



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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REGULATORY BOARDS DISCIPLINARY ACTION REPORT February 2011

Alarm System Contractors Board

Respondent: Titan Alarm Company CSC #1479.
Violation: TCA 62-32-316(d) Failure to display the certification number on the company letter head.
Action: \$100 Civil Penalty.

Respondent: EMI Business Communication, INC.
Violation: TCA 62-32-304(j) (k) Unlicensed activity.
Action: \$ 5,000 Civil Penalty

BARBER EXAMINERS BOARD

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

Respondent: Nail & Day Spa, Murfreesboro, TN
Violation: No licensed manager at the shop
Action: \$500.00 Civil Penalty Assessed

Respondent: Spartan's House of Beauty, Sparta, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: Totally Polished Hair & Nail Salon, Smyrna, TN
Violation: Expired shop license
Action: \$500.00 Civil Penalty Assessed

Board of Funeral Directors and Embalmers

Respondent: Donna Lynn Ammons, Southaven, MS
Violation: Engaging in the conduct of funeral directing during a time that the license was expired
Action: \$250 Civil Penalty

Respondent: Carr & Erwin Funeral Home, Pulaski, TN
Violation: Failure to obtain and maintain a copy of the current license and latest inspection report of the crematory that the funeral home uses
Action: \$250 Civil Penalty

Respondent: Cheatham County Funeral Home, Ashland City, TN
Violation: Failure to provide license of the funeral director and embalmer for inspection and multiple aspects of the establishment's price lists do not comply with the Funeral Rule
Action: \$1000 Civil Penalty

Respondent: Crossville Memorial Funeral Home & Crematory, Inc., Crossville, TN
Violation: Failure to properly complete all required paperwork prior to cremation
Action: \$250 Civil Penalty

Respondent: Joseph Wayne Depew, Kingsport, TN
Violation: Engaging in the conduct of funeral directing and manager of a funeral establishment during a time that the individual's license was expired
Action: \$250 Civil Penalty

Respondent: East Tennessee Mortuary Service, Knoxville, TN
Violation: Failure to obtain and maintain a copy of the current license of the crematory that the funeral home uses and incorrect language on Outer Burial Container Price List
Action: \$250 Civil Penalty

Respondent: Family Mortuary, Inc., Memphis, TN
Violation: Failure to provide license of the funeral director for inspection and several aspects of the establishment's price lists do not comply with the Funeral Rule
Action: \$1000 Civil Penalty

Respondent: Franklin-Strickland Funeral Directors, Chattanooga, TN
Violation: Placing an advertisement that was false and/or misleading
Action: \$500 Civil Penalty

Respondent: Gentry-Griffey Funeral Chapel & Cremation Services, Knoxville, TN
Violation: Failure to provide a sink with appropriate drainage in the preparation room
Action: \$250 Civil Penalty

Respondent: Gray Funeral Home, Gray, TN
Violation: Allowed two funeral directors including the establishment manager to practice with expired licenses
Action: \$250 Civil Penalty

Respondent: Howard Funeral Home, Fayetteville, TN
Violation: Cremation authorization forms lacked required information and multiple aspects of the establishment's price lists do not comply with the Funeral Rule
Action: \$500 Civil Penalty

Respondent: Jarnigan & Son Mortuary, Knoxville, TN
Violation: Multiple aspects of the establishment's price lists do not comply with the Funeral Rule and failure to respond to the Board's correspondence regarding an open complaint within the specified time
Action: \$1250 Civil Penalty

Respondent: Joe Ford Funeral Home, LLC, Memphis, TN
Violation: Funeral director served as the establishment manager and on numerous occasions engaged in the practice of funeral directing with an expired license, multiple aspects of the establishment's price lists do not comply with the Funeral Rule and failure to respond to the Board's correspondence regarding an open complaint within the specified time
Action: \$1750 Civil Penalty

Respondent: Joe Ford Funeral Home, LLC, Memphis, TN
Violation: Failure to honor a financial obligation to a supplier in a timely manner, wrote a check with insufficient funds to the same supplier and failure to respond to the Board's correspondence regarding an open complaint within the specified time
Action: \$2250 Civil Penalty

Respondent: Rose Ogilvie McClain, Columbia, TN
Violation: Unreasonably delayed the filing of a decedent's certificate of death and violated a rule promulgated by the Board
Action: \$500 Civil Penalty

Respondent: Saddler Funeral Home, Lebanon, TN
Violation: Failure to provide current license of an embalmer for inspection, failure to provide a cremation authorization form, failure to provide a Casket Price List and an Outer Burial Container Price List for inspection, not stating the reason for embalming on the Statement of Funeral Goods and Services Selected and not providing a required disclosure for the consumer's right on the General Price List
Action: \$750 Civil Penalty

Respondent: Scales Funeral Home, Inc., Nashville, TN
Violation: Multiple cremation files did not contain the required authorization form and several caskets in the selection room were either not listed or the price not listed correctly on the Casket Price List

Action: \$500 Civil Penalty

Respondent: Stockdale-Malin Funeral Home, Big Sandy, TN
Violation: Failure to provide proper pricing on multiple price lists
Action: \$250 Civil Penalty

Respondent: V. E. Parham and Son Funeral Home, Springfield, TN
Violation: Conducting business on an expired establishment license, a funeral director and an embalmer were in possession of expired licenses, aiding and abetting an unlicensed individual to practice in the funeral business, failure to obtain and maintain a copy of the latest inspection report of the crematory that the funeral home uses, failure to attach a permanent identification device to a deceased human remains and failure to submit documents to the Board on the required size paper
Action: \$1000 Civil Penalty

Respondent: Westside Chapel Funeral Home, Inc., Morristown, TN
Violation: Failure to obtain and maintain a copy of the current license and latest inspection report of the crematory that the funeral home uses, failure to disclose the address and phone number of the crematory on the cremation authorization form and failure to provide an itemized listing of the services selected on the Statement of Funeral Goods and Services Selected
Action: \$500 Civil Penalty

Respondent: Rodney Erric Williams, Memphis, TN
Violation: Failure to promptly surrender custody of a dead human body upon the expressed order of the person legally entitled to such body
Action: \$1000 Civil Penalty

Board for Licensing Contractors

Respondent: Air Temp Heating & Cooling, Nashville, TN
Violation: Failure to file change of ownership application timely
Action: \$250 Civil Penalty

Respondent: Jeffery A. Davis, Murfreesboro, TN
Violation: Unauthorized use of license by unlicensed individual
Action: \$1,000 Civil Penalty

Respondent: Martin W. Jordan DBA Jordan Construction, Hornbeak, TN
Violation: Unlicensed Activity
Action: \$2,500 Civil Penalty

Respondent: James M. McCarroll DBA McCarroll Co., Inc., Springfield, TN
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Respondent: Tommy Patterson DBA Premier Exteriors of TN, Mt. Juliet, TN
Violation: Unlicensed Activity
Action: Referred to District Attorney General

Respondent: Greg Rice DBA G & M Associates, College Grove, TN
Violation: Out of Class/Contracting with an unlicensed sub-contractor
Action: \$1,000 Civil Penalty

Respondent: Michael Jason Rutherford, Lawrenceburg, TN
Violation: Felony Convictions
Action: Summary Suspension

Respondent: Derek Starnes, Sweetwater, TN
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Burial Services

Respondent: Commercial Bank & Trust Company, Paris, TN
Violation: Trustee made improper deductions on multiple separate occasions from the improvement care trust fund principal
Action: \$250 Civil Penalty

Collection Service Board

Respondent: RMB
Violation: Violation of FDCPA
Action: \$2,000 Civil Penalty

Respondent: Investment Retrievers
Violation: Unlicensed Practice
Action: \$2,400 Civil Penalty

Respondent: United Recovery Systems, LP # 367 & # 965
Violation: Alleged violation of FDCPA
Action: \$1,000 Civil Penalty

Cosmetology Board

Respondent: Estetica Unisex Alex, Nashville, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Fancy Nails Salon, Nashville, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Glamorous Nails, Columbia, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Juan Auto 2, Sevierville, TN
Violation: Unlicensed shop and individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Le Nails, Chattanooga, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Miler-Motte Technical College, Chattanooga, TN
Violation: Complaint filed regarding high school education
Action: \$1000.00 Civil Penalty Assessed

Respondent: Mimi Nails, Dickson, TN
Violation: Unlicensed individual
Action: \$750.00 Civil Penalty Assessed

Respondent: Our Gang Hair Design, Hendersonville, TN
Violation: Expired shop and individual license
Action: \$500.00 Civil Penalty Assessed

Respondent: Pro Nail Salon, Memphis, TN
Violation: Unlicensed individual
Action: \$2000.00 Civil Penalty Assessed

Respondent: Pro Nails, Columbia, TN
Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Respondent: Sanderella Salon and Spa Inc., New Tazewell, TN
Violation: Complaint filed dog in the shop
Action: \$500.00 Civil Penalty Assessed
Respondent: Serendipity Salon, Greeneville, TN
Violation: Expired cosmetologist license
Action: \$500.00 Civil Penalty Assessed

Respondent: Smart Style #6620, Kingsport, TN
Violation: Sanitation and sterilization of the shop
Action: \$500.00 Civil Penalty Assessed

Respondent: Sport Clips TN #503, Chattanooga, TN
Violation: Unlicensed shop
Action: \$1000.00 Civil Penalty Assessed

Respondent: Tammy Nails, Kingsport, TN

Violation: Unlicensed individual
Action: \$1000.00 Civil Penalty Assessed

Home Inspector Licensing Program

Respondent: Darrell Bacon, Bradenton, FL
Violation: Failed to submit current General Liability Insurance
Action: Voluntary Revocation of license.

Motor Vehicle Commission

Respondent: Womack Motor Co., McMinnville, TN
Violation: Temporary Tag Log/Illegal Transfer of Temporary Tag
Action: \$1500 Civil Penalty

Respondent: Kingston Pike Motors, Knoxville, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Charlie's Auto Mart, McMinnville, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Advanced Auto Sales, Inc., Nashville, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Hickory Hollow Carnival Kia, Antioch, TN
Violation: Advertising Violations
Action: \$2500 Civil Penalty

Respondent: Carnival Kia of Rivergate, Madison, TN
Violation: Advertising Violations
Action: \$2500 Civil Penalty

Respondent: Alexander Toyota, Franklin, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Private Protective Security Services

Respondent: Buford Jason Reg. #401303.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: Kenneth J Moray.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: James Thurmont Wright Reg. #604943.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: Richard J. McElhane Reg. #607315.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: Lawrence J. Heiny Reg. #606386.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: Corporate Protective Services CSC #116
Violation: TCA 62-35-134(a) Unlawful employments.
Action: \$250 Civil Penalty.

Respondent: Forrest Duran Bradford
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: JEFFERY WILLIS Reg. #609473
Violation: TCA 62-35-104 Unlicensed activity.
Action: \$250 Civil Penalty.

Respondent: Claudio Diaz, JR Reg. #397649.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Respondent: Griffon Security, INC CSC#11550
Violation: TCA 62-35-104 Unlicensed activity.
Action: \$2,000 Civil Penalty.

Respondent: Kenneth J. Moray Reg. #613213.
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days.
Action: \$250 Civil Penalty.

Real Estate Appraisers

Respondent: Timothy C Douglas, Lexington, TN
Violation: Violated USPAP in an appraisal report by misreporting the flood zone and providing insufficient support for site adjustments applied to the comparables.
Action: \$750.00 civil penalty and a 15 hour Residential Report Writing course, 15 hour Site Valuation and Cost Approach and a 15 hour Residential Market Analysis and Highest and Best Use course.

Respondent: Donald W Ellis, Knoxville, TN
Violation: Violated USPAP in an appraisal report by reporting conflicting information regarding market conditions, providing an inadequate property description and reporting an estimated effective age that is inconsistent with the history of the dwelling.
Action: \$2500.00 civil penalty and 45 hours of Residential Report Writing and Residential Application and Case Studies coursework, 15 hour Site Valuation and Cost Approach course and 15 hours of USPAP coursework. Appraiser credential is suspended for thirty (30) days.

Respondent: Louis Bennett Josey, Sr., Kodak, TN
Violation: Violated USPAP by failing to provide Commission with all copies of his appraisal reports of the subject, by failing to address personal property (furniture) in the comparison approach as to 4 comparable sales, by reporting an effective age that is inconsistent with the depreciation reported in the cost approach, and by inconsistently stating the income approach was not applicable where rental data was readily available from his cited data sources, and where there were strong investment motives in the market.
Action: \$2,000.00 civil penalty and all investigative and hearing costs. Appraiser credential is suspended for 12 months and indefinitely until Respondent pays said penalty and costs.

Real Estate Commission:

Respondent: Amanda V. Boyd, Clarksville, TN
Violation: Failure to timely complete required education
Action: \$450 Civil Penalty

Respondent: Patrick M. Cherry, Decaturville, TN
Violation: Failure to timely complete administrative measures
Action: \$250 Civil Penalty

Respondent: James F. Hill, Knoxville, TN
Violation: Failure to timely complete administrative measures
Action: \$250 Civil Penalty

Respondent: Hollace R. McKinley, Smyrna TN
Violation: Advertising violation
Action: \$250 Civil Penalty

Respondent: Beth O'Brien, Murfreesboro, TN
Violation: Failure to exercise adequate supervision over affiliates
Action: \$250 Civil Penalty

Respondent: Michael S. Wood, Knoxville, TN
Violation: Failure to exercise adequate supervision over affiliates
Action: \$250 Civil Penalty