville, TN
Violation: Temporary Tag Log and Display of License
Action: \$750 Civil Penalty

Respondent: Dobbs Nissan, Memphis, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Lucky Auto Imports & Repair, Nashville, TN
Violation: Temporary Tag Log
Action: \$200 Civil Penalty

Respondent: McDowell Motor Company, Lebanon, TN
Violation: Failed to Produce a Title
Action: \$200 Civil Penalty

Respondent: Boswell Harley Davidson, Madison, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Lance Cunningham Ford, Knoxville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Summer Auto Mart, Inc., Memphis, TN
Violation: Failing to Obtain Rebuilt Title
Action: \$2500 Civil Penalty

Respondent: A & L RV Sales, Johnson City, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Massey Motors, Lawrenceburg, TN
Violation: Failing to Obtain Rebuilt Title, Issuing More Than Two Drive Out
Tags, Misuse of Dealer Plates
Action: \$2000 Civil Penalty

Respondent: Chevrolet of Morristown, Morristown, TN
Violation: Advertising Violations
Action: \$500 Civil Penalty

Private Protective Security Services

Respondent: Michael R Goolsby Reg. #382689.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$500 Civil Penalty.

Respondent: Mydatt Services, INC.
Violation: TCA 62-35-134(a) Unlawful employments.
Action: \$500 Civil Penalty.

Respondent: Larry Coleman Reg. #396854.
Violation: Failure to notify of arrest.
Action: \$250 Civil Penalty.

Respondent: Connie Hudson
Violation: Acting as unarmed security guard without holding a valid registration.
Action: \$250 Civil Penalty.

Respondent: Isaac L. Banks.
Violation: Failure to notify of arrest.
Action: \$250 Civil Penalty.

Real Estate Appraisers

Respondent: Anthony Shane Tatum, Chatsworth, GA
Violation: Violated USPAP by not developing an opinion of reasonable exposure time, failing to summarize the attempts made to obtain the contract within the report, omitting the analysis of the zoning and highest and best use from the report, inconsistently reporting improvement descriptions, omitting the sales concessions from a comparable sale, and failing to summarize adjustments applied in the sales comparison approach.
Action: \$500.00 civil penalty and a 15 hour Residential Market Analysis and Highest and Best Use course.

Respondent: Samuel C King, Cordova, TN
Violation: In 8 appraisals, Commission found that there were circumstances where Respondent did not completely develop all aspects of the appraisals or complete and document the URAR forms Respondent used for these assignments in the subject, description of improvements, sales comparison and income approach sections. Commission did not find that Respondent acted intentionally or fraudulently relative to these appraisals.
Action: \$3,000.00 civil penalty, and Respondent ordered to pay \$5,000 in investigatory and hearing costs, Appraiser credential is placed on 12 months' probation and required to submit quarterly experience logs during probationary period.

Respondent: David A. Shipman, Brentwood, TN
Violation: Violated USPAP in two appraisals by misreporting the comparable sales data, not developing an opinion of reasonable exposure time, using the tax records as a basis for the estimated land value, misreporting subject information, omitting the analysis of the zoning and highest and best use from the report, and failing to summarize adjustments applied in the sales comparison approach.
Action: \$1,000.00 civil penalty and a 15 hour Residential Site Valuation and Cost Approach course and a 15 hour Residential Report Writing course.

Athletic Commission: None

Private Probation Services Council: None

Board of Examiners for Land Surveyors: None.

Home Inspector Licensing Program: None

LOCKSMITH LICENSING PROGRAM: None

Private Investigation And Polygraph Commission: None