



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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REGULATORY BOARDS DISCIPLINARY ACTION REPORT October 2011

Accountancy Board

Respondent: Chad Keith Fooshee, Birmingham, AL
Violation: Failure to Comply With CPE Audit, Failure to Notify Board of Revocation of Mississippi license
Action: Revocation of License; Civil Penalty of \$2500.00; Costs of \$946.39

Respondent: W. David Pearson, Jackson, TN
Violation: Failure to Comply With CPE Audit
Action: Suspension of License Until Compliant with Consent Order; \$750.00 Civil Penalty; \$200.00 Costs; 70 CPE Hours for 2008/2009 Reporting Period

Respondent: Luther C. Speight III, CPA and Consulting, PLC, Memphis, TN
Violation: Operating on an Expired Firm Permit
Action: \$1000.00 Civil Penalty; Reinstate Firm Permit

Alarm Systems Contractors Board

Respondent: Security Solutions, Inc., C-1140, Cordova, TN
Violation: TCA 62-32-312 (a), (c) & (d) and rule 0090-1-.05 Failure to register alarm employees within thirty (30) days
Action: \$1,300 Civil Penalty

Respondent: Deroche, Dera, QA-1000, Monroe, LA
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$150 Civil Penalty

Respondent: Holloway, Dan, QA-34, Knoxville, TN
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Hoskins, Dan, QA-479, Knoxville, TN
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$100 Civil Penalty

Respondent: Lupo, Robert, QA-146, Huntsville, AL
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Miller, Jack, QA-620, Antioch, TN
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Miskulin, Joseph, QA-1003, Bloomington, IL
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Reid, Ryan, QA-877, Brentwood, TN
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Roberts, McKenzie, QA-001, McMinnville, TN
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$150 Civil Penalty

Respondent: Simons, Howard, QA-212, Hunt Valley, MD
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$150 Civil Penalty

Respondent: Smith, Donald, QA-1063, Fort Oglethorpe, GA
Violation: Rule 0090-1-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Starr, Leon, RE-283, Nashville, TN
Violation: TCA 62-32-319 (b) (9) Misconduct, gross negligence or incompetence
Action: Registration Suspended August 8, 2011 – November 8, 2011
Probation November 8, 2011 – August 8, 2012

Board of Funeral Directors and Embalmers

Respondent: Jacob Donald Burke, Oneida, TN
Violation: Admitted to embezzling funds from his employer and a check for the renewal payment of license fee was returned to the Board unpaid due to insufficient funds
Action: Revocation of license as a funeral director

Respondent: E. H. Ford Mortuary Services, Memphis, TN
Violation: Operated an establishment on numerous occasions during the period that the license of the funeral director in charge was expired
Action: \$4600 Civil Penalty and an additional \$200 for Administrative Costs

Board for Licensing Contractors

Respondent: Airtek Construction, Inc., Troy, AL
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Respondent: Done Rite Roofing and Restoration, Olive Branch, MS
Violation: Unlicensed Activity
Action: \$3,000 Civil Penalty

Respondent: Larry Hoffmeister, Knoxville, TN
Violation: Exceeding Limit
Action: \$500 Civil Penalty

Respondent: Juan Ortiz DBA JA Construction & Renovation, Madison, TN
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Burial Services

Respondent: Citizens Savings Bank & Trust Company, Trustee, Nashville, TN
Violation: Discrepancies between trustee and cemetery company reports, trustee improperly listed the cemetery manager as the contact person on trustee report and failed to list the correct contact information for the trustee's proper representative
Action: \$1500 Civil Penalty

Respondent: Beneatha Sarnee Fields, Antioch, TN
Violation: Solicited, sold or negotiated prearrangement insurance policies without first being registered with the Commissioner as a preneed sales agent
Action: \$500 Civil Penalty

Respondent: Highland Memorial Gardens, Jackson, TN
Violation: Numerous deposits to Improvement Care Trust Fund were not made within the time required by law, some deposits lacked sufficient information to determine their status, numerous deposits to the Merchandise and Services Trust Fund were not made within the time required by law, failed to deposit the memorial care funds for commodities sold in multiple years and failed to file reports within the time required by law
Action: \$2500 Civil Penalty

Respondent: Memorial Park South Woods, Memphis, TN
Violation: Failed on multiple occasions in making timely deposits to the Improvement Care Trust Fund and failed to file reports within the time required by law
Action: \$1000 Civil Penalty

Respondent: Memorial Park South Woods, Memphis, TN
Violation: Numerous deposits to Improvement Care Trust Fund were not made within the time required by law and multiple deposits to the Merchandise and Services Trust Fund were not made within the time required by law
Action: \$2000 Civil Penalty

Respondent: Ridgecrest Cemetery, Jackson, TN
Violation: Numerous deposits to Improvement Care Trust Fund were not made within the time required by law, numerous deposits to the Merchandise and Services Trust Fund were not made within the time required by law, failed to deposit the memorial care funds for commodities sold in multiple years and failed to file reports within the time required by law
Action: \$2500 Civil Penalty

Cosmetology Board

Respondent: Avalon Nails, Knoxville, TN
Violation: Unlicensed individuals and wax machine in the shop
Action: \$3000.00 Civil Penalty Assessed

Motor Vehicle Commission

Respondent: CC Used Cars, Knoxville, TN
Violation: Temporary Tag Log Violation
Action: \$500 Civil Penalty

Respondent: Allright Auto Sales, Knoxville, TN
Violation: Posted Hours and City and State Sales Tax
Action: \$1500 Civil Penalty

Respondent: Lewisburg Auto Cars, Lewisburg, TN
Violation: Failure to Identify as a Dealer and No Stock Numbers
Action: \$1000 Civil Penalty

Respondent: TN Auto Sales, Inc., Nashville, TN
Violation: Temporary Tag Log and No Buyer's Guides in Vehicle
Action: \$1000 Civil Penalty

Respondent: Victory Nissan West, Dickson, TN
Violation: Advertising Violation
Action: \$1000 Civil Penalty

Respondent: Victory Honda of Jackson, Jackson, TN
Violation: Deceptive Acts
Action: \$5000 Civil Penalty

Respondent: Ivy Bluff Auto Salvage, Morrison, TN
Violation: Business Records
Action: \$1000 Civil Penalty

Respondent: Goose Creek Auto Salvage, Shelbyville, TN
Violation: Open Title and Failure to Maintain Business Records
Action: \$2000 Civil Penalty

Respondent: Jerry Johnson Auto Sales, Lebanon, TN
Violation: Failure to Maintain Business Records & Temp Tag
Action: \$1000 Civil Penalty

Respondent: Trinity Automotive, Nashville, TN
Violation: Issuing More Than Two Temporary Tags
Action: \$500 Civil Penalty

Respondent: Steven Hines, Lawrenceburg, TN
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Private Protective Security Services

Respondent: Jackson, Rodney, AG-608019, Memphis, TN
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days
Action: \$100 Civil Penalty

Respondent: Stooksbury, Edward, AG-606153, Knoxville, TN
Violation: TCA 62-35-104 Working for unlicensed Proprietary Security Company
Action: \$500 Civil Penalty

Respondent: Dempsey, Paul, UG-3344905, Chickamauga, GA
Violation: TCA 62-35-120 (b) & 62-35-130(a) Failure to notify of conviction
Action: Revocation

Respondent: Sharp, Travis, UG-402453, Lewisburg, TN
Violation: TCA 62-35-120 (b) Failure to notify of arrest within thirty (30) days
Action: \$250 Civil Penalty

Real Estate Appraisers

Respondent: Adam C. Tauscher, Kodak, TN
Violation: In an appraisal report the Respondent failed to include significant relevant data and there were no discussions or analysis of the reconciliation that derived the indicated Sales Comparison Approach.
Action: \$500.00 civil penalty and a 15 hour Residential Report Writing Course.

Respondent: John M. Steuart, Collierville, TN
Violation: In an appraisal report the Respondent failed to include accurate market value of the subject, and one the sales history was not analyzed.
Action: \$500.00 civil penalty and a 7 hour continuing education course on FHA Guidelines.

Respondent: Carol A. Smith, Counce, TN
Violation: In one residential appraisal report, Respondent committed multiple and serious errors in her legal description of the subject and the subject's neighborhood, in the site and description of improvements section, and in the sales comparison and cost approaches which indicated gross negligence in the performance of appraisals. The Commission found aggravating her substantial and recent prior disciplinary history, including three sanctions (two imposing suspension) since late 2008.
Action: Revocation of certified residential certificate and assessment of all investigatory and hearing costs.

Real Estate Commission:

Respondent: Linda G. Allen, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: \$1200 Civil Penalty

Respondent: Michael David Allen, Knoxville, TN
Violation: Failure supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Robert A. Allen, Memphis, TN
Violation: Failure supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: David Alley, Jr., Knoxville, TN
Violation: Failure supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Kelly Snider Baker, Knoxville, TN
Violation: Failure supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Lori D. Barlow, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: \$530 Civil Penalty

Respondent: Kevin J. Bisceglia, Middlesboro, KY
Violation: Failure supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Robert Burns, Nashville, TN
Violation: Failure supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Charles "Ken" Cole, Pigeon Forge, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: LaShanya Y. Cooley, Memphis, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Glenn N. Dinofer, Blackshear, GA
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: David M. Dixon, Gatlinburg, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$3000 Civil Penalty

Respondent: Travis L. Earls, Morristown, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Michael S. Elting, Atlanta, GA
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Cindy Garvey, Franklin, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Gary M. Griffey, Clarksville, TN
Violation: (1) Conduct which constitutes improper, fraudulent or dishonest dealing (2) Failure to timely submit monies belonging to others
Action: \$5000 Civil Penalty and 1 year license suspension

Respondent: Nancy H. Grinstead, Sevierville, TN
Violation: Failure to timely complete required education
Action: \$400 Civil Penalty

Respondent: Jeffrey A. Hale, Chattanooga, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Glenard F. Harrington, Knoxville, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Roy G. Helms, Morristown, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: John Perry Horton, Huntsville, AL
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: John K. Hyneman, Memphis, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Nina F. Thompson-Irvin, Southaven, MS
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Clay I. James, Newport, TN
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Lawrence Johnson III, Memphis, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Leslie G. Kennedy, Sevierville, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Robert "Bob" F. Lamb, Murfreesboro, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Timothy M. Lane, McDonald, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Cathy S. Langbehn, Middlesboro, KY
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Linda M. Lester, Abingdon, VA
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Andrea V. Mahan, Butler, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$2000 Civil Penalty

Respondent: Donna Nalley, Chattanooga, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Scott G. Oglesby, Bartlow, FL
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Daniel K. Parker, East Ellijay, GA
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Willis B. Payne, Kingsport, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Laura R. Peterson, Chattanooga, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Sharon D. Phillips, Butler, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: James Pickel, Sevierville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: James E. Pratt, Jr., Chattanooga, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Phillip K. Rosenblum, Franklin, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Pamela "Pam" D. Sanders, Athens, AL
Violation: Failure to maintain E&O insurance
Action: Surrendered license

Respondent: Jeffrey M. Schoenfield, Gatlinburg, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: John T. Shelton, Brentwood, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$2000 Civil Penalty

Respondent: Maximilian "Max" C. Smith, Nashville, TN
Violation: Failure to maintain E&O insurance
Action: \$1000 Civil Penalty

Respondent: Pamela "Pam" S. Teller, Hendersonville, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Dona Tippet, Memphis, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: John C. Trotter, Knoxville, TN
Violation: Failure to supervise activities of affiliates (E&O)
Action: \$1000 Civil Penalty

Respondent: Peter K. Warui, Memphis, TN
Violation: Failure to timely complete administrative measures
Action: \$250 Civil Penalty

Respondent: Brian K. Williams, Lexington, TN
Violation: Failure to timely complete required education
Action: \$600 Civil Penalty