



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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## **MAY 2009 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 MAY **2009**.

### **Board for Licensing Contractors**

Respondent: Buttery's Floor Covering, Inc., Middlesboro, KY  
Violation: Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: Catalyst Design, LLC, Nashville, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Clean Air Concepts, Cincinnati, OH  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Cox Plumbing and Electrical Co., Maryville, TN  
Violation: Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: D & S Contractors, Berkley, MI  
Violation: Unlicensed activity  
Action: \$5,000 Civil Penalty

Respondent: J. Dall Construction, Inc., Maryville, TN  
Violation: Incompetency  
Action: \$5,000 Civil Penalty

Respondent: Expert Tile and Wood, Knoxville, TN  
Violation: Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: G & F Construction, Smyrna, TN  
Violation: Unlicensed activity  
Action: \$500 Civil Penalty

Respondent: Joseph Meadows, Gainesboro, TN  
Violation: Unlicensed activity  
Action: \$500 Civil Penalty

Respondent: William R. Young, Lansing, TN  
Violation: Unlicensed activity  
Action: \$1,100 Civil Penalty

### **Motor Vehicle Commission**

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

Respondent: Auto Mart II, Lawrenceburg, TN  
Violation: Unpaid Temporary Tag Log Violation  
Action: \$1000 Civil Penalty

Respondent: Clayton Motors, Inc., Knoxville, TN  
Violation: Unpaid Temporary Tag Log Violation  
Action: \$1500 Civil Penalty

### **Private Investigations and Polygraph**

Respondent: Huston Scott Akins, Memphis, TN  
Violation: Failure to submit all CPE'S on time  
Action: \$250 Civil Penalty

Respondent: Shane Cedric Brown, Alpharetta, GA  
Violation: Failure to submit all CPE's on time  
Action: \$250 Civil Penalty

### **Tennessee Real Estate Commission**

Respondent: American Elite Realty, LLC, Ringgold, GA  
Violation: Failure to notify Commission of firm address change  
Action: \$750 Civil Penalty

Respondent: James M. Beaty, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$200 Civil Penalty

Respondent: Joelean Benson, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$200 Civil Penalty

Respondent: Century 21 Williams & Williams, Chattanooga, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent:: Leon Dickerson, Sr., Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$600 Civil Penalty

Respondent: Howard Miller Custom Homes, Collierville, TN  
Violation: Failure to notify Commission of firm address change  
Action: \$1000 Civil Penalty

Respondent: Joseph Martin Jackson, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$200 Civil Penalty

Respondent: Rasheedah Mateen Jones, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$50 Civil Penalty

Respondent: Deborah M. Melson, Clarksville, TN  
Violation: Failure to maintain E&O insurance  
Action: \$300 Civil Penalty

Respondent: Calvin N. Phan, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$100 Civil Penalty

Respondent:: David A. Ritz, Murphy, NC  
Violation: Failure to maintain E&O insurance  
Action: \$300 Civil Penalty

Respondent: Stacy J. Santoro, Brentwood, TN  
Violation: Failure to maintain E&O insurance  
Action: \$300 Civil Penalty

Respondent: Southern Real Estate of Tennessee, LLC, Kimball, TN  
Violation: Failure to disclose personal interest  
Action: \$250 Civil Penalty

Respondent: The Jones Company, Murfreesboro, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent: Tony Wyatt Williams, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$200 Civil Penalty

Respondent: Alex Walker  
Violation: Failure to maintain errors & omissions insurance  
Action: \$200 Civil Penalty

### **Tennessee Real Estate Appraisers**

Respondent: Brian B. Livesay, Jonesborough, TN  
Violation: Violated USPAP and Tennessee law by conducting appraisals in Tennessee in 2008 without first obtaining a Tennessee license (he is licensed

in VA) and by identifying these appraisals as “evaluations”, without complying with Tennessee statutes or USPAP.

Action: Consent order assessing \$500 civil penalty, and requiring Respondent to cease and desist from the unlicensed practice of real estate appraising in TN until he is licensed or certified to do so by the TN Real Estate Appraiser Commission.

Respondent: Alden Eugene Hess, Abingdon, VA

Violation: Violated USPAP by failing to provide any support for the site value in one report of the subject which was a lake lot; by failing to support adjustments made in the sales comparison approach or to arrive at value indications which are credible and supportable conclusions; and by failing to document within his report his support for the methods and techniques used.

Action: Consent order assessing \$1,000 civil penalty and requiring Respondent to complete four (4) specified appraisal courses within 120 days after the effective date of the order

Respondent: Anthony A. Tate, Kingsport, TN

Violation: Violated USPAP by failing to identify a cross-easement which he knew of or its impact on the subject property or its value, and by failing to investigate and report a right of first refusal which the adjoining property owners to the subject property possessed pursuant to a Deed of Correction.

Action: Consent order requiring Respondent to complete two (2) specified appraisal courses within 120 days after the effective date of the order, and to reimburse the State for its payment of expert witness fees.

Respondent: Alan Price, Olive Branch, MS

Violation: Committed numerous violations of USPAP in four (4) appraisals, including significant errors of omission and commission which were indicative of fraudulent or intentionally misleading conduct.

Action: Suspension of Respondent’s certified residential appraiser certificate for two (2) years and indefinitely until he pays \$20,000 civil penalty and all itemized and assessed hearing and investigative costs, and until he provides documentary evidence of his completion of four (4) specified appraisal courses.