



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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REGULATORY BOARDS DISCIPLINARY ACTION REPORT NOVEMBER 2012

Alarm Systems Contractors Board

Respondent: CEN COM, Inc. d/b/a American Digital Monitoring Kirkland, WA
Violation: Between 2001 and 2010, Respondent provided alarm monitoring services to approximately 150-200 Tennessee customers without being certified by the Board as required, and falsely held itself out on its website as having a Tennessee license number between March 2011 and October 2012, in violation of TCA 62-32-304(a) & (j).

Action: \$135,800 Civil Penalty plus \$1,825 in Investigatory and Hearing Costs

Respondent: Executive Electrical, Inc., C-1296, Nolensville, TN
Violation: During the entirety of 2008, Respondent operated without employing a Qualifying Agent as required, and permitted during this period two affiliated Virginia security companies to act as alarm systems contractors in Tennessee without being certified by the Board, in violation of TCA 62-32-304(b), (c), (h), & (i) & TCA 62-32-312(c).

Action: \$24,600 Civil Penalty plus \$2,125 in Investigatory and Hearing Costs

Respondent: Stop Alarms, Inc., C-289, Memphis, TN
Violation: TCA 62-32-307(d), TCA 62-32-312(a), (c), & (d)
TCA 62-32-319(d) & Admin Rule 0090-01-.05
Failure to register alarm employee within thirty (30) days

Action: \$1,250 Civil Penalty

Respondent: Robinson, William, QA-84, Memphis, TN
Violation: TCA 62-32-304(i), (k), TCA 62-32-307(d) & TCA 62-32-312(a)
Failure to register alarm employee within thirty (30) days

Action: \$1,250 Civil Penalty

Barber Examiners

Respondent: Miracles Barber Shop, Memphis, TN
Violation: Barber made a false license
Action: \$500 Civil Penalty

Respondent: The Barber Shop, Memphis, TN
Violation: License not posted and sanitation of the shop
Action: \$750 Civil Penalty

Board of Accountancy

Respondent: Robert E. Bell, Springfield, TN
Violation: Respondent knowingly participated in arrangement along with former financial advisor to separate clients from their money between 2002 and 2006, resulting in his misappropriation of approximately \$750,00 of depositors' money to his personal benefit, which were discreditable acts and conduct in derogation of his duties as trustee for these depositors.
Action: License Revoked, \$110,000 Civil Penalty and \$4,743 in Investigatory and Hearing Costs

Board of Architectural and Engineering Examiners

Respondent: Wynn Warner, Unlicensed
Violation: Unlicensed practice of architecture
Action: \$2,400 Civil Penalty

Board of Examiners for Land Surveyors

Respondent: Luther D. Hayes, Ten Mile, TN
Violation: Violation of Standards of Practice and Survey Types and Requirements
Action: \$1,000 Civil Penalty

Respondent: Thomas Steven Mitchell, Athens, AL
Violation: Unlicensed conduct
Action: \$1,000 Civil Penalty

Board of Funeral Directors and Embalmers

Respondent: Anderson-Upper Cumberland Funeral Home, Gainesboro, TN
Violation: Failed to provide the reason for embalming on multiple contracts, failed to maintain a copy of the crematory's current license and latest regularly scheduled inspection results that the funeral home uses, and unlicensed individuals wore name tags lacking titles which gave or tended to give the impression that the persons were licensed or entitled to practice as a funeral director or embalmer
Action: \$250 Civil Penalty

Respondent: Boyd Funeral Home, Ashland City, TN
Violation: Failed to report a change of the establishment's manager, business card of an unlicensed owner gave or tended to give the impression that the person was licensed or entitled to practice as a funeral director or embalmer, failed to comply with multiple aspects of the Funeral Rule and failed to respond to the Board's complaint within the time specified in the notice
Action: \$1,000 Civil Penalty

Respondent: Carter-Trent Funeral Home, Inc., Kingsport, TN
Violation: Failed to report a change of the establishment's manager, failed to provide the reason for embalming on multiple contracts and failed to list caskets that the establishment usually offered for sale on the Casket Price List
Action: \$500 Civil Penalty

Respondent: DeKalb Funeral Chapel, LLC, Smithville, TN
Violation: Knowingly permitted an unlicensed person to engage in the profession of funeral directing, aided and abetted an unlicensed person to practice within the funeral profession on multiple occasions, violation of a statute pertaining to the prearrangement or pre-financing of a funeral, engaged in unfair and deceptive acts or practices including overcharging customers for products and services and failed to properly clean and sanitize a mortuary cot and the preparation room and failed to maintain the preparation room in an orderly manner free from clutter
Action: \$3,500 Civil Penalty

Respondent: E. H. Ford Mortuary Services, Memphis, TN
Violation: Unreasonably refused to promptly surrender custody of a dead human body upon the express order of the person legally entitled to the custody of the dead human body
Action: \$750 Civil Penalty

Respondent: Joseph S. Ford, Sr., Memphis, TN
Violation: Refused to promptly surrender custody of a dead human body upon the express order of the person legally entitled to the custody of the dead human body
Action: \$250 Civil Penalty

Respondent: Gallant-Riverview Funeral Home, Inc., Fayetteville, TN
Violation: Allowed a funeral director to conduct multiple funeral services while their funeral director license was expired
Action: \$500 Civil Penalty

Respondent: Highland West Memorial Park, Funerals & Cremations, Knoxville, TN
Violation: Failed to retain a cremation authorization form and a discrepancy existed regarding prices of outer burial containers on display and the prices on the price list
Action: \$500 Civil Penalty

Respondent: N. H. Owens & Son Funeral Home, Memphis, TN
Violation: Failed to retain multiple cremation authorization forms, preparation room floor was found to be in very poor condition and needed to be replaced and failed to respond to the Board's complaint within the time specified in the notice
Action: \$750 Civil Penalty

Respondent: Resthaven Funeral Home & Cremation Services, Clarksville, TN
Violation: Failed to maintain a copy of the crematory's current license and latest regularly scheduled inspection results that the funeral home uses, failed to comply with multiple aspects of the Funeral Rule and failed to respond to the Board's complaint within the time specified in the notice
Action: \$750 Civil Penalty

Respondent: Vicky Sandlin, Smithville, TN
Violation: Met with the family of a deceased individual and planned funeral arrangements without being licensed to practice funeral directing
Action: \$1,000 Civil Penalty

Respondent: Smith-Regan Funeral Home, Rutledge, TN
Violation: General Price List, Casket Price List, and Outer Burial Container Price List provided by the establishment were not the price lists in effect at the time of inspection and multiple caskets in the selection room were not listed on the price list
Action: \$250 Civil Penalty

Respondent: Snyder's Memorial Gardens, Inc., Gray, TN
Violation: Signage provided a name other than the exact name approved by the Board, failed to maintain the preparation and public visitation rooms in an orderly manner free from clutter and failed to comply with an aspect of the Funeral Rule
Action: \$250 Civil Penalty

Respondent: V. E. Parham and Son Funeral Home, Springfield, TN
Violation: Found to be using a tag provided by the hospital instead of affixing a permanent identification device to the deceased human body, failed to maintain a copy of the crematory's current license and latest regularly scheduled inspection results that the funeral home uses and failed to comply with multiple aspects of the Funeral Rule
Action: \$750 Civil Penalty

Board For Licensing Contractors

Respondent: Eastwood LLC, Kodak, TN
Violation: Poor Workmanship
Action: \$1,000 Civil Penalty

Respondent: J.P. Mechanical, Johnson City, TN
Violation: Failure to Report Felony
Action: \$500 Civil Penalty

Respondent: Davis Home Repairs, Memphis, TN
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Burial Services

Respondent: Carter-Trent Funeral Home, Inc., Kingsport, TN
Violation: An agent sold a preneed funeral contract without being registered as a preneed sales agent and failed to properly complete an annual report
Action: \$250 Civil Penalty

Respondent: DeKalb Funeral Chapel, LLC, Smithville, TN
Violation: Failed to submit the prearrangement insurance application forms to the insurance company within the specified time and failed to file annual reports within the specified time
Action: \$1,500 Civil Penalty

Respondent: DeKalb Funeral Chapel, LLC, Smithville, TN
Violation: An agent sold preneed funeral contracts without being registered as a preneed sales agent
Action: \$400 Civil Penalty

Respondent: Forest Lawn Memorial Gardens, Goodlettsville, TN
Violation: Charged non-allowable monument inspection fees, charged installation fees that exceeded the maximum allowed by law, failed to properly make deposits into trust fund and lacked required signage at each public entrance to the cemetery grounds
Action: \$750 Civil Penalty

Respondent: Hermitage Memorial Gardens, Hermitage, TN
Violation: Charged non-allowable monument inspection fees, charged installation fees that exceeded the maximum allowed by law, failed to properly make deposits into trust funds and lacked required signage at each public entrance to the cemetery grounds
Action: \$1,000 Civil Penalty

Respondent: Queen Ann Funeral Home, Pulaski, TN
Violation: Failed to refund excess funds to the purchaser, the purchaser's estate or otherwise named beneficiary and failed to file an annual report within the time specified
Action: \$1,000 Civil Penalty

Respondent: R. A. Clark Funeral Service, Inc., Bristol, TN
Violation: Failed to submit prearrangement insurance application forms to the insurance company within the specified time, failed to maintain accurate accounts, books, and records in this state of all preneed funeral contracts and prearrangement insurance policy transactions and failed to file an annual report within the time specified
Action: \$750 Civil Penalty

Respondent: Terrell Broady Funeral Home, Inc., Nashville, TN
Violation: An agent sold preneed funeral contracts without being registered as a preneed sales agent, failed to submit prearrangement insurance application forms to the insurance company within the specified time and failed to file an annual report within the time specified
Action: \$500 Civil Penalty

Respondent: Regions Bank, Houston, TX
Violation: Failed to file an annual report on the proper form and failed to file an annual report within the specified time
Action: \$250 Civil Penalty

Cosmetology Board

Respondent: Bella Nails, Jackson, TN
Violation: Unlicensed individual, sterilization of the tools
Action: \$2,000 Civil Penalty

Respondent: Elite Nail Spa, Springfield, TN
Violation: Unlicensed individual and dirty drill bits
Action: \$500 Civil Penalty

Respondent: Expo Nails, Lebanon, TN
Violation: Unlicensed individuals
Action: \$2,000 Civil Penalty

Respondent: Norma's Beauty Salon, Cleveland, TN
Violation: Unlicensed shop
Action: \$2,000 Civil Penalty

Respondent: Serenity Nail Spa, Brentwood, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Spring Nail & Hair Care, Franklin, TN
Violation: Unlicensed individual, id tags and sterilization
Action: \$750 Civil Penalty

Locksmith Licensing Program

Respondent: Nichols Locksmith Service, LSC-272, Clarksville, TN
Violation: TCA 62-11-104(a) Unlicensed activity
Action: \$250 Civil Penalty

Respondent: Run Local Locksmith, LSC-324, Centerline, MI
Violation: TCA 62-11-104(e) Unlawful employment
Action: \$2,500 Civil Penalty

Private Investigation and Polygraph Commission

Respondent: Blue Eagle Investigation, Inc., PIC-1986 Overland Park, KS
Jeremy L. Evans, PI-7531, Overland Park, KS
Stuart A. MacFarland, PI-7587, Overland Park, KS
Violation: TCA 62-26-204(a) Unlicensed activity
Action: \$500 Civil Penalty

Private Protective Security Services

Respondent: City Security & Safety, Inc., CSC-12338, Norcross, GA
Violation: Failure to pay \$ 2,300.00 Civil Penalty
Action: Revocation

Respondent: Event Staffing, Inc., CSC-11670, Norfolk, VA
Violation: TCA 62-35-104 Unlicensed activity
Action: \$4,000 Civil Penalty

Respondent: Stonehenge Park Apartments, Memphis, TN
Violation: TCA 62-35-123 Unlicensed activity
TCA 62-35-134 Unlawful employment
Action: \$250 Civil Penalty

Respondent: Sandra D. Shannon, AG-602070, Memphis, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$500 Civil Penalty

Real Estate Appraisers

Respondent: William H. Bowling, Somerville, TN
Violation: In an appraisal report, the Respondent failed to adequately: summarize the analysis of the prior transfer of the subject and the economic influences in the market; summarize the support for the adjustments in sales comparison approach; summarize the support for the cost approach; and, report the reconciliation of the value indications in the appraisal report.
Action: \$500 Civil Penalty and required to attend both a thirty (30) hour Sales Comparison and Income Approach course and a fifteen (15) hour Residential Report Writing course

Respondent: Jayme M. Burns, Franklin, TN
Violation: In an appraisal report, the Respondent failed to adequately: summarize the analysis of the prior transfers of the subject and the subject improvements; summarize the support for the cost approach; and, failed to retain a true copy of the appraisal report submitted to the client.
Action: \$500 Civil Penalty and required to attend a fifteen (15) hour Residential Report Writing and Case Studies course

Respondent: Edward G. Browning, Jr., Knoxville, TN
Violation: In two (2) manufactured house appraisal reports, the Respondent failed to adequately: analyze and summarize the analysis of the prior transfers of the subject; summarize the neighborhood characteristics; summarize the support for the cost approach; summarize the support for the sales comparison approach adjustments; and summarize the reasoning for the exclusion of the income approach. The Respondent also failed to submit the work files to the Commission when requested at the time of notification of the complaint.
Action: \$500 Civil Penalty and required to attend a fifteen (15) hour Residential Report Writing course

Real Estate Commission:

Respondent: Crystal Lynn Burnes, Gatlinburg, TN
Violation: Failure to timely complete required education
Action: \$100 Civil Penalty

Respondent: Great Smokies Management Co. a/k/a Great Smokies Management, LLC, Sevierville, TN
Violation: Unlicensed activity
Action: \$1,000 Civil Penalty

Respondent: Judy L. Jones, Sevierville, TN
Violation: Failure to timely remit monies belonging to others
Conduct which constitutes improper, fraudulent or dishonest dealing
Failure to exercise reasonable skill and care to all parties
Action: Revocation, Civil Penalty of \$3,000 and Costs of \$2,200

Respondent: Hollace R. McKinley, Smyrna, TN
Violation: Failure to timely complete administrative measures (firm renewal)
Action: \$250 Civil Penalty

Respondent: Ronald "Scotty" A. Scott, Jr., Knoxville, TN
Violation: Failure to timely complete required education
Action: \$200 Civil Penalty

Respondent: Thomas "Tom" P. Sturm, LaFollette, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

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