



STATE OF TENNESSEE
 DEPARTMENT OF COMMERCE AND INSURANCE
 500 JAMES ROBERTSON PARKWAY
 NASHVILLE, TENNESSEE 37243-5065
 615-741-2241

REGULATORY BOARDS AND COMMISSIONS DISCIPLINARY ACTION FORM

Date	May, 2004	Board/Commission	Regulatory Boards	
Contact Name	Betty Lassiter		Phone	741-3449

May 2004 Disciplinary Actions

Name	Address	Action/Penalty	Statute/Rule
BOARD OF ARCHITECTURAL & ENGINEERING EXAMINERS			
Alvah Clay Arnn, PE #15429	9141 Sanctuary Ct. Raleigh, NC 27617	Suspension of certificate of registration for 6 months; take and pass the Board's law and rules examination	Tenn. Code Ann. § 62-2-308 (a)(1)(F) and Rule 0120-2-.07(5)(b). Misconduct in the practice of engineering; suspension of certificate of registration in another jurisdiction.
Robert Ballard PE #7994	268 Tri Oak Rd. Winchester, TN 37398-4238	Revocation of certificate of registration	Tenn. Code Ann. § 62-2-308 (a) (1) (B). Misconduct in the practice of engineering; failed to obtain the required continuing education hours after disapproval of activities and records submitted in a continuing education audit.
Jose Ulpiano Barnes, PE #23094	2377 Holston Rd. Como, MS38619-6281	Revocation of certificate of registration	Tenn. Code Ann. § 62-2-308 (a)(1)(F) and Rule 0120-2-.07(5)(b). Misconduct in the practice of engineering; felony conviction
Samuel A. Greenberg, PE #22844	Dansco Engineering, P. A. 6516 Santiago Ct. P. O. Box 3400 Apollo Beach, FL 33572	Suspension of certificate of registration for 45 days; take and pass the Board's law and rules exam; \$1,000 civil penalty	Tenn. Code Ann. § 62-2-306 and Rules 0120-2-.02, 0120-2-.03, 0120-2-.07, and 0120-2-.08. Misconduct in the practice of engineering--affixed seal bearing a registration number not issued to him by the Tennessee State Board of Architectural and Engineering Examiners and affixed seal to plans not prepared by him or under his responsible charge.
Alexander C. Walker, III R. A. #8721	1024 Cooks Ct. Brentwood, TN 37027	Reprimand; take and pass the Board's law and rules exam; \$500.00 civil penalty	Tenn. Code Ann. §62-2-306 and Rules 0120-2-.03 and 0120-2-.08. Misconduct in the practice of architecture--affixed seal to plans not prepared by him or under his responsible charge.

AUCTIONEER COMMISSION			
James Lagesse Auctioneers	2754 Ludelle St Fort Worth, TX 76105	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-19-102(a)(1) Unlicensed activity
Chattanooga Auto Auction LLC	2120 Stein Dr Chattanooga, TN 37421	\$500.00 Civil Penalty	Tenn. Code Ann. § 62-19-102(a)(1) Unlicensed activity
BOARD OF BARBER EXAMINERS			
Magic Clippers	1572 Vollintine Memphis, TN 38107	\$600.00 Civil Penalty	Tenn. Code Ann. § 62-3-107. Unlawful to work in a barber shop without license.
Portraits of Styles	5964 Mt. Moriah Memphis, TN 38115	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109(b). Unlawful to operate a barber shop or re-locate without inspection.
Memphis Academy of Barbering	6769 Winchester Rd. Ste. 13 Memphis, TN 38115	\$1,000.00 Civil Penalty	Tenn. Code Ann. §§ 62-3-121 and 62-3-123(b),(c). Unprofessional conduct, operating a school without a barber instructor present and allowing work on patrons before student had qualified by completing 100 hours.
Marcus Hopson	6769 Winchester Rd. Ste. 13 Memphis, TN 38115	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-3-121(6). Any immoral or unprofessional conduct is grounds for action against a licensee.
BOARD FOR LICENSING CONTRACTORS			
DCS Restoration, LLC (Unlicensed) 200418244	440 N. Washington, Suite 8 Cookeville, TN 38501	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Unlicensed activity.
Proteck (Unlicensed) 200419061	911 Duluth Hwy., D-3224 Lawrenceville, GA 30043	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Unlicensed activity.
Rodgers, Lin R. Elec. (#28653) 200419060	2050 Marconi Dr., Suite 200 Alpharetta, GA 30005	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Using an unlicensed subcontractor.
Gaskill, Craig & Iretta (#47838) 200312631 200317288 200418503	1300 Penn Road Hartselle, AL 35640	Surrender of license	Tenn. Code Ann. § 62-6-118. Failure to complete repairs; poor workmanship.
Buckman, Ron Const. (Unlicensed) 200418506	P.O. Box 2319 Rogers, AR 72757	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Unlicensed activity.

Adams Const. Co. (#46853) 200316322	320 Pickens Rd. Mason, TN 38049	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Attempting to pull a permit for an unlicensed entity.
Tabor Const., Inc. (#18888) 200417942	9517 Continental Dr. Knoxville, TN 37922-3548	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Failure to respond to complaint.
CD Development (#46612) 200315673	190 Diggs Rd. Pinson, TN 38366	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Working over \$25,000 on an expired license.
CD Development (#46612) 200418514	190 Diggs Rd. Pinson, TN 38366	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Working over \$25,000 on an expired license.
Brozelco, Inc. (#44211) 200418815	229 Dunavant Drive Rockford, TN 37853	\$15,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Exceeding limit and splitting contract into 3 separate contracts in order to stay under licensure limit
Siemens Energy & Automation, Inc. (#46400) 200419089	3333 Old Milton Parkway Alpharetta, GA 30005	\$15,000.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Accepting a bid & awarding a contract to an improperly licensed contractor.
Koehn, Rodney & Annie (#52490) 200419416	Rt. 1, Box 563-P Lobelville, TN 37097	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-6-118. Unlicensed activity prior to licensure.
MOTOR VEHICLE COMMISSION			
McCauley Chevrolet, Inc.	8477 Highway 22 Dresden, TN	\$1,000.00 Civil Penalty	Tenn. Code Ann. § 55-17-114 and Rule 0960-1-.12. Misleading advertising.
BOARD OF PHARMACY			
Hilary Flickinger, DPH License #9479 Clen's Pharmacy II, Inc.	8622 Asheville Hwy. Knoxville, TN	\$250.00 Civil Penalty	Rule 1140-3-.01. Failure to provide patient counseling.
Craig Liner, DPH License #7665	3630 Steeple Chase Lane, NE Chattanooga, TN 37421	\$250.00 Civil Penalty	Rule 1140-3-.01. Failure to provide patient counseling.
Thomas Richardson, DPH License #13059	688 Russell Road Jackson, TN 38301	3-year probation	Tenn. Code Ann. § 63-10-505(4). Engaged in conduct prohibited or made unlawful by any of the provisions of parts 4-6 of this chapter, or any other laws of the state or of the United States relating to drugs or to the practice of pharmacy. Diversion of prescription drugs.
Jennifer Rogers, DPH License #3392	709 Park Drive LaFollette, TN 37766	Surrender of license	Tenn. Code Ann. §§ 63-10-505 (1), (2), (4), (5) and (6). (1) Been convicted of a crime; (2) Been convicted of violating any laws of this state or of the

			United States relating to drugs or to the practice of pharmacy; (4) Engaged in conduct prohibited or made unlawful by any of the provisions of parts 4-6 of this chapter, or any other laws of the state or of the United States relating to drugs or to the practice of pharmacy; (5) 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 (6) Been guilty of dishonorable, immoral, unethical or unprofessional conduct.
James D. Wilson, DPH License #3604 Medicine Cabinet Pharmacy License # 1827	9 Jeffrey Court Jackson, TN 38305	5-year suspension Revocation	21 CFR § 1304.11 (c); 21 CFR § 1306.04 (a); 21 CFR § 1304.21; 21 CFR § 1304.04 (a); 21 CFR § 1305.03; Tenn. Code Ann. §§ 63-10-505 (1), (2), (4), (5) and (6) (1) Been convicted of a crime; (2) Been convicted of violating any laws of this state or of the United States relating to drugs or to the practice of pharmacy; (4) Engaged in conduct prohibited or made unlawful by any of the provisions of parts 4-6 of this chapter, or any other laws of the state or of the United States relating to drugs or to the practice of pharmacy; (5) 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 (6) Been guilty of dishonorable, immoral, unethical or unprofessional conduct. Rule 1140-2-.01 (1) Any person who violates any rule of the Board may be deemed guilty of dishonorable, immoral, unethical or unprofessional conduct within the meaning of Tennessee Code Annotated § 63-10-505(6). Tenn. Code Ann. §§ 53-11-308 (a) (b) and (c); 53-11-401 (a) (1); Rule 1140-2-.01 (1); Rule 1140-2-.01 (2) , Rule 1140-2-.01 (4); Rule 1140-2-.01 (10); Rule 1140-2-.01 (11) (a) and (c); Rule 1140-3-.01 (2) (a) ; Rule 1140-3-.01 (3) (a) and (b) ; Rule 1140-3-.03 (4) .
PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION			
Omega Insurance Services, Inc. (PI-0911)	P.O. Box 116 St. Petersburg, FL 33731-0116	\$1,800.00 Civil Penalty	Tenn. Code Ann. § 62-26-204(a). Unlicensed activity.
Scott A. Crabtree (PI-4117)	2980 Highway 44 East Shepherdsville, KY 40165-6311	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-26-225(a). Failure to obtain continuing professional education credits within each calendar year.
John Napier (PI-5197)	2980 Highway 44 East Shepherdsville, KY 40165-6311	\$250.00 Civil Penalty	Tenn. Code Ann. § 62-26-225(a). Failure to obtain continuing professional education credits within each calendar year.
PRIVATE PROTECTIVE			

SERVICES PROGRAM			
Services of America, LLC	5682 Morning Flower Dr. Bartlett, TN 38135	Revocation	Tenn. Code Ann. § 62-35-130(a)(2), (3), (5), (6) and rule 0780-5-2-.06(4). Practicing fraud, deceit or misrepresentation, knowingly and willfully making a material misstatement in connection with an application for a license or registration card; committing any act which would have been cause for refusal to issue such license or registration card had it existed and been known to the commissioner at the time of issuance; engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
TENNESSEE REAL ESTATE COMMISSION			
Tommy J. Norton, Jr.	1908 Center St Pigeon Forge TN 37863	\$250.00 Civil Penalty	Tenn. Code Ann. §§ 62-13-112; 62-13-312(b)(14). Failing to timely provide proof of E&O insurance.
Concetta Farina	2136 W. Poplar Ave Collierville TN 38017	\$500.00 Civil Penalty	Tenn. Code Ann. §§ 62-13-312(b)(5)(14); 62-13-403(6) and Rule 1260-2-.09(6); Failing within a reasonable time to account for or to remit money belonging to others.
TENNESSEE REAL ESTATE APPRAISER COMMISSION			
Elizabeth Norris	P.O. Box 91236 Chattanooga, TN 37142	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-39-326. Violations of Uniform Standards of Professional Appraisal Practice.