



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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February 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 February 2009.

Architects & Engineers Board

Respondent: Angelia H. Parham, P.E, Roswell, GA
Violation: Failed to pay the privilege tax for two (2) years or more.
Action: Consent Order for an indefinite suspension until such time as respondent provides proof of payment in full.

Barber Board

Respondent: Hair Gallery Plus, Murfreesboro, TN
Violation: Cosmetologist working in a barber shop
Action: \$600 Civil Penalty

Respondent: Pili's Fashion, Knoxville, TN
Violation: Unlicensed individual and shop
Action: \$2500 Civil Penalty

Board of Funeral Directors and Embalmers

Respondent: Dustin Lance Dugger, Johnson City, TN
Violation: Falsified the signature of a beneficiary on an insurance assignment form and as a notary public, falsely certified the same signature
Action: The Board shall give no further consideration to any application for licensure until the passage of one hundred twenty (120) days from February 10, 2009.

Burial Services

Respondent: Sunset Cemetery, Clinton, TN
Violation: The cemetery had previously sold interment rights to the decedent's family specifying a certain location within the cemetery; and without notification to or approval of the decedent's family, ceased preparation of the grave due to the presence of rock, and instead relocated the gravesite to another site in the cemetery.
Action: \$1000 Civil Penalty

DAVY CROCKETT TOWER, 5TH FLOOR
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243
615.741.2241

Board for Licensing Contractors

Respondent: Gary L. & Carmen B. Jones, Oliver Springs, TN
Violation: Unlicensed activity
Action: \$250 Civil Penalty

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Respondent: Steve Martin Construction, Lascassas, TN
Violation: Exceeding monetary limit
Action: \$1000 Civil Penalty

Respondent: Restoration Specialist, Inc., Medina, TN
Violation: Unlicensed activity
Action: \$2500 Civil Penalty

Motor Vehicle Commission

Respondent: Discount Motor Company, Knoxville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: Auto Primo, Inc., Nashville, TN
Violation: Issuing More Than Two Temporary Tags
Action: \$500 Civil Penalty

Respondent: Global Motorsports, Nashville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: West Knox Motor Co., Knoxville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: AAA Auto Sales, Inc., Memphis, TN
Violation: Open Title
Action: \$500 Civil Penalty

Tennessee Real Estate Commission

Respondent: ASM Properties, LLC, Brentwood, TN
Violation: Agency disclosure violation
Action: \$250 Civil Penalty

Respondent: Brenda Jo Bryant, Madison, TN
Violation: Failure to timely remit monies belonging to others
Action: Surrender license

Respondent: Century 21 Harrogate Real Estate, Inc., Harrogate, TN
 Violation: Agency disclosure violation
 Action: \$250 Civil Penalty

Respondent: ERA Harwell Partners Realtors Auctioneers, Pulaski, TN
 Violation: Escrow account violation
 Action: \$250 Civil Penalty

Respondent: Patricia Grissom, Knoxville, TN
 Violation: Failure to disclose personal interest
 Action: \$500 Civil Penalty

Respondent: Jay Chesley Real Estate, Watertown, TN
 Violation: Escrow account violation
 Action: \$250 Civil Penalty

Respondent: J O Clark Realty, LLC, Murfreesboro, TN
 Violation: Escrow account violation
 Action: \$250 Civil Penalty

Respondent: Mountain Vista Getaways, LLC, Pigeon Forge, TN
 Violation: Failure to timely complete administrative measures
 Action: \$750 Civil Penalty

Respondent: Bobby Richard, Bartlett, TN
 Violation: Failure to timely complete required education
 Action: \$400 Civil Penalty

Respondent: Smooth Sale Real Estate, Inc., Blaine, TN
 Violation: Agency disclosure violation
 Action: \$250 Civil Penalty

Respondent: Springfield Realty, Springfield, TN
 Violation: Escrow account violation
 Action: \$250 Civil Penalty

Respondent: Summar-Lane Realty & Auction Co., Inc.
 Violation: Agency disclosure violation
 Action: \$250 Civil Penalty

Tennessee Real Estate Appraisers

Respondent: Marti R. Watts, Sevierville, TN
 Violation: Committed several serious errors in violation of USPAP, which included using only comparable sales that were larger than the subject property without adequate adjustment or reconciliation; failing to properly describe a residential property improvements, by misreporting the foundation, quality and style of the dwelling; misreporting the distances of the comparable sales utilized, their quality and age, and failing to adequately adjust for age differences; using a photo that is not of the property listed as comparable sale one; and altering an appraisal report submitted to the

Commission administrative office in response to the complaint in an attempt to mislead the Commission.

Action: \$3,000 civil penalty, and a 15 hour USPAP course.

Respondent: Charles C. Chatham, Dickson, TN

Violation: Committed several violations of USPAP in his appraisal of a hotel, which included failing to properly analyze the relationship of revenue of these properties against their sale prices of the comparable sales; failing to analyze and report the subject's past performance in the categories of either revenue or expenses; and failing to analyze and report the effect of furniture, fixtures and equipment (FFE) where these non-real property items were specifically referred to and included in the appraisal report.

Action: Required to complete four (4) specific courses within 12 months of the effective date of the order: Forecasting Revenue, Analyzing Operating Expenses, Small Hotel/Motel Valuation, and Report Writing & Valuation Analysis.

Respondent: Billy S. Phillips, Charleston, TN

Violation: Committed violations of USPAP in that he failed to analyze and report the findings of the analysis of the three (3) year sales and transfer history of the subject property and evaded Commission attempts to communicate with him regarding the complaint by failing to notify the Commission administrative office of his change of address and phone numbers for approximately four months during the fall and winter of 2008-2009.

Action: Two (2) year suspension of his certified residential real estate appraiser credential.