



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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OCTOBER 2007 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 of OCTOBER 2007.

ALARM SYSTEMS CONTRACTORS BOARD

Respondent: All Star Services, Millington, TN
Violation: Failure to display certification number on advertisement/correspondence
Action: \$100 Civil Penalty

Respondent: Building Systems Technology, Inc., Knoxville, TN
Violation: Failure to register employee(s) within 30 days
Action: \$250 Civil Penalty

Respondent: Electronic Security, Nashville, TN
Violation: Failure to register employee(s) within 30 days
Action: \$5400 Civil Penalty

Respondent: Frase Protection, Inc., Cordova, TN
Violation: Failure to register employee(s) within 30 days
Action: \$250 Civil Penalty

Respondent: National Certified Alarms, Inc., Nashville, TN
Violation: Failure to register employee(s) within 30 days
Action: \$500 Civil Penalty

Respondent: Rocky Top Security, Knoxville, TN
Violation: Failure to register employee(s) within 30 days
Action: \$350 Civil Penalty

Respondent: Sonitrol of Memphis, Inc., Memphis, TN
Violation: Failure to register employee(s) within 30 days
Action: \$250 Civil Penalty

Respondent: Stanley Security Solutions, Inc., Memphis, TN
Violation: Failure to register employee(s) within 30 days
Action: \$400 Civil Penalty

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

BOARD FOR LICENSING CONTRACTORS

Respondent: Environmental Signage Solutions, Inc. DBA ASI-Modulex/Dallas, Irving, TX

Violation: Unlicensed activity

Action: \$10,000 Civil Penalty

Respondent: Jeffrey Shrum DBA Builders Plus, Knoxville, TN

Violation: Unlicensed activity

Action: \$1000 Civil Penalty

Respondent: Carroll's Roofing & Construction, LLC, Arlington, TN

Violation: Exceeding limit

Action: \$1500 Civil Penalty

Respondent: Charles Builders, LLC, Rogersville, TN

Violation: Unlicensed activity

Action: \$250 Civil Penalty

Respondent: Cross Roads Builders, White Bluff, TN

Violation: Poor workmanship

Action: Relinquishment of License

Respondent: Dugger Homes, Ooltewah, TN

Violation: Poor workmanship

Action: Relinquishment of License

Respondent: Lakeshore Pools, Inc., Rutledge, TN

Violation: Unlicensed activity

Action: \$1000 Civil Penalty

Respondent: Southern Pool Designs DBA Southern Pride, LLC, Spring Hill, TN

Violation: Unlicensed activity

Action: \$1000 Civil Penalty

Respondent: Waterscape Concepts, Goodlettsville, TN

Violation: Unlicensed activity

Action: \$1000 Civil Penalty

Cosmetology Board

Respondent: Angel Nails, Alcoa, TN

Violation: Unlicensed individual

Action: \$500 Civil Penalty

Respondent: Awesome Nails, Murfreesboro, TN

Violation: Two unlicensed operators

Action: \$1500 Civil Penalty

Respondent: Carol G's Hair & Color Salon, Brentwood, TN

Violation: Unlicensed and improperly licensed employees

Action: \$1000 Civil Penalty

Respondent: Elite Nails, Clarksville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Expo Nails, Lebanon, TN
Violation: Unlicensed individual
Action: \$1000 Civil Penalty

Respondent: Foxy Nails, Cookeville, TN
Violation: Manicurist offering waxing
Action: \$300 Civil Penalty

Respondent: Hair Station, Clarksville, TN
Violation: Unlicensed individual
Action: \$1000 Civil Penalty

Respondent: Happy Hair Cutter, Lebanon, TN
Violation: Expired cosmetology license
Action: \$250 Civil Penalty

Respondent: Larry's Nails, Clarksville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Le's Nails, Hendersonville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Nail Vana, Goodlettsville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Nail Works, Elizabethton, TN
Violation: Unlicensed individual
Action: \$1000 Civil Penalty

Respondent: Nails by Flower, Knoxville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Robinson I, Murfreesboro, TN
Violation: Expired license
Action: \$1000 Civil Penalty

Respondent: Rose's Nail Salon, Murfreesboro, TN
Violation: Unlicensed individual
Action: \$1000 Civil Penalty

Respondent: Star Nails, Shelbyville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: The Nail Palace, Oliver Springs, TN
Violation: No shop license
Action: \$500 Civil Penalty

Respondent: Top Nails, Chattanooga, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Tropical Beauty, Franklin, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Respondent: Western Nails, Knoxville, TN
Violation: Unlicensed individual
Action: \$500 Civil Penalty

Board of Funeral Directors and Embalmers

Respondent: Allen Funeral Home, Morristown, TN
Violation: FTC price violations, licenses of funeral directors and embalmers were not available for inspection and failure to notify board of change of ownership
Action: \$500 Civil Penalty

Respondent: Anderson Funeral Home, Lewisburg, TN
Violation: FTC price violations and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses
Action: \$400 Civil Penalty

Respondent: Biereley-Hale Funeral Home, Inc., Tellico Plains, TN
Violation: FTC price violations and licenses of funeral directors and embalmers were not available for inspection
Action: \$500 Civil Penalty

Respondent: Cole & Garrett Funeral Home & Cremation Services, Hendersonville, TN
Violation: FTC price violations
Action: \$250 Civil Penalty

Respondent: Hall Funeral Home, LLC, Celina, TN
Violation: FTC price violations and licenses of funeral directors and embalmers were not available for inspection
Action: \$350 Civil Penalty

Respondent: Hardeman County Funeral Services, Bolivar, TN
Violation: FTC price violations, overcharging consumers by charging for services separately that should have been included in charges for other services, failure to maintain a copy of cremation authorization and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses
Action: \$375 Civil Penalty

Respondent: Higgins Funeral Home of Benton, LLC, Benton, TN
Violation: FTC price violations and licenses of funeral director and embalmer were not available for inspection

Action: \$250 Civil Penalty

Respondent: Highland West Memorial Park, Funerals & Cremations, Knoxville, TN
Violation: Failure to maintain a copy of numerous cremation authorizations and operating establishment under a name other than the one registered with the board

Action: \$500 Civil Penalty

Respondent: J. E. Herndon Funeral Home, Memphis, TN
Violation: Advertising an establishment location that has not been licensed

Action: \$250 Civil Penalty

Respondent: Johnson-Coleman Funeral Home, Inc., Gallatin, TN
Violation: FTC price violations, licenses of funeral director and embalmer were not Available for inspection and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses

Action: \$500 Civil Penalty

Respondent: M. J. Edwards & Sons Funeral Home, Inc., Memphis, TN
Violation: Unprofessional conduct (contacting family on the day of funeral immediately prior to procession line-up stating there was a financial problem with the burial policy which delayed the interment for two days)

Action: \$500 Civil Penalty

Respondent: Motley and Rivers Funeral Home, Whiteville, TN
Violation: FTC price violations, cremation authorization lacks signature of the funeral director and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses

Action: \$500 Civil Penalty

Respondent: Peoples Funeral Home, Lexington, TN
Violation: FTC price violations, manager whose license as a funeral director had expired held himself out to be a licensed funeral director, funeral home displayed expired license and knew funeral director held himself out to be a licensed funeral director

Action: \$750 Civil Penalty

Respondent: Fred S. Wheeler, Knoxville, TN
Violation: Failure to furnish consumer with a completed written contract for services to be performed at the conclusion of funeral arrangements

Action: \$250 Civil Penalty

Motor Vehicle Commission

Respondent: Broadway Auto Sales, Knoxville, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

Respondent: College Street Auto Sales, Clarksville, TN
Violation: Temporary Tag Log (Second Violation)
Action: \$1000 Civil Penalty

Respondent: Michael A. Howard, Indian Mound, TN
Violation: Unlicensed Sales

Action: \$1000 Civil Penalty

Respondent: Athens Chevy-Cadillac, Athens, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Premier Automotive, Chattanooga, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Affordable Autos, Dickson, TN
Violation: Advertising Violation
Action: \$250 Civil Penalty

Respondent: Brian Ramsey Used Cars, White Pine, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Wildwood Motors, Maryville, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: West Side Auto Sales, Lexington, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Smoky Mountain Ironhorse, LLC, Knoxville, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Triple Seven Auto, Pulaski, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Manion's Used Cars, Bethpage, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Juan Auto 2, Sevierville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: The Car Place, Gallatin, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Hwy 52 Auto Sales, Lafayette, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Smoky Mountain Supercenter, Inc., Knoxville, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Cherokee Wrecker Sales, Kingsport, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Islander Auto Sales, Mount Juliet, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: TN Auto Sales, McMinnville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: American RV Sales and Service, Maryville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Auto Credit Outlet, Decatur, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Teague Noles 45 Auto, Henderson, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Green Auto Sales, Inc., Nashville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: C & D Equipment & Auto, Andersonville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Southern Motors, Cleveland, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Jerry's Cars, Jackson, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Real Deal Auto Sales, Lafayette, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Cars R Us, Cookeville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Trust Auto Sales, Shelbyville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Northside Auto Sales, Nashville, TN
Violation: Late Annual Sales Report

Action: \$100 Civil Penalty

Respondent: Highway 70 Auto Parts, Kingston Springs, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: R & D Motors, Manchester, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: C &O Auto Sales, White Bluff, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Ron's Rex, Townsend, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Gladeville Motors, Gladeville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Don's Auto Salvage and Sales, Chattanooga, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Helton's Used Trucks, New Tazewell, TN
Violation: Late Annual Sales Report
Action: \$200 Civil Penalty

Respondent: Country Side Auto Sales, Cleveland, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Purdy's Service Center, Sweetwater, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: S & G Motors, Wynnburg, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Jim Cadle's Auto Advice, Bristol, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: P.W.'s Auto Sales, Memphis, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Arrowhead Auto Sales, Cleveland, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: R & L Motors, Sweetwater, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Tweety's Auto Sales, Chattanooga, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Gibson Auto Sales, Cleveland, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: A & A Auto Sales, Morristown, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: America's Motorsports, Madison, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Bob's Auto Sales and Service, Tazewell, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Gribble Motors, McMinnville, TN
Violation: Late Annual Sales Reports
Action: \$100 Civil Penalty

Respondent: K & S Auto Sales, Chattanooga, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Auto Center of TN, Johnson City, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Wade's Motors, Kingsport, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Adam's Motors, South Fulton, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: T & T Auto Sales, Milan, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Town and Country Auto Co., Chattanooga, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Post Motor Co., Soddy Daisy, TN
Violation: Late Annual Sales Report

Action: \$100 Civil Penalty

Respondent: Shekinha Sales, Huntingdon, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Lighthouse Auto Center, Cookeville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: S & S Auto Sales and Rental, Lexington, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Auto One, Sparta, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Work and Play Trucks, Smyrna, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Reed Auto Sales, Crossville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Supersport Motors, Madison, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Road Master Auto Sales West, Knoxville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Ead's Auto Sales, Tazewell, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Gary Force Acura, Brentwood, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Pogue's Body Shop, Murfreesboro, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Auto Outlet, Athens, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Immaculate Auto, Memphis, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Viles (Ray) Ford, LLC, Clinton, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Metro Truck Sales, Goodlettsville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: The Car V Mart, Goodlettsville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Dobb's Ford Inc., Memphis, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: First Choice Auto Sales, Gallatin, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Davis Motor Co., Knoxville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Pinkie's Auto Sales, Maynardville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Lee's Used Cars, Evansville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Todd's Toys, Hixson, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Four Star Auto Sales, Newport, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Pryor Auto Lease, LLC, Memphis, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: B – S Auto Sales, Jasper, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: G & B Motors, McKenzie, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Respondent: Rusty Wallace Kia, Louisville, TN
Violation: Multiple Advertising Violations

Action: \$1000 Civil Penalty

Respondent: Collier Lincoln Mercury, Memphis, TN
Violation: Temporary Tag Violation
Action: \$500 Civil Penalty

Respondent: C & R Auto Sales, Rogersville, TN
Violation: Late Annual Sales Report
Action: \$100 Civil Penalty

Private Investigation and Polygraph Commission

Respondent: Timothy E. O'Donohue, Nashville, TN
Violation: Failure to obtain CPE within renewal period
Action: \$250 Civil Penalty

Respondent: Juanita M. Walls, Knoxville, TN
Violation: Failure to obtain CPE within renewal period
Action: \$250 Civil Penalty

Tennessee Real Estate Appraisers

Respondent: James Passons, McMinnville
Violations: The Respondent acted unethically and incompetently because he included a railroad spur in an appraisal when said railroad spur did not exist; incompetency and inconsistencies were evident in the appraisal report; Respondent was privy to plans and other documentation as it concerned the railroad spur, but Respondent did not include those plans as a hypothetical condition in the appraisal report; Respondent created a misleading appraisal report; Respondent did not consider the effect of the highest and best use of the real estate by including a railroad spur in the appraisal when that railroad spur did not exist; Respondent reported inaccurate and inconsistent ownership within the appraisal; Respondent's communication and his analysis opinion and conclusion were in a misleading manner and there were several inconsistencies throughout the report; Respondent failed to provide an accurate summary description of the real estate being appraised due to the fact that the Respondent failed to state the purpose and intended use of the appraisal in that he indicated a railroad spur was in his report when in fact the railroad spur did not exist; and there were inconsistencies of the purpose and intended use of the appraisal throughout the report.

These errors and omissions constituted violations of Tenn. Code Ann. §62-39-326, §62-39-329, Uniform Standards of Professional Appraisal Practice Ethics Rule (including the Conduct Section), Tenn. Comp. R & Regs. Rule 1255-5-.01(8), the Preamble of USPAP, the Competency Provision, Standards Rule 1-1, Standards Rule 1-2(a) and (c), Standards Rule 1-3(a), Standards Rule 1-4(f), (g) and (h), Standards Rule 2-1, and Standards Rule 2-2(b)(i), (ii) and (iii).

Action: Respondent will be DOWNGRADED from a certified general appraiser to a certified residential appraiser, and he will complete a 15 hour USPAP course, and will pay \$12,000.00 in civil penalties. Respondent will not be allowed to re-apply for CG status for at least 24 months and would have to present a new experience log and pass the new exam.

Respondent: Michael Hooks, Sr., Memphis
Violation: Convicted of a felony after pleading guilty to charges that he accepted approximately \$20,000.00 in bribe money from an undercover FBI agent involved in the E-Cycle sting.
Action: Voluntary Surrender of his certified residential real estate appraiser certification.

Respondent: William Chandler, Memphis
Violation: Failed to disclose a potential future interest in the subject property, that he inadequately described the deferred maintenance, and that he thereafter purchased the home. Respondent admits he violated USPAP Rule 1-2, 1-1, 2-2, 2-3 and the Ethics Rule, Conduct Section.
Action: Agreed order which included a civil penalty of \$4,000.00.

Respondent: Michael Dale Grant, Mount Juliet
Violation: Failure to pay child support.
Action: Respondent's license has been suspended until such time as all child support is current.

Tennessee Real Estate Commission

Respondent: William Q. Acree, Nashville, TN
Violation: Failure to properly supervise affiliates
Action: \$1000 Civil Penalty

Respondent: John F. Euart, Jr., Atlanta, GA
Violation: Failure to properly supervise affiliates
Action: \$1000 Civil Penalty

Respondent: Grand Vision, Inc., Blountville, TN
Former Principal Broker Marilyn K. Kimes
Violation: Agency disclosure violation
Action: \$250 Civil Penalty

Respondent: Reginald E. Sanders, Memphis, TN
Violation: Failure to properly supervise affiliates
Action: \$1000 Civil Penalty

Respondent: Marysue S. Street, Knoxville, TN
Violation: Advertising violation
Action: \$100 Civil Penalty