



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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REGULATORY BOARDS DISCIPLINARY ACTION REPORT August 2011

Alarm Systems Contractors Board

Respondent: Markle, Ronnie d/b/a Tri-state Fire Protection, Moscow, TN
Violation: TCA 62-32-304(a) & (j), Unlicensed activity
Action: \$2,000 Civil Penalty plus \$200 Investigatory and hearing costs

Barber Examiners Board

Respondent: Hair 615, Murfreesboro, TN
Violation: Expired shop license
Action: \$500.00 Civil Penalty Assessed

Respondent: Jack's Barber Shop, Portland, TN
Violation: Expired barber license
Action: \$300.00 Civil Penalty Assessed

Respondent: Vizion Barber & Beauty Shop, Clarksville, TN
Violation: Unlicensed shop
Action: \$500.00 Civil Penalty Assessed

Board of Accountancy

Respondent: Joan Ennis Buckley, Atoka, TN
Violation: Failure to Respond to CPE Audit
Action: \$1000.00 Civil Penalty; License Suspended Until Proof of 2008-2009 CPE Provided.

Respondent: Robert F. Rooney, Jr., Brentwood, TN
Violation: Operating Firm Without a License
Action: Revoked License; Civil Penalty of \$10,000.00 Plus All Cost of Investigation, Hearing and Prosecution.

Board of Architectural and Engineering Examiners

Respondent: Robert F. Nelson, Jr., P.E. #15302
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: \$500 Civil Penalty, \$200 in costs and Law and Rules Exam.

Respondent: James Stanley Johnson, P.E. #105038
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: \$500 Civil Penalty, \$200 in costs and Law and Rules Exam.

Respondent: Thomas A. Bellace, P.E. #102749
Violation: Disciplined by another state board.
Action: One year suspension, 6 month probation immediately following the suspension and Law and Rules Exam.

Respondent: Forrest N. Hibbard, P.E. #23060
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: \$500 Civil Penalty, \$227.50 in costs.

Respondent: Walter Steven Keith. RA #11686
Violation: Failed to comply with continuing education audit in a timely manner.
Action: \$500 Civil Penalty, Law and Rules Exam and automatic audit of next renewal.

Respondent: Jerry W. McGinnis, RA #103072
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: Revocation, \$500 Civil Penalty and \$227.50 in costs.

Respondent: Gerard Clement Murphy, P.E. #102339
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: Revocation, \$500 Civil Penalty and \$227.50 in costs.

Respondent: Larry D. Reed, RA #21149
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: \$500 Civil Penalty and \$227.50 in costs.

Respondent: Mary Ginger Scoggins, P.E. #105648
Violation: Disciplined by another state board.
Action: \$2,000 Civil Penalty and Law and Rules Exam.

Board of Examiners for Land Surveyors

Respondent: Bobby Snider, Lexington, TN
Violation: Unlicensed conduct.
Action: \$300.00 civil penalty and Respondent ordered to pay \$200.00 in investigatory and hearing costs.

Board of Funeral Directors and Embalmers

Respondent: Claiborne-Overholt Funeral Home, New Tazewell, TN
Violation: Failed to obtain and maintain a copy of the latest inspection report of the crematory that the funeral home uses and multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action: \$250 Civil Penalty

Respondent: Franklin-Strickland Funeral Home, Chattanooga, TN
Violation: Failed to obtain and maintain a copy of the latest inspection report and license of the crematory that the funeral home uses, overcharged a client, and allowed an individual who is not a properly licensed funeral director to sign documents as such
Action: \$1000 Civil Penalty

Respondent: Holmes Funeral Home, Nashville, TN
Violation: Failed to obtain and maintain a copy of the latest inspection report and license of the crematory that the funeral home uses, the license of an embalmer was not available for inspection, and multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action: \$500 Civil Penalty

Respondent: Johnson Funeral Home, Church Hill, TN
Violation: Failed to retain a copy of an authorization for cremation form, and multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action: \$750 Civil Penalty

Respondent: McDonald Funeral Homes of Perry County, Linden, TN
Violation: Contracts and business cards did not list the establishment name as approved by the Board and the ventilation fan in the preparation room was not operating properly
Action: \$250 Civil Penalty

Burial Services

Respondent: Dyer Funeral Home, Cookeville, TN
Violation: Provided discounts on multiple preneed funeral contracts to match competitor prices and establishment and trustee financial reports not reconciled causing the establishment report to be filed late
Action: \$350 Civil Penalty

Respondent: Regions Morgan Keegan Trust, Houston, Texas
Violation: Failed to maintain accounting records for each individual preneed funeral contract beneficiary showing the amounts deposited and invested, and interest, dividends, increases and accretions earned and outsourced the accounting of individual preneed trust balances to a management company contracted to manage the same funeral home with the preneed funeral trust funds
Action: \$500 Civil Penalty

Respondent: Spring Hill Funeral Home & Cemetery, Nashville, TN
Violation: Provided discounts on numerous preneed funeral contracts, allowed multiple employees to sell numerous preneed funeral contracts without being properly registered first as a preneed sales agent, failed to reimburse a family of an overpayment, failed to list a beneficiary on a contract and failed to submit an application to an insurance company within the allotted time
Action: \$2700 Civil Penalty

Respondent: Stubblefield Funeral Home, Morristown, TN
Violation: Offered or sold preneed funeral contracts without first filing the contract with the Commissioner for approval of its use and a preneed funeral contract not properly trusted
Action: \$500 Civil Penalty

Board for Licensing Contractors

Respondent: America's Home Place, Gainesville, GA
Violation: Out of Class
Action: \$1,000 Civil Penalty

Respondent: D & P Fencing, Clarksville, TN
Violation: Unlicensed Activity
Action: \$2,000 Civil Penalty

Respondent: 1st Call Mechanical and Electrical, LLC, Knoxville, TN
Violation: Unlicensed Activity/Submission of False Evidence
Action: Revocation

Respondent: Charles Ray Ogle & Son Contractors, Gatlinburg, TN
Violation: Exceeding Limit

Action: \$2,000 Civil Penalty

Respondent: Pride Development, Inc., Pigeon Forge, TN
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Respondent: SDS of Tennessee LLC, Nashville, TN
Violation: Unlicensed Activity
Action: \$5,000 Civil Penalty

Cosmetology Board

Respondent: Bang a Downtown Salon, Johnson City, TN
Violation: Expired cosmetologist license
Action: \$500 Civil Penalty Assessed

Respondent: Glamour Nails, Collegedale, TN
Violation: Unlicensed individuals
Action: \$500 Civil Penalty Assessed

Respondent: Hair Perfection's, Nashville, TN
Violation: Consumer complaint regarding dog in the shop
Action: \$500 Civil Penalty Assessed

Respondent: K.I.S.S. Nails LLC, Clarksville, TN
Violation: Wax machine in a manicurist shop, no manager, unlicensed person
Action: \$1000 Civil Penalty Assessed

Respondent: Lovely Hair Designs, Chattanooga, TN
Violation: Expired cosmetologist license
Action: \$500 Civil Penalty Assessed

Respondent: Nails 1st, Mt. Juliet, TN
Violation: Wax machine in a manicurist shop, sanitation
Action: \$500 Civil Penalty Assessed

Respondent: Nina's Nail & Hair, Memphis, TN
Violation: No shop license posted
Action: \$500 Civil Penalty Assessed

Respondent: Palazzo Nails, Lebanon, TN
Violation: Unlicensed individual
Action: \$1000 Civil Penalty Assessed

Respondent: Pro Nail, Memphis, TN
Violation: Unlicensed individuals
Action: \$750 Civil Penalty Assessed

Respondent: Sofia's Nail & Spa, Lafayette, TN
Violation: Unlicensed individual, no id tags, sanitation and sterilization
Action: \$4000 Civil Penalty Assessed

Respondent: Solar Nails, Franklin, TN
Violation: Waxing in a manicurist shop
Action: \$1000 Civil Penalty Assessed

Respondent: Unique Nails, Dyersburg, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty Assessed

Respondent: Vero's Hair & Beauty Salon, Memphis, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty Assessed

Respondent: Viva La Nails, Arlington, TN
Violation: Change of location of the shop
Action: \$500 Civil Penalty Assessed

Respondent: Vivian's Beauty Boutique, Murfreesboro, TN
Violation: Unlicensed individual
Action: \$1000 Civil Penalty Assessed

Motor Vehicle Commission

Respondent: Jackson Madison County Auto Auction, Medina, TN
Violation: Employee Not Stationed at Entrance to Auction
Action: \$500 Civil Penalty

Respondent: Best Deals Auto Sales, Knoxville, TN
Violation: Hours not Posted, Temporary Tag Log, Sales Tax #
Action: \$1000 Civil Penalty

Respondent: Work and Play Trucks, Smyrna, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Music City Motorsports, Nashville, TN
Violation: Unlicensed Activity/Unlicensed Sales
Action: \$4000 Civil Penalty

Respondent: Connoisseur Motor Cars, Chattanooga, TN
Violation: Temporary Tag Log & Open Titles
Action: \$2500 Civil Penalty

Respondent: Mastercare Auto Service, Waverly, TN
Violation: Unlicensed Activity/Open Title
Action: \$1000 Civil Penalty

Respondent: Freeman Auto Sales, Inc., Memphis, TN
Violation: Selling Trade-In Prior to Customer Being Financed & Issuing More Than Two Drive Out Tags
Action: \$2500 Civil Penalty

Private Protective Services

Respondent: Hooah Security Services Bartlett, TN
Violation: TCA 62-35-134 Unlawful employments
Action: \$250 Civil Penalty

Respondent: Baril, Trevor AG Reg. # 610637 Hermitage, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$100 Civil Penalty

Respondent: Russell, Warren AG Reg. # 604152 Nashville, TN
Violation: TCA 62-35-104 Unlicensed activity
Action: \$2,000 Civil Penalty

Real Estate Appraisers

Respondent: Carol A. Smith, Counce, TN
Violation: In three (3) appraisal reports the Respondent violated multiple sections of USPAP by failing to properly verify, analyze and report the comparable sales data and by failing to reconcile the quality and quantity of data in the approaches to value.
Action: \$1000.00 civil penalty and one (1) year probation; while on probation the Respondent shall not supervise trainees.

Real Estate Commission:

Respondent: Phillip "Phil" E. Bacon, Chattanooga, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Bob Parks Realty, Franklin, TN
Violation: Escrow account violation
Action: \$500 Civil Penalty

Respondent: Pamela Kaye Boutros, Butler, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Elaine J. Crawford, Johnson City, TN
Violation: Failure to complete required education in a timely manner
Action: \$550 Civil Penalty

Respondent: David H. Dabbs, Clarksville, TN
Violation: Failure timely remit monies belonging to others
Unlicensed activity
Failure to respond to complaint
Action: \$3500 Civil Penalty

Respondent: Bonnie Jean Daniel, Franklin, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Connie "Pepper" Douglas, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Larry "Dan" Elam, Murfreesboro, TN
Violation: Advertising violation
Action: \$500 Civil Penalty

Respondent: Brenda D. Elliott, Huntsville, AL
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Anne L. Emery, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Bailey Ferge, Somerville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Billy D. Featherstone, Jr., Memphis, TN
Violation: Conduct which constitutes improper, fraudulent or dishonest dealings
Action: Revocation

Respondent: Billy D. Featherstone, Sr., Memphis, TN
Violation: Conduct which constitutes improper, fraudulent or dishonest dealings
Action: Revocation

Respondent: Pennie M. Freeman, St. Simons Island, GA
Violation: Failure to maintain E&O insurance

Action: \$1000 Civil Penalty

Respondent: Dennis D. Graves, Germantown, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Brannon J. Hall, Gatlinburg, TN
Violation: Failure to timely complete administrative measures
Action: \$250 Civil Penalty

Respondent: Ethyl "Darlene" Hicks, Brentwood, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Freda K. Jones, Manchester, TN
Violation: Failure to complete required education in a timely manner
Action: \$550 Civil Penalty

Respondent: Carolyn B. Jordan, Waynesville, NC
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Joy Murphy Realtor, Clarksville, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: Allen Lee Kirkpatrick, Memphis, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Paul Martin, Franklin, TN
Violation: Failure to complete required education in a timely manner
Action: \$600 Civil Penalty

Respondent: Ingrid J. Matos, Gatlinburg, TN
Violation: Failure to timely complete administrative measures
Action: \$250 Civil Penalty

Respondent: Albert G. McDaniel, Nashville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Mark D. McDaniel, Nashville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Andrew B. Miller, Chattanooga, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: James "Jim" R. Morton, Elizabethton, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Lisa A. Nolan, Smyrna, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: David "Dave" A. Patton, Murfreesboro, TN
Violation: Failure to supervise activities of affiliate (advertising)
Action: \$500 Civil Penalty

Respondent: Shane R. Powell, Brentwood, TN
Violation: Failure to disclose personal interest
Action: \$500 Civil Penalty

Respondent: Lance Pugliese, White House, TN
Violation: Failure to timely complete required education in a timely manner
Action: \$600 Civil Penalty

Respondent: Melanie Riekena, Brentwood, TN
Violation: Failure to disclose personal interest
Action: \$500 Civil Penalty

Respondent: Travis L. Shields, Kimball, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Stanley "Randy" Smith, Lafayette, GA
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Richard Townsend, Linden, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Anthony Willoughby, Memphis, TN
Violation: Escrow account violation
Action: \$1000 Civil Penalty

Respondent: Robert A. Wilson, Harrogate, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license