



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

**FOR IMMEDIATE RELEASE**

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## **REGULATORY BOARDS DISCIPLINARY ACTION REPORT**

**December 2013**

### **Alarm Systems Contractors Board**

Respondent: A.C.E., Alarms, Inc. C-117, Brentwood, TN  
Violation: Failure to submit transfer notices within thirty (30) days  
Failure to register alarm employees within thirty (30) days  
Action: \$3,900 Civil Penalty

Respondent: Gravity Networks, Knoxville, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Proscan Technologies Plus, Inc. C-1805, Cordova, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Rackley Technologies, C-1787, Pulaski, TN  
Violation: Unlicensed activity  
Action: \$500 Civil Penalty

Respondent: Jayson L. Taylor, QA-1196, Memphis, TN  
Violation: Failure to submit termination notice within thirty (30) days  
Action: \$50 Civil Penalty

Respondent: Kurt W. Becker, QA-1353, West Palm Beach, FL  
Violation: Failure to submit termination notices within thirty (30) days  
Action: \$400 Civil Penalty

Respondent: Robert Morelock, QA-1693, Johnson City, TN  
Violation: Failure to submit termination notice within thirty (30) days  
Action: \$50 Civil Penalty

Respondent: Steven L. Buchanan, QA-1397, Atoka, TN  
Violation: Failure to submit termination notice within thirty (30) days  
Action: \$50 Civil Penalty

Respondent: Tammy L. Donald, QA-1613, Irving, TX  
Violation: Failure to submit termination notices within thirty (30) days  
Action: \$1,700 Civil Penalty

### **Architectural and Engineering Examiners**

Respondent: Stephen P. Maslan, P.E. #19053 Kansas City, MO  
Violation: Violated Rule 0120-02-.07(5) (b)  
Action: Consent Order for a period of probation to expire when written proof is submitted that license in the State of Oklahoma has been reinstated and is in good standing and to take and pass the Board's Law and Rules Exam.

Respondent: David T. Vath, P.E. #100979 Charleston, SC  
Violation: Violated T.C.A. 67-4-1702 and 1704 and T.C.A. 62-2-308.  
Action: Final Order, by Default, Revocation and to pay all litigation and court costs.

Respondent: Crag Alexander Perry, P.E. #22725 Houston, TX  
Violation: Violated T.C.A. 67-4-1702 and 1704 and T.C.A. 62-2-308.  
Action: Agreed Order for \$250 civil penalty and \$200 in court costs.

Respondent: Patrick H. Johnson, P.E. #102579 Paducah, KY  
Violation: Violated T.C.A. 67-4-1702 and 1704 and T.C.A. 62-2-308.  
Action: Agreed Order for \$250 civil penalty and \$200 in court costs.

Respondent: Patrick L. Fly, RA #7728 Dawsonville, GA  
Violation: Violated T.C.A. 67-4-1702 and 1704 and T.C.A. 62-2-308.  
Action: Agreed Order for \$250 civil penalty and \$200 in court costs.

Respondent: Aloysius F. Wolczyk, Jr., P.E. #104422 Louisville, KY  
Violation: Violated T.C.A. 67-4-1702 and 1704 and T.C.A. 62-2-308.  
Action: Agreed Order for \$250 civil penalty and \$200 in court costs.

### **Barber Board**

Respondent: The Barber Shop, Memphis, TN  
Violation: Unlicensed activity; laminated license; sanitation  
Action: \$1000.00 Civil Penalty

Respondent: Airways Barber Shop, Memphis, TN  
Violation: Unlicensed activity; sanitation violation  
Action: \$750.00 Civil Penalty

Respondent: Heather's Barber & Style Shop, Dickson, TN  
Violation: Sanitation violation  
Action: \$250.00 Civil Penalty

Respondent: Blades Barber Shop & Styles, Memphis, TN  
Violation: Sanitation violation  
Action: \$250.00 Civil Penalty

Respondent: Vick & Ray's Beauty & Barber, Memphis, TN  
Violation: Unlicensed activity  
Action: \$500.00 Civil Penalty

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

Respondent: Scott E. Hamm, Jr., Portland, TN  
Violation: Funeral director served in the capacity of establishment manager, practiced funeral directing while license was expired, failed to make available his current funeral director and embalmer licenses for inspection, and failed to respond regarding a complaint within the time specified in the notice  
Action: Surrender of funeral director and embalmer licenses and the Board shall not consider any application from this Respondent for any license until the expiration of five years

Respondent: James Edwin Herndon, III, Memphis, TN  
Violation: Immoral or unprofessional conduct (provided cremation services for two non-related individuals and released the cremated human remains of these two individuals to opposite family members for final disposition)  
Action: \$2,000 Civil Penalty

Respondent: Hibbett & Hailey Funeral Home, Nashville, TN  
Violation: Failed to obtain and maintain a copy of the crematory's current license and latest inspection report utilized by the funeral home, failed to retain a cremation authorization form, failed to report a change of the funeral director managing, supervising and responsible for the funeral establishment, and multiple aspects of the establishment's price lists and statements of funeral goods and services selected did not comply with the Funeral Rule  
Action: \$750 Civil Penalty

Respondent: Portland Funeral Chapel, Portland, TN  
Violation: Failed to obtain and maintain a copy of the crematory's current license and latest inspection report utilized by the funeral home, cremation authorization forms were not signed and dated, a funeral director served in the capacity of establishment manager and practiced funeral directing while license was expired, failed to securely affix a permanent identification device to the deceased

human remains, business cards and the establishment's website either gave or tended to give the impression that an unlicensed person was licensed or entitled to practice either as a funeral director or embalmer, ventilation fan in the preparation room was not working properly, waste and soiled clothing were not properly disposed of, the preparation room was disorderly and cluttered, multiple aspects of the establishment's price lists did not comply with the Funeral Rule, and failed to respond regarding a complaint within the time specified in the notice

Action: \$1,000 Civil Penalty

Respondent: Thompson's Mortuary, Ripley, TN

Violation: Immoral or unprofessional conduct (failed to honor a financial obligation to a supplier in a timely manner) and failed to respond regarding a complaint within the time specified in the notice

Action: \$500 Civil Penalty

### **Board for Licensing Contractors**

Respondent: Shook Inc., Dayton, OH

Violation: Bidding in the Name other than License

Action: \$500 Civil Penalty

Respondent: WB Day Construction, Memphis, TN

Violation: Unlicensed Activity

Action: \$500 Civil Penalty

Respondent: John Erick DBA Southeast Construction, Chattanooga, TN

Violation: Exceeding Limit

Action: \$1000 Civil Penalty

Respondent: Barrett Construction & Revocation LLC, Manchester, TN

Violation: Unlicensed Activity

Action: \$2500 Civil Penalty

Respondent: Eddie Hines, DBA H & H Construction, Chattanooga, TN

Violation: Unlicensed conduct as a home improvement contractor, receiving payment while abandoning and not completing jobs, and failing to install specified equipment that homeowner had contracted for.

Action: \$5,000.00 Civil Penalty plus hearing costs.

Respondent: Ray Walker, DBA ABC All-In-One, Memphis, TN

Violation: Unlicensed conduct as a home improvement contractor, collecting a deposit that was more than 1/3 of the contract price, and misrepresenting his credentials by claiming to be fully licensed as a state home improvement contractor.

Action: \$2,000.00 Civil Penalty plus hearing costs.

Respondent: Brian Burgess, DBA Contracting and Materials, Inc.  
Violation: Unlicensed activity.  
Action: \$1,000.00 Civil Penalty.

### **Burial Services**

Respondent: Canale Funeral Directors, Inc., Memphis, TN  
Violation: An agent of the establishment who sold preneed funeral contracts was not registered as a preneed sales agent at the time of selling the contracts  
Action: \$250 Civil Penalty

Respondent: Coulter-Garrison Funeral Home, Inc., Dayton, TN  
Violation: Provided discount on preneed funeral contract, failed to properly pay all preneed funeral consumer protection fees, and failed to timely submit an annual report  
Action: \$250 Civil Penalty

Respondent: Grandview Memorial Garden, Inc., Clinton, TN  
Violation: Failed to deposit funds into trust fund, failed to make deposits into trust fund timely, lacked fidelity bond coverage, omitted specific disclosure language required in all contracts, failed to execute a sales contract for merchandise and services sold, and failed to submit a properly completed annual report  
Action: \$750 Civil Penalty

Respondent: Hatmaker Funeral Home, Lake City, TN  
Violation: Provided discounts on preneed funeral contracts, failed to refund excess funds to the purchaser, purchaser's estate or named beneficiary, failed to pay all preneed funeral consumer protection fees, and failed to timely submit a properly completed annual report  
Action: \$500 Civil Penalty

Respondent: Kyker Funeral Homes, Harriman, TN  
Violation: Provided discount on a preneed funeral contract and failed to timely submit an enrollment or application form to the insurance company for the funding of a preneed funeral contract by an insurance policy  
Action: \$250 Civil Penalty

Respondent: Loretto Memorial Chapel, Inc., Loretto, TN  
Violation: Provided discounts on preneed funeral contracts, failed to properly pay all preneed funeral consumer protection fees, and failed to submit an annual report  
Action: \$500 Civil Penalty

Respondent: Oak Lawn Funeral Home – Cremation Center, Sparta, TN  
Violation: Provided discounts on preneed funeral contracts  
Action: \$250 Civil Penalty

Respondent: Rhea Memory Gardens, Inc., Dayton, TN  
Violation: Failed to deposit funds into trust funds, failed to make deposits into trust fund timely, and failed to execute a sales contract for merchandise and services sold  
Action: \$500 Civil Penalty

Respondent: Rucker Memorial Chapel, Inc., Murfreesboro, TN  
Violation: Sold preneed funeral contracts while preneed seller registration was expired and failed to file annual report timely  
Action: \$350 Civil Penalty

Respondent: Woodlawn Cemetery Company, Knoxville, TN  
Violation: Failed to deposit funds into trusts, failed to make deposits into trust funds timely, and omitted specific disclosure language required in all contracts  
Action: \$1,500 Civil Penalty

### **Cosmetology Board**

Respondent: Nail & Day Spa Creating Inspiration, Murfreesboro, TN  
Violation: Unlicensed activity  
Action: \$250.00 Civil Penalty

Respondent: Tangle Hair Studio, Memphis, TN  
Violation: Unlicensed activity  
Action: \$250.00 Civil Penalty

Respondent: Northside Health Care Center, Murfreesboro, TN  
Violation: Inspection sheet not posted; no manager present  
Action: \$500.00 Civil Penalty

Respondent: Envy Hair Salon, Columbia, TN  
Violation: Not wearing ID tag; sanitation violation  
Action: \$500.00 Civil Penalty

Respondent: Georgia Career Institute, Murfreesboro, TN  
Violation: Working on expired license; Student not qualified to attend school  
Action: \$1000.00 Civil Penalty

Respondent: Dior African Hair Braiding, Nashville, TN  
Violation: No manager present; operating on expired license  
Action: \$250.00 Civil Penalty

Respondent: Ruby Nails, Nashville, TN  
Violation: Unlicensed activity; not wearing ID tags; sanitation violations  
Action: \$750.00 Civil Penalty

Respondent: Jennifer's Nail, Memphis, TN  
Violation: Unlicensed activity; not wearing ID tags; sanitation violations  
Action: \$1000.00 Civil Penalty

Respondent: Hair Plus Beauty Supply, Memphis, TN  
Violation: Unlicensed activity  
Action: \$250.00 Civil Penalty

Respondent: Nail Trix, Maryville, TN  
Violation: Unlicensed activity  
Action: \$500.00 Civil Penalty

Respondent: Nails So Happy, Smyrna, TN  
Violation: Not wearing ID tags  
Action: \$250.00 Civil Penalty

Respondent: Splendid Nails, Memphis, TN  
Violation: Unlicensed activity  
Action: \$250.00 Civil Penalty

Respondent: Emelly's Beauty Salon, Memphis, TN  
Violation: Unlicensed activity; sanitation violations  
Action: \$1000.00 Civil Penalty

Respondent: Xuan Tran, Gallatin, TN  
Violation: Violation of Tenn. Code Ann. § 62-4-116  
Action: Revocation of license

### **Motor Vehicle Commission**

Respondent: Mr. Imports Auto Sales, Memphis, TN  
Violation: Temporary Tag Violation  
Action: \$1000 Civil Penalty

Respondent: The Great South Auction Co., Savannah, TN  
Violation: Unlicensed Activity  
Action: \$500 Civil Penalty

Respondent: Credit Auto Sales, Inc., Smyrna, TN  
Violation: Deceptive Acts and Temporary Tag Violation  
Action: \$3000 Civil Penalty

### **Private Investigation and Polygraph Commission**

Respondent: Rosetta Stone Investigations, PIC-1393, Brentwood, TN  
Violation: Failure to notify of arrest within thirty (30) days  
Action: \$125 Civil Penalty

## **Private Protective Services**

Respondent: First Response Security, CSC-10576, Arlington, TN  
Violation: Unlawful employment  
Action: \$1,200 Civil Penalty

Respondent: Tequila Cowboy, Nashville, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty

Respondent: Brittany M. McElroy, AG-609651, Lebanon, TN  
Violation: Failure to notify of her arrest within thirty (30) days  
Working as a security guard without a valid registration  
Action: \$1,000 Civil Penalty plus Hearing and Investigatory costs

Respondent: Forrest D. Bradford, AG-603203, Smyrna, TN  
Violation: Engaged in dishonorable, unethical, or unprofessional conduct  
Action: Revocation

Respondent: Frank C. Thomas, AG-614810, Nashville, TN  
Violation: Engaged in dishonorable, unethical, or unprofessional conduct  
Action: Suspension

Respondent: Sean A. Carter, AG-605889, Lawrenceburg, TN  
Violation: Unlicensed activity  
Action: \$2,000 Civil Penalty plus Hearing and Investigatory costs

## **Real Estate Appraisers**

Respondent: Patrick H. Peters, Bartlett, TN  
Violation: Failure to comply with terms of a consent order.  
Action: Suspension

## **Real Estate Commission**

Respondent: Richard "Rick" L. Adrian, Gatlinburg, TN 37738  
Violation: Failure to maintain Errors and Omissions insurance  
Action: \$500 Penalty Fee, provided proof of errors and omissions ins.

Respondent: Jimmy "Jim" Agee, Lebanon, TN  
Violation: Failure to exercise adequate supervision over the activities of licensed affiliate broker  
Action: \$500 Civil Penalty  
Attend one regularly scheduled two-day commission meeting



Respondent: Jere L. Allen, Mountain Home, AR  
 Violation: Unlicensed activity  
 Action: \$1000 Civil Penalty, plus court cost

Respondent: John A. Amaefula, Germantown, TN  
 Violation: Failure to timely comply with terms of consent order  
 Action: Automatic suspension until default is cured

Respondent: Donna Clark, Hendersonville, TN  
 Violation: Failure to timely comply with payment plan contained  
 Within consent order  
 Action: Automatic suspension until default is cured

Respondent: Frank J. Miles, Nashville, TN  
 Violation: Advertising violation (Firm name and phone number not listed)  
 Action: \$250 Civil Penalty

Respondent: Charles D. Pecka, Clarksville, TN  
 Violation: Failure to exercise adequate supervision over the activities of  
 licensed affiliate broker  
 Failure to be loyal to the interest of the client  
 Action: \$2000 Civil Penalty  
 Attend one regularly scheduled two-day commission meeting

Respondent: John D. Schiel, Nashville, TN  
 Violation: Failure to timely complete required education  
 Action: \$600 Civil Penalty

Respondent: Brittany Layne Shaw, Dayton, TN  
 Violation: Failure to timely complete required education  
 Action: \$600 Civil Penalty

**The following individuals have had their licenses suspended in accordance with  
 Tenn. Code Ann. §36-5-706 or Tenn. Code Ann. §56-1-313**

**Barber Board**

Timothy Judkins	Nashville, TN
Amy Robinson	Murfreesboro, TN
Rodney Hess	Cookeville, TN
Justin Hallum	Lebanon, TN
Heather Herron	Lake Placed, FL

**Board of Funeral Directors and Embalmers**

James William Ford, Jr.	Nashville, TN
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**Board of Cosmetology**

Kanika Martin	Clarksville, TN
Brooke Anderson Foster	Hermitage, TN
Pamela Bechtol	Heiskell, TN
Misty Carr	Knoxville, TN
Lisa Cash	New Market, TN
Adrien Coleman	Savannah, GA
Jessica Fisher	Adairville, KY
Darnelius Floyd	Louisville, MS
Lindsey Gatlin	Franklin, TN
Christina Gibson	Memphis, TN
Teandra Hollowell	Memphis, TN
Jennilee Holt	Dyer, TN
Kathryn Hopkins	Murfreesboro, TN
Carolyn Johnson	Morristown, TN
Tami O'Hara	Chattanooga, TN
Shannon Schaal	Knoxville, TN
Tara Smith	Horn Lake, MS
Melissa Gabriesheski	Lakeland, TN
Travonya Nash	Oxford, MS
Kristi Newman	Cordova, TN
Talunja Prophet	Memphis, TN
Megan Talley	Parrottsville, TN
Sonya Tomlin	Columbia, TN
Eugene Barton	Nashville, TN
T. Bigelow	Hendersonville, TN
Tracy Boukari	Southaven, MS
Blake Cantrell	Mc Kenzie, TN
Cindy Dyer	Powell, TN
Shirley Horton	Jackson, TN
William Howard	Ooltewah, TN
Cassandra Parker	Chattanooga, TN
Sherida Spurlock	Memphis, TN

**Geology Registration Program**

Pamela W. Cook	Nashville, TN
Matthew T. Tucker	Ewa, HI

**Motor Vehicle Commission**

Philden Cooper	Rockwood, TN
Lee Davis	Olive Branch, MS
Weston Dean	Morristown, TN
Jeffrey Kimbro	Thompson Station, TN
Anthony Osborne	Chattanooga, TN
Amanda Posey	Newport, TN
Myles Ross	Knoxville, TN
Kathy Seals	Whitesburg, TN
Anthony Stephens	Newport, TN
Jerry Varnon	Ringgold, GA

William Ventress	Clarksville, TN
Mark Lancaster	Hendersonville, TN
Brooks Harmon	Dickson, TN
James Manyabo	Nashville, TN
Ashley Ward	Mascot, TN
Barry Bray	Kodak, TN
Jessie Brewer	Rockwood, TN
Gabriel Story	Greeneville, TN

### **Private Protective Services**

John Compton	Sevierville, TN
Kevin Cry	Cleveland, TN
Latash Pridgen	Clarksville, TN
Lisa Ainsworth	Clarksville, TN
Lisa Gonzales	Lebanon, TN
Mark Freeman	Shelbyville, TN
Tamara Wilson	Memphis, TN
Twson Dryden	Nashville, TN

### **Real Estate Appraisers**

Michael Christopher Phillips	Nashville, TN
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### **Real Estate Commission**

John A. Black	Memphis, TN
Pamela Brady LaChapelle,	Mt. Juliet, TN
Shajuan Marsha White	Memphis, TN
Angela Jane Wolf	Smyrna, TN

**The Department of Commerce and Insurance works to protect consumers while ensuring fair competition for industries and professionals who do business in Tennessee.**

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