



REGULATORY BOARDS AND COMMISSIONS DISCIPLINARY ACTION FORM

Date	March 2004	Board/Commission	Division of Regulatory Boards	
Contact Name	Betty Lassiter		Phone	741-3449

March 2004 Disciplinary Actions

Name	Address	Action/Penalty	Statute/Rule
BOARD OF ACCOUNTANCY			
Gary Atnip, CPA #3867	604 N. Highland St. Columbia, TN 38401	Revocation	Tenn. Code Ann. §62-1-111(a)(8) conviction of a felony constitutes a crime. Rule 0020-4-.03 (b) disciplinary action for “dishonesty, fraud or gross negligence”.
Johnny R. Brobeck, FIRM #1372	234 Volunteer Pkwy Bristol, TN 37620	\$500.00 Civil Penalty	Tenn. Code Ann. §62-1-201(b) requires firms that offer attest services to undergo a peer review every three years and submit evidence to the board.
Arnold L. Dyke, FIRM #366	3795 Hickory Valley Rd. Maynardville, TN 37807	\$700.00 Civil Penalty	Rule 0020-3-.08- requires licensee to follow applicable standards.
Tommy L. Boaz, CPA #4884	350 Mill Street Hollow Rock, TN 38342	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-1-108(a) requires registration; Tenn. Code Ann. §62-1-113(d)(1) and (2) firms offering attest services must properly register; Tenn. Code Ann. §62-1-113(h)(2) licensees offering attest services must follow statements on standards.
Terry R. Pitt , CPA #6483	1013 Falls Avenue Madison, TN 37115	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-1-108(a) requires register. Tenn. Code Ann. §62-1-113(d)(1) and (2) firms offering attest services must properly register. Rule 0020-4-.06(1)(a) and(b)(2) non-licensees must use Safe Harbor Language in financial statements.
Jerry W. Davis, FIRM #310	632 Ensley Drive Knoxville, TN 37920-9118	\$250.00. Civil penalty	Tenn. Code Ann. §62-1-201(b) requires firms that offer attest services undergo a peer review every three years and submit evidence to the board.
Ira C. Pound , Jr.	547 Safari Circle Stone Mountain, GA 30083-4421	Consent Order -Use Safe Harbor Language.	Tenn. Code Ann. § 62-1-108(a) requires registration. Tenn. Code Ann. § 62-1-113(d) (1)and (2) prohibits firms from offering attest services unless properly registered. Rule 0020-4-.06(1)(a) and (b)(2) non-licensees must use Safe Harbor Language.
S. Tommy Hatch, CPA #7192	828 Holt Grove Ct. Nashville, TN 37211	\$300.00. Civil Penalty	Rule 0020-3-.08 requires licensees to follow applicable standards.

Denny Schultz CPA #4619	Schultz & Associates 6310 Bonny Oaks Dr. Chattanooga, TN 37416	\$500.00. Civil Penalty	Tenn. Code Ann. § 62-1-116(a) and (b) prohibits licensees from divulging confidential information.
Deborah K. Davidson, CPA #14981	1607 Hamill Road Hixson, TN 37343	Consent Order - obtain 3 additional continuing professional education hours in ethics in tax practice.	Rule 0020-3-.07(1) (b) licensee failed to exercise due professional care in servicing clients. Rule 0020-3-.08(1) licensee failed to comply with professional standards.
Austin G. Swett, Jr. CPA #16026	808 Richardson Ave. Nashville, TN 37115- 5583	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-1-111(1) and (3) requires licensees to provide proof of licensing requirements. Rule 0020-4-.03(1) (c) failure to timely comply with Continuing Professional Education requirements.
Stephen G. Holley CPA #15757	367 Leaf Trail Lane Cordova, TN 38018- 7448	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-1-111(1) and (3) requires licensees to provide proof of licensing requirements Rule 0020-4-.03(1) (c) failure to timely comply with Continuing Professional Education requirements.
Dempsey, Vantrese & Follis, FIRM #326	630 South Church St. Murfreesboro, TN 37130	\$150.00 Civil Penalty	Tenn. Code Ann. § 62-1-108(a) requires firm registration. Rule 0020-3-.15(2) prohibits firms from using fictitious names.
Titan Financial Firm #2511 Jimmy Luke Res. Manager	P.O. Box 382840 Germantown, TN 38183-2840	\$250.00 Civil Penalty	Tenn. Code Ann. §62-1-201(b) requires firms that offer attest services to undergo peer review every three years and submit evidence to the board.
BOARD OF BARBER EXAMINERS			
Tips Toes and More	101 North Main Street Memphis, TN 38103	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 it is unlawful to operate a shop without a license.
Ron's Crown Hair & Barber	2248 Lamar Memphis, TN 38114	\$600.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 no person shall practice barbering in an unlicensed shop; Tenn. Code Ann. § 62-3-107 it is unlawful to operate a shop without a license.
Ron's Crown Hair & Barber	2248 Lamar Memphis, TN 38114	\$600.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 no person shall practice barbering in an unlicensed shop; and Tenn. Code Ann. § 62-3-107 it is unlawful to operate in a shop without a license.
Links Barber Shop	646 N. Boyers Avenue Gallatin, TN 37066	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 it is unlawful to operate a shop without a license.
Chesney & Co. Salon	1113 Andrew Johnson Highway Strawberry Plains, TN 37871	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 no person shall practice barbering in an unlicensed shop.
Jonesboro City Barber Shop	125 E. Jackson Boulevard Jonesboro, TN 37659	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 it is unlawful to operate a shop without a license.
Cuttin Em Up and Dye It	123 Ewing Drive Nashville, TN 32706	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-4-118 it is unlawful to operate a shop without a valid license.
Pyramid School	1292 Madison Memphis, TN 38104	\$300.00 Civil Penalty	Tenn. Code. Ann. §62-3-123(1) (c) is unlawful to operate a barber school without the presence of a registered barber instructor.
Loose End Z II	685 Nashville Pike Gallatin, TN 37066	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 is unlawful to operate a shop without a license.

Roots	932 Richard Jones Rd. Antioch, TN 37013	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 it is unlawful to operate a barber or barber-styling shop without a valid certificate of registration.
BOARD OF LICENSING CONTRACTORS			
Johnson Roofing (Unlicensed) 200317459	1889D Hollywood Blvd. Jackson, TN 38305	\$500.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Johnson Roofing (Unlicensed) 200317454	1889D Hollywood Blvd. Jackson, TN 38305	\$500.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Johnson Roofing (Unlicensed) 200418076	1889D Hollywood Blvd. Jackson, TN 38305	\$500.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Johnson Roofing (Unlicensed) 200317460	1889D Hollywood Blvd. Jackson, TN 38305	\$1,000.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Smith Construction (#41946) 200317621	6654 Emory Road Knoxville, TN 37938	\$500.00 Civil Penalty	Tenn. Code Ann. §62-6-118 exceeding license limit
Two Rivers Excavating LLC (Unlicensed) 200418606	2917 Hwy. 49 W. Ashland City, TN 37015	\$1,000.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Woodkrest Custom Homes, Inc. (Unlicensed) 200418510	7757 S. 102 Hwy. 70 Bartlett, TN	\$1,000.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Cross Builders (#52049) 200418979	1350 Jones Chapel Rd. Byrdstown, TN 38549	\$500.00 Civil Penalty	Tenn. Code Ann. §62-6-118 unlicensed activity prior to licensure.
Evans, Ronald (Unlicensed) 200418797	3605 Aruba Court Punta Gorda, FL 33950	\$250.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Plimpton, Greg (Unlicensed) 200418798	442 Club View Drive Lawrenceville, GA 30043	\$500.00 Civil Penalty Citation	Tenn. Code Ann. §62-6-118 unlicensed activity
Harbin, Bill (Unlicensed) 200418796	2839 Cherokee Dr. Morristown, TN 37814	\$250.00 Civil Penalty Citation	Tenn. Code Ann. § 62-6-118 unlicensed activity
BOARD OF FUNERAL DIRECTORS AND EMBALMERS			
Chattanooga Funeral Home-Valley View Chapel	c/o Ms. Maxine H. Massey, Mgr. P. O. Box 9 Hixson, TN 37343	Cease & Desist Order	Tenn. Code Ann. §62-5-317(b)(2) False or misleading advertising
Chattanooga Funeral Home-North Chapel	c/o Mr. Thomas S. Tallent, Mgr. P. O. Box 9 Hixson, TN 37343	Cease & Desist Order	Tenn. Code Ann. §62-5-317(b)(2) False or misleading advertising

Chattanooga Funeral Home-East Chapel	c/o Mr. J. Michael Blevins, Sr., Mgr. P. O. Box 9 Hixson, TN 37343	Cease & Desist Order	Tenn. Code Ann. §62-5-317(b)(2) False or misleading advertising
HOME IMPROVEMENT COMMISSION			
Southerland Enterprises	P.O. Box 2261 Smyrna, TN 37167	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-37-110 Contract Violation
D.J. Home Improvement, Inc.	1008 Kirkwood Ave. Nashville, TN	Relinquish License	Tenn. Code Ann. § 62-37-111 (3) Poor Workmanship and Complaints
Floorcoverings	2334 Gale Lane Chattanooga, TN	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-37-112 (10) Failure to Appear at the Meeting
American Home Improvement, LLC	11028 Terrapin Station Lane Knoxville, TN	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-37-112 (10) Failure to Respond
MOTOR VEHICLE COMMISSION			
Hubb Motor Company	4316 Dodds Ave. Chattanooga, TN	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 55-17-114 Failure to provide a title
East Nashville Auto Sales	1413 Dickerson Rd. Nashville, TN 37207	\$500.00 Civil Penalty	Tenn. Code Ann. § 55-17-114 Misuse of temporary tags
Premier Sales	2093 Covington Pike Memphis, TN 38128	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 55-17-114 Failure to provide proper registration and misuse of temporary tags
Sonny's Auto Sales	1843 S. Cumberland Morristown, TN 37813	\$500.00 Civil Penalty	Tenn. Code Ann. § 55-17-114 Misrepresentations involving a criminal conviction in connection with the motor vehicle business
Bill Heard Chevrolet	5333 Hickory Hollow Pkwy. Antioch, TN	\$2,500.00 Civil Penalty	Tenn. Code Ann. § 55-17-114 & Rule 0960-1-.12 Violation of advertising regulations concerning free merchandise offered, failure to supervise employees and fraud in connection with the sale of motor vehicles
C & R Auto Sales	1504 East Main St. Rogersville, TN	\$800.00 Civil Penalty	Tenn. Code Ann. §§ 55-17-109, 55-17-110 and 55-17-114 Operating a business in an unlicensed name, employing an unlicensed salesperson and failure to supervise employees.

BOARD OF PHARMACY			
Sheila Caldwell, DPH License #8563	4190 Indian Brook Cove Memphis, TN 38125	\$400.00 Civil Penalty	Tenn. Code Ann. § 63-10-506 (a) Working with an expired license to engage in the practice of pharmacy.
Earl D. Holmes, DPH License #5539	182 Cloud Road Trenton, GA 30752	\$500.00 Civil Penalty	Tenn. Code Ann. § 63-10-505 (1) (2) (4) (5) & (6); Rule 1140-2-.01 (1) (2) (4) (10) (11) (a) & (c) (17); Tenn. Code Ann. § 63-10-506 (a); Tenn. Code Ann. § 39-17-417 (a). Working with an expired license to engage in the practice of pharmacy. Convicted of a crime, engaged in prohibited or unlawful conduct, exhibited an incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, confidence and safety to the

			public and unprofessional conduct.
Stephen Jacks, DPH License #4020	2432 Sawmill Street Murfreesboro, TN 37128	Probation – 3 years	Tenn. Code Ann. § 63-10-505 (4) (5) & (6); Rule 1140-2-.01 (4) Engaged in prohibited or unlawful conduct, exhibited an incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, confidence and safety to the public, unprofessional conduct.
Larry Larkins, DPH License #3240	9713 Tallahassee Knoxville, TN 37923	Revocation	Tenn. Code Ann. § 63-10-505 (3). Been addicted to the use of alcohol, narcotics or other drugs.
Jesse L. Mitchell, DPH License # 2587	601 Ferndale Road Johnson City, TN 37604	\$250.00 Civil Penalty	Rule 1140-3-.01 (1) (a), (b). Failure to provide patient counseling.
David Sullivan, DPH License #4028	4280 Minden Road Memphis, TN 38117	Revocation	Tenn. Code Ann. § 63-10-505 (3) and (4). Been addicted to the use of alcohol, narcotics or other drugs and engaged in prohibited or unlawful conduct.
Walgreens Pharmacy #3866 License #876	1489 Airways Blvd. Memphis, TN 38111	\$400.00 Civil Penalty	Tenn. Code Ann. § 63-10-506 (a). Allowing pharmacist to work with an expired license.
PRIVATE INVESTIGATION & POLYGRAPH COMMISSION			
Douglas G. Jones (PI-4602)	1905 State Street Nashville, TN 37203-2209	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-26-225(a) Failure to submit continuing professional education.
Joe A. Turner (PI-4117)	P.O. Box 6194 Maryville, TN 37802-6194	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-26-225(a) Failure to submit continuing professional education.
Larry L. Zink (PI-0248)	4312 Ringgold Road Suite #6 East Ridge, TN 37412	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-26-225(a) Failure to submit continuing professional education.
Terry L. Boling (PI-5065)	P.O. Box 116 St. Petersburg, FL 33731-0116	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-26-225(a) Failure to submit continuing professional education.
PRIVATE PROTECTIVE SERVICES			
Jeremy D. Anderson	3940 ApacheTrail, Apt AA5 Antioch, TN	\$50.00 Civil Penalty	Tenn. Code Ann. § 62-35-120(b)-failure to report an arrest within 30 days
Reginald D. Wheeler	812 31st Avenue N., Apt A Nashville, TN	\$100.00 Civil Penalty	Tenn. Code Ann. § 62-35-120(b)-failure to reporting an arrest within 30 days
Gwendolyn M. Hines	1630 Jefferson St. Lewisburg, TN	\$50.00 Civil Penalty	Tenn. Code Ann. § 62-35-120(b)-failure to report an arrest within 30 days
Services of America, LLC	5682 Morning Flower Drive, Bartlett, TN, 38135	Summary suspension	Tenn. Code Ann. § 62-35-130 (violating any provision of the Private Protective Services Act or rule promulgated thereunder, fraud, deceit, misrepresentation, making a material misrepresentation on an application, committing an act which

			would have been grounds for refusal to issue a license had it been known at the time of issuance, dishonorable or unprofessional conduct likely to harm the public, acting as a security company without a valid license), Rule 0780-5-2-.06(4) (failing to cease operation upon loss of insurance), Tenn. Code Ann. § 62-35-112 (failing to timely notify the commissioner of a change in qualifying agent or of a change to any other information that would be reasonably expected to affect the license, or of any change in information previously required to have been submitted), Tenn. Code Ann. § 62-35-109 (contract security license not assignable), Tenn. Code Ann. § 62-35-111 (failure to notify the commissioner that the qualifying agent has ceased to perform his/her duties, failure to designate a substitute qualifying agent when the current qualifying agent ceases to perform duties), Tenn. Code Ann. § 62-35-113 (continuing to operate on original license after a change in licensee's ownership).
TENNESSEE REAL ESTATE COMMISSION			
Gary Maness	6525 Quail Hollow Memphis TN 38120	Final Order Suspension of License	Tenn. Code Ann. § 62-13-312(b)(12) guilty of a criminal offense.
The Frisby Company	5575 Poplar Ave Memphis TN 38119	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-13-309; Tenn. Code Ann. § 62-13-312(b)(14) failure to timely notify change in business location
Star Point Resort	4490 Star Point Rd Byrdstown TN 38549	\$1,100.00 Civil Penalty	Tenn. Code Ann. § 62-13-104; Tenn. Code Ann. § 62-13-312(b)(14) unlicensed activity
Wade Horton Realty Inc	2821 Lebanon Rd Ste 108 Nashville TN 37214	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-13-312(b)(14); Tenn. Code Ann. § 62-13-321 and Rule 1260-2-.09 escrow violation