



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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## REGULATORY BOARDS DISCIPLINARY ACTION REPORT, JUNE 2009

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 June 2009.

### **Alarm Systems Contractors Board**

Respondent: Protection One Alarm Monitoring, Memphis TN

Violation: license certification number not on letter head

Action: 100.00 civil penalty

Respondent: CTS Protective Services, Murfreesboro TN

Violation: failure to register employee failure to display  
license number on advertisement

Action: 200.00 civil penalty

### **Board of Funeral Directors and Embalmers**

Respondent: Davis-Campbell-McClain Funeral Home, Nashville, TN

Violation: Price lists and Statement of Funeral Goods and Services Selected show an establishment name different than the name registered with the Board, failure to retain a cremation authorization form in the file, failure to maintain a copy of the license and the latest inspection report of the crematory that the establishment uses, price for embalming listed on the General Price List is inconsistent with the amount charged on the statements, prices on the General Price List for direct cremation, immediate burial, range for caskets and range for outer burial containers are inconsistent and Outer Burial Container Price List lacked required disclosure

Action:\$600 Civil Penalty

Respondent: Family Mortuary, Inc., Memphis, TN

Violation: Operating an establishment and conducting multiple funerals on an invalid license due to non-renewal in a timely manner and a charge for an alternative container is higher than listed on the Casket Price List

Action:\$1400 Civil Penalty

Respondent: Gallimore Funeral Home, Gleason, TN

Violation: Unfair or deceptive acts or practices by a charge for use of preparation room in addition to a charge for embalming on multiple Statements of Funeral Goods and Services Selected  
Action:\$2100 Civil Penalty

Respondent: Jarnigan & Son Mortuary, Knoxville, TN  
Violation: Unfair or deceptive acts or practices by a charge for use of preparation room in addition to a charge for embalming on numerous Statements of Funeral Goods and Services Selected  
Action:\$15,000 Civil Penalty

Respondent: David Eric Manes, Newport, TN  
Violation: Immoral or unprofessional conduct – as manager of an establishment improperly depositing preneed funeral contract funds into an unrelated burial association account that only the licensee could access; and minutes after making the deposit, withdrawing a substantial portion, apparently for his own use  
Action:Revocation of license as a funeral director and revocation of license as an embalmer

Respondent: Mount Olivet Funeral Home & Cemetery, Nashville, TN  
Violation: Operating an establishment and conducting multiple funerals on an invalid license due to non-renewal in a timely manner, cremation authorization lacked the name, address and telephone number of the crematory, a cremation authorization form was not signed by the funeral director and failure to maintain a copy of the latest inspection report of the crematory that the funeral home uses  
Action:\$1450 Civil Penalty

Respondent: Steven Gene Res, Portland, TN  
Violation: While acting as the manager and in responsible charge of an establishment, the respondent executed a funeral purchase contract that included a specific casket for viewing and cremation and unbeknownst to the family and contrary to the purchase agreement, removed or caused the deceased human remains to be removed and caused the remains to be transported to the crematory for cremation on a mortuary cot, later executed a funeral purchase contract with a separate family that included a different casket but respondent placed the latter remains in the same casket previously purchased for the viewing and cremation of the first deceased individual and subsequently buried the latter deceased in this same casket.  
Action:Suspension of licenses both as a funeral director and embalmer for the period of one (1) year, \$2,000 Civil Penalty, \$1,300 Investigatory Costs, \$230 Hearing Costs and in the event the Respondent is found to engage in any act or conduct that constitutes funeral directing or embalming with this State during the effective period of suspension, both his funeral director and embalmer licenses shall be automatically revoked

Respondent: Valley Funeral Home, Erwin, TN  
Violation: An advertisement was placed in a local paper in which an unlicensed individual was listed as a funeral director  
Action:\$500 Civil Penalty

## **Board For Licensing Contractors**

Respondent: Action Pressure Grouting, LLC, LaVergne, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: B & E Seamless Guttering & Home Improvement, Luttrell, TN  
Violation: Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: Bennett Home Services/Joseph Bennett, Talbott, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: C & C Investments, Inc., Dickson, TN  
and Renaissance Construction, LLC, Dickson, TN  
Violation: Incompetency  
Action: \$1,000 Civil Penalty

Respondent: Callihan Quality Built Homes, McCaysville, GA  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Gibbons Landscaping, Knoxville, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Great Lakes West, LLC, Mattawan, MI  
Violation: Unlicensed activity  
Action: \$2,000 Civil Penalty

Respondent: Doug Miller Construction, Pulaski, TN  
Violation: Unlicensed activity over \$25,000  
Action: Revocation of LLE #53665

Respondent: Nashville Paving Company, Nashville, TN  
Violation: Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: Scenic View Sun Rooms & Porch Enclosures, Knoxville, TN  
Violation: Unlicensed activity  
Action: \$500 Civil Penalty

Respondent: Totally New, Inc., Nashville, TN  
Violation: Unlicensed activity  
Action: \$500 Civil Penalty

Respondent: Wilson Construction, Mt. Juliet, TN

Violation: Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: Woody's Service Company, Inc., Chattanooga, TN  
Violation: Fraud in violation of the terms and conditions of license  
Action: \$1,000 Civil Penalty

### **Collection Service Board**

Respondent: ARS National Services, Inc. , Escondido, CA  
Violation: Inaccurate and Incomplete record keeping  
Action: \$500 Civil Penalty

### **Motor Vehicle Commission**

Respondent: Triple J Auto, LLC, Pegram, TN  
Violation: Temporary Tag Violation  
Action: \$500 Civil Penalty

### **Private Investigation and Polygraph Commission**

Respondent: Hager's Investigation, Hendersonville TN  
Violation: Not Certified By Commission for Training  
Action: \$750.00 Civil Penalty

Respondent: Jack Lee Hager, Hendersonville TN  
Violation: Not Certified By Commission for Training  
Action: \$500.00 Civil Penalty

### **Private Protective Security Services**

Respondent: Alexia Lopez-Pabon, Madison TN  
Violation: Unprofessional Conduct  
Action: \$250.00 Civil Penalty

Respondent: Amguard Security Corp, Nashville TN  
Violation: Working Unlicensed Security Guard  
Action: \$2,000.00 Civil Penalty

Respondent: Frederick A Taylor  
Violation: Failure to Notify Of Arrest  
Action: \$250.00 Civil Penalty

### **Tennessee Employee Leasing Program**

Respondent: Premployer, Inc., Dothan AL  
Violation: Failed to timely file quarterly report certifying payment of all applicable payroll taxes for first quarter of 2008.  
Action: Civil Penalty of \$100.

Respondent: Progressive Employer Services IV, LLC, Sarasota, FL  
Violation: Failed to file quarterly reports certifying payment of all applicable payroll taxes for last two quarters of 2007, failed to provide evidence of workers' compensation insurance coverage, and failed to respond at all to March 17, 2008 written request for this evidence from the Commissioner's authorized representative.  
Action: Voluntary surrender of Respondent's license in lieu of the State taking further administrative action within this complaint.

### **Tennessee Real Estate Appraiser Commission**

Respondent: Timothy W. Towner, Antioch, TN  
Violation: In two complaints, Respondent violated USPAP by fraudulently sending in to the Commission an altered report, and by committing many other serious violations of USPAP. Respondent also had an extensive prior disciplinary history, including 2 prior consent orders -- one of them suspending his certificate for an 8 month period.  
Action: Revocation of certified residential real estate appraiser credential effective June 19, 2009.

Respondent: David R. Roberts, Boone, NC  
Violation: Multiple Violations of Standard 2 of USPAP.  
Action: 1 year suspension of his Tennessee certified general certificate (with 90 days to serve, with the balance of a one year suspension stayed until December 1, 2009) and required to complete 5 specified appraisal courses by that date, based on reciprocal discipline with North Carolina.

Respondent: Pattie J. Tennille, Boone, NC  
Violation: Multiple Violations of Standard 2 of USPAP.  
Action: 1 year suspension of her Tennessee certified general certificate (with 90 days to serve, with the balance of a one year suspension stayed until December 1, 2009) and required to complete 5 specified appraisal courses by that date, based on reciprocal discipline with North Carolina.

### **Tennessee Real Estate Commission**

Respondent: ABL Realty Services, Nashville, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent: Mark S. Baker, Memphis, TN  
Violation: Failure to maintain E&O insurance  
Action: \$300 Civil Penalty

Respondent: Barrett Realty Company, Nashville, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent: Fred H. Beck, Jr., Charlotte, NC  
Violation: Failure to maintain E&O insurance  
Action: \$300 Civil Penalty

Respondent: Tammy Russell Carroll, Murfreesboro, TN  
Violation: Failure to supervise affiliates  
Action: \$1000 Civil Penalty

Respondent: Elisa Chessor, Tullahoma, TN  
Violation: Failure to timely remit monies belonging to others  
Action: \$500 Civil Penalty

Respondent: Teresa J. Crowe, Murphy, NC  
Violation: Failure to supervise affiliates  
Action: \$1000 Civil Penalty

Respondent: Exit Lake Real Estate, Goodlettsville, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent: Michael "Mike" Groves, Clarksville, TN  
Violation: Failure to supervise affiliates  
Action: \$2000 Civil Penalty

Respondent: Peter S. Iorio, Chattanooga, TN  
Violation: Failure to complete required education timely  
Action: \$300 Civil Penalty

Respondent: John T. Mahoney Co., Cordova, TN  
Violation: Failure to maintain signage  
Action: \$250 Civil Penalty

Respondent: Bobbie Noreen, Nashville, TN  
Violation: Failure to supervise affiliates  
Action: \$3000 Civil Penalty

Respondent: Olympian Services & Real Estate, Memphis, TN  
Violation: Failure to timely change firm address  
Action: \$750 Civil Penalty

Respondent: Demond Arnez Sutton, Clarksville, TN  
Violation: Failure to maintain E&O insurance  
Action: \$400 Civil Penalty

Respondent: Triumph Properties, Germantown, TN  
Violation: Failure to maintain a fix business location  
Action: \$500 Civil Penalty

Respondent: Henry Turley, Jr., Memphis, TN  
Violation: Failure to supervise affiliates  
Action: \$1000 Civil Penalty

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

Respondent: Timothy A. Waldrop, Cleveland, TN  
Violation: Failure to supervise affiliates  
Action: \$1000 Civil Penalty