



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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## REGULATORY BOARDS DISCIPLINARY ACTION REPORT MARCH 2013

### **Alarm Systems Contractors Board**

Respondent: Koorsen Fire & Security, C-1275, Nashville, TN  
Violation: Failed to notify the Board within ten (10) days of termination of the Designated Qualifying Agent  
Action: \$1,500 Civil Penalty

Respondent: Smart Home Protection Systems, Inc., C-1332, Lebanon, TN  
Violation: Failed to register alarm employee within thirty (30) days  
Action: \$100 Civil Penalty

Respondent: Stop Alarms, Inc., C-289, Memphis, TN  
Violation: Failed to register alarm employees within thirty (30) days  
Action: \$1,400 Civil Penalty

Respondent: Brett D. Bean, QA-1403, Champaign, IL  
Violation: Failed to submit employee termination notices within thirty (30) days  
Action: \$250 Civil Penalty

Respondent: Raymond A. Wolf, QA-679, Knoxville, TN  
Violation: Failed to submit employee termination notices within thirty (30) days  
Action: \$50 Civil Penalty

Respondent: Richard L. Williams, QA-1112, Nashville, TN  
Violation: Failed to submit employee termination notices within thirty (30) days  
Action: \$250 Civil Penalty

## **Architectural and Engineering Examiners**

Respondent: Joseph Andrew Baran, P.E. #112301  
Violation: Failed to pay the privilege tax for 3 years  
Action: License suspended until full payment of the taxes, interest and penalties

Respondent: David N. Hauseman, RA #101174  
Violation: Practiced outside area(s) of competence  
Action: \$400 Civil Penalty and pass the Board's Law and Rules Exam

Respondent: Eric Lee Exley, P.E. #111888  
Violation: Disciplined by another jurisdiction  
Action: License suspended

## **Board For Licensing Contractors**

Respondent: Excellent Roofing DBA Excellent Homes, Memphis, TN  
Violation: Unlicensed activity  
Action: \$500 Civil Penalty

Respondent: Dale Hix Construction, Lafayette, TN  
Violation: Out of class  
Action: \$3,000 Civil Penalty

Respondent: Musgrove LLC, Nashville, TN  
Violation: Submission of false evidence for renewal application  
Action: \$500 Civil Penalty

Respondent: C W Builders LLC, Tellico Plains, TN  
Violation: Incompetent workmanship  
Action: \$1,000 Civil Penalty

Respondent: ASPA Remodeling Inc., Memphis, TN  
Violation: Hiring of an unlicensed electrical subcontractor  
Action: \$1,000 Civil Penalty

Respondent: Premier Pools & Patios Inc., Hermitage, TN  
Violation: Gross negligence, incompetency, fraud, dishonest dealing, misconduct; lack of financial stability, expertise, submitted false evidence, felony conviction, exceeding limit  
Action: License revoked, \$456,000 Civil Penalty and all Costs of hearing

Respondent: I-Sys Corporation, Knoxville, TN  
Violation: Failure to notify Board of QA status  
Action: \$500 Civil Penalty and all Costs of hearing

Respondent: J. Hargrove Construction, Tullahoma, TN  
Violation: Failure to oversee work performed  
Action: \$1,000 Civil Penalty

Respondent: Marcus Lenier Gibbs DBA Lenier Construction and/or Lenier Construction & Home Improvement and/or Lenier Construction & Sheet Metal, Memphis, TN  
Violation: Unlicensed Activity  
Action: \$4,000 Civil Penalty

Respondent: Steve's Home Improvement, Antioch, TN  
Violation: Unlicensed Activity  
Action: \$3,000 Civil Penalty

Respondent: Billy Walls, DBA B.S. Walls Construction, Knoxville, TN  
Violation: Failure to meet deadlines, failure to complete, failure to comply with international residential building code, substandard construction, failure to pay civil judgment and false information on renewal application  
Action: Revocation of contractor's license and \$23,000 Civil Penalty

### **Board of Accountancy**

Respondent: Mario B. Powells, Memphis, TN  
Violation: Unlicensed Practice  
Action: \$5,000 Civil Penalty

Respondent: Newbern, P.C., Memphis, TN  
Violation: Providing accounting services with expired permit  
Action: \$1,500 Civil Penalty

### **Board of Examiners for Land Surveyors**

Respondent: Steven C. Lyons, Jonesborough, TN  
Violation: Violation of standards of practice  
Action: \$500 Civil Penalty

### **Board of Funeral Directors and Embalmers**

Respondent: Berry Funeral Home, Knoxville, TN  
Violation: Statement of Funeral Goods and Services Selected failed to provide a description of the merchandise selected by the consumer prior to their signing the contract  
Action: \$250 Civil Penalty

## **Burial Services**

Respondent: Carson Memorial Park & Mausoleums, Oneida, TN  
Violation: Failed to provide memorial care by not replacing a broken mausoleum crypt cover in a timely manner, failed to make deposits into the trust fund, omitted specific statutorily required language from contracts, lacked fidelity bond coverage for officers and employees who handle cash and securities, failed to properly account for and submit consumer protection fees for every preneed contract sold, failed to maintain formal burial records and failed to file multiple annual cemetery reports  
Action: \$3,000 Civil Penalty, proof of \$1,700 deposit into the trust fund, proof of an additional deposit into the trust fund in the amount of \$170 (ten percent penalty) and proof of other required compliance

Respondent: Fike Funeral Home, Cleveland, TN  
Violation: Provided discounts on preneed funeral contracts and filed an improperly completed annual establishment preneed funeral funds report  
Action: \$250 Civil Penalty

Respondent: Carl R. Points, Columbia, TN  
Violation: Failed to submit enrollment forms and cash in a timely manner to the insurance company and used the cash for that of him and his spouse's personal benefit  
Action: Revocation of Preneed Sales Agent Registration and Hearing Costs of \$600

## **Cosmetology**

Respondent: Fantastic Sam's, Union City, TN  
Violation: Expired shop and cosmetologist license posted, dirty scissors and clippers at work station  
Action: \$500 Civil Penalty

Respondent: Ichiban Nails & More, Nashville, TN  
Violation: Unlicensed shop  
Action: \$250 Civil Penalty

Respondent: Joyce's Hair Salon/Hair, Inc., Memphis, TN  
Violation: Expired shop license  
Action: \$1,000 Civil Penalty

Respondent: S and E African Hair Braiding, Nashville, TN  
Violation: Unlicensed individuals  
Action: \$500 Civil Penalty

## **Collection Services Board**

Respondent: Merchants and Medical Credit Corp.  
Violation: Failure to comply with applicable state or federal law or regulation pertaining to the credit and collection industry  
Action: \$500 Civil Penalty

## **Motor Vehicle Commission**

Respondent: Sunrise Auto Sales, Knoxville, TN  
Violation: Temporary tag log and buyer's guides  
Action: \$3,500 Civil Penalty

Respondent: East Tennessee Nissan, Inc., Morristown, TN  
Violation: Advertising violation  
Action: \$3,000 Civil Penalty

Respondent: Hutchins Auto Sales and Service, Smithville, TN  
Violation: Failure to provide Conditional Delivery Agreement  
Action: \$500 Civil Penalty

Respondent: Super Auto Sales, Madison, TN  
Violation: Temporary tag log violation  
Action: \$2,000 Civil Penalty

Respondent: TN Auto Sales, Inc., Nashville, TN  
Violation: Deceptive acts and failure to supervise agents  
Action: \$23,000 Civil Penalty

Respondent: D & M Automotive, Inc., Rogersville, TN  
Violation: Unlicensed location  
Action: \$500 Civil Penalty

## **Private Protective Services**

Respondent: Comprehensive Security, LLC, CSC- 2476, Brentwood, TN  
Violation: Unlawful employment  
Action: \$1,000 Civil Penalty

Respondent: Guardsmark, LLC, CSC-48, Memphis, TN  
Violation: Unlawful employment  
Action: \$900 Civil Penalty

Respondent: Spring Branch Apartments, Madison, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Dante Devon Omar Truitt, AG-612984, Nashville, TN  
Violation: Conviction  
Action: Revocation

Respondent: Romeon J. Littles, AG-619708, Nashville, TN  
Violation: Unlicensed activity  
Action: \$100 Civil Penalty

### **Real Estate Appraisers**

Respondent: Charles D. Cole, Morristown, TN  
Violation: Respondent admitted to knowingly submitting a fraudulent copy of his Tennessee Real Estate Appraiser license to an Appraisal Management Company during a time when his license was expired  
Action: \$1,000 Civil Penalty and Suspension of Respondent's Real Estate Appraiser License for a period of forty-five (45) days

Respondent: Martha A. Farrar, Hermitage, TN  
Violation: In an appraisal report, the Respondent violated multiple professional standards  
Action: Respondent voluntary surrendered real estate appraiser credential

Respondent: Darrell Austin, Cumberland City, TN  
Violation: In two appraisal reports, the Respondent failed to: summarize and support opinion of site value, opinion of adjustments in the sales comparison approach for site differences, failed to summarize the opinion of highest and best use, and failed to summarize information sufficient to identify the physical characteristics of the subject property.  
Action: \$1,000 civil penalty and a fifteen (15) hour Residential Report Writing Course, and a fifteen (15) hour Site Valuation and Cost Approach course

Respondent: Glenn K. Trotter, Germantown, TN  
Violation: In 7 exterior-only Fannie Mae 2055 summary appraisal reports prepared for the same client in 2011, which Respondent claimed were intended for a restricted internal use, Respondent committed serious violations of USPAP in the contract, subject listing and sales history, description of improvements, and sales comparison and cost approach sections of these reports. He also failed to explain the exclusion of the income approach in all of these reports, as is required.  
Action: Suspension of Respondent's Real Estate Appraiser License for thirty (30) days or indefinitely until he pays \$5,555 in investigative and hearing costs and required to successfully complete four (4) appraiser corrective education courses within one (1) year

## Real Estate Commission

Respondent: Ali Malakouti, Brentwood, TN  
Violation: Failure to timely complete required education  
Action: \$600 Civil Penalty

Respondent: Jonathan D. Jones, Murfreesboro, TN  
Violation: Failure to timely complete administrative measures  
Action: \$250 Civil Penalty

Respondent: Hanna Rose Kazy, Cleveland, TN  
Violation: Failure to respond to a complaint filed with the Commission  
Action: \$1,000 Civil Penalty  
Attendance at two-day commission meeting

Respondent: Markietta S. Munck, Cleveland, TN  
Violation: Failure to respond to a complaint filed with the Commission  
Action: \$1,000 Civil Penalty  
Attendance at two-day commission meeting

Respondent: Christina Ann Sciarretta, Clarksville, TN  
Violation: Failure to timely complete administrative measures  
Action: Surrendered license

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