



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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REGULATORY BOARDS DISCIPLINARY ACTION REPORT MARCH 2012

Alarm Systems Contractors Board

- Respondent: Eagle Security, LLC, C-1369 - Memphis, TN
Violation: TCA 62-32-319 (b)(2), (9) & Rule 0090-01-.14. Committed misconduct, gross negligence & failed to respond to the complaint within thirty (30) days.
Action: \$1,000 Civil Penalty plus \$200 Investigatory and Hearing costs
- Respondent: Insight CCTV, Inc., Nashville, TN
Violation: TCA 62-32-304(a) & (j) and Rules 0090-01-.04 & 0090-01-.07 Engaged in unlicensed activity and failed to submit application for licensure to Board.
Action: \$1,500 Civil Penalty plus \$730 Investigatory and Hearing costs
- Respondent: Night Owl Security, C-1274 - Gray, TN
Violation: TCA 62-32-304(a),(h),(d) & (j) & 62-32-316(d). Engaged in unlicensed activity prior to licensure and improper advertising after being licensed.
Action: \$1,750 Civil Penalty
- Respondent: Gilmore, Roger D., QA-816 - Smyrna, TN
Violation: TCA 62-32-319(b)(2) & (3) and Rules 0090-01-.06(7) & (9)(k). Failed to submit termination notice of alarm employee within thirty (30) days
Action: \$100 Civil Penalty plus \$200 Investigatory and Hearing costs
- Respondent: Puncsak, Richard T., QA-826 - Nashville, TN
Violation: TCA 62-32-319(b)(2) & (7) and Rule 0090-1-.06(9),(a),(d),(e),(i). Failed to supervise all aspects of branch office operations – including failure to register alarm employees within thirty (30) days.
Action: \$1,000 Civil Penalty plus \$200 Investigatory and Hearing costs
- Respondent: Reid, Ryan R., QA-877- Franklin, TN
Violation: TCA 62-32-312(c),(d), 62-32-316(d), 62-32-319(b)(2),(3) & Rules 0090-01-.06(9)(e) and 0090-01-.14. Failed to display certification number on all advertising; failed to register 3 alarm employees within thirty (30) days occurring over 2 year

Action: period; and continued to employ individual for 8 months after notice of closure of said individual's employee registration application was mailed to Respondent.
\$2,850 Civil Penalty plus \$200 Investigatory and Hearing costs

Respondent: Taylor, William C., QA-150- Memphis, TN
Violation: Rule 0090-01-.06(9)(k) Failed to submit termination notice of alarm employee within thirty (30) days
Action: \$350 Civil Penalty

Respondent: Fairfax, Terry W., RE-3909- Knoxville, TN
Violation: TCA 62-32-304(a) & (k) Unlicensed activity
Action: \$1,000 Civil Penalty plus \$1,290 Investigatory and Hearing costs

Barber Examiners Board

Respondent: The Barber Shop, Memphis, TN
Violation: Expired shop license, dirty shop
Action: \$500.00 Civil Penalty Assessed

Board of Accountancy

Respondent: Mahan & Associates
Violation: Unlicensed Practice
Action: \$5000.00 Civil Penalty

Respondent: Joseph Thompson Weller
Violation: Suspended from Practicing Before the SEC; Expired Tennessee CPA License
Action: \$945.00 Civil Penalty; CPA License Suspended for Two Years

Board of Architectural and Engineering Examiners

Respondent: Paul J. Palazolo, P.E. #14862
Violation: Failed to comply with the continuing education audit.
Action: \$500 civil penalty, submit audit within ninety (90) days, submit to an automatic audit of continuing education hours for the next renewal and take and pass the Board's Law and Rules Exam.

Respondent: Matthew Glenn Gentry, P.E. #111305
Violation: Failed to comply with the continuing education audit.
Action: \$500 civil penalty, submit audit within ninety (90) days, submit to an automatic audit of continuing education hours for the next renewal and take and pass the Board's Law and Rules Exam.

Respondent: Samuel K. Carrell, Unlicensed
Violation: Practiced engineering without a license and used the title "Engineer".
Action: \$2,000 civil penalty.

Respondent: William S. Dunnebacke, Unlicensed

Violation: Practiced engineering without a license.
Action: \$1,000 civil penalty

Board For Licensing Contractors

Respondent: Ideal Exteriors LLC, Knoxville, TN
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Respondent: Kingham Roofing, Southaven, MS
Violation: Unlicensed Activity
Action: \$500 Civil Penalty

Respondent: Bruce Mayhugh Home Improvement Company, Brentwood, TN
Violation: Unlicensed Activity
Action: \$250 Civil Penalty

Respondent: Mike Smith DBA Smith Home Improvement, Memphis, TN
Violation: Unlicensed Activity
Action: \$250 Civil Penalty

Respondent: Webco Inc DBA Webco Inc of TN, Oxnard, CA
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Board of Funeral Directors and Embalmers

Respondent: Baxter Brothers Funeral Home, Columbia, TN
Violation: Establishment operated while the funeral director license of the manager was invalid, failed to retain cremation authorization forms, failed to make available for inspection a copy of an embalmer's license and failed to retain a copy of the Statement of Funeral Goods and Services Selected
Action: \$750 Civil Penalty

Respondent: Marcus Tyrone Baxter, Columbia, TN
Violation: Practiced as funeral director and acted as the manager of an establishment while funeral director license was invalid
Action: \$500 Civil Penalty

Respondent: Angela Elaine Campbell, Elgin, South Carolina
Violation: Immoral or unprofessional conduct, misrepresentation or fraud in the conduct of the business of the funeral establishment and violation of statutes pertaining to the prearrangement of a funeral (received payment on multiple occasions for a single premium prearranged insurance policy but instead submitted an application much later for a three year pay policy, forged a policyholder's name on an insurance application and used her own address for all premium notices and correspondence pertaining to the policies)
Action: Revocation of funeral director's license

Respondent: Foster & Lay Funeral Home, Tracy City, TN
Violation: Multiple aspects of the establishment's prices lists and contract did not comply with the Funeral Rule
Action: \$250 Civil Penalty

Respondent: Heritage Funeral Home & Cremation Services, LLC, Columbia, TN
Violation: Establishment gave or tended to give the impression that an individual associated was licensed to practice as a funeral director or embalmer when the individual was not actually licensed
Action: \$250 Civil Penalty

Respondent: High's, Inc., McMinnville, TN
Violation: Provided an incorrect name, address and phone number of a crematory to the authorizing agent and failed to maintain a copy of the current license and latest inspection report for the crematory which the funeral home used
Action: \$250 Civil Penalty

Respondent: Weaver Funeral Home, Knoxville, TN
Violation: An aspect of the establishment's prices list did not comply with the Funeral Rule
Action: \$500 Civil Penalty

Burial Services

Respondent: Brentwood-Roesch-Patton Funeral Home, Brentwood, TN
Violation: Improperly provided discounts on preneed funeral contracts and failed to keep and maintain accurate accounts, books and records of transactions related to numerous preneed funeral contracts
Action: \$1500 Civil Penalty

Respondent: Angelia Elaine Campbell
Violation: Practiced fraud, deceit or misrepresentation and engaged in dishonorable, unethical, or unprofessional conduct of a character likely to defraud, deceive or harm the public (received payment on multiple occasions for a single premium prearranged insurance policy but instead submitted an application much later for a three year pay policy, forged a policyholder's name on an insurance application and used her own address for all premium notices and correspondence pertaining to the policies)
Action: Revocation of Preneed Sales Agent Registration

Respondent: Crest Lawn Memorial Cemetery, LLC, Cookeville, TN
Violation: Deficit existed in the Merchandise and Services Trust Fund, failed to meet the requirements for ordering merchandise, failed to make timely deposits into the trust funds and failed to commence construction of a mausoleum within thirty-six (36) months after date of first pre-construction contract
Action: \$3000 Civil Penalty and provide verification that the deficit in the Merchandise and Services Trust Account has been cured

Respondent: Dickson County Memorial Gardens, Dickson, TN

Violation: Failed to make timely deposits into the Improvement Care Trust Fund, failed to properly account for the consumer protection fee on contracts and omitted required contract disclosure language
Action: \$1250 Civil Penalty

Respondent: Hillcrest Memorial Gardens, Cleveland, TN and Cecil Lawrence, Inc., D/B/A/ The Lawrence Group, Dallas, Georgia
Violation: Improper withdrawals from the trust fund on numerous occasions and improper commingling of trust funds
Action: \$50,000 Civil Penalty and an additional \$980 as Costs

Respondent: Holley-Gamble Funeral Home, Lake City, TN
Violation: Improperly provided discounts on preneed funeral contracts, failed to timely submit an application for a prearranged insurance policy and failed to timely file an annual report
Action: \$1250 Civil Penalty

Respondent: John P. Franklin Funeral Home, Chattanooga, TN
Violation: Failed to establish a valid trust as required by law, failed to obtain Commissioner's approval to withdrawn preneed funeral funds from trust and purchase a prearrangement insurance policy, allowed an individual to offer and sale preneed funeral contracts without first registering, failed to timely submit an application for a prearranged insurance and an annual report was not properly completed
Action: \$2250 Civil Penalty

Respondent: Lynnhurst-Greenwood Chapel of Berry Funeral Home, Knoxville, TN
Violation: Improperly provided discounts on preneed funeral contracts
Action: \$750 Civil Penalty

Respondent: Marshall-Donnelly-Combs Funeral Home, Nashville, TN
Violation: Improperly provided discounts on preneed funeral contracts and failed to timely submit an application for a prearranged insurance policy
Action: \$1000 Civil Penalty

Respondent: Martin Wilson Funeral Home, LaFollette, TN
Violation: Improperly provided discount on a preneed funeral contract, failed to refund excess funds to the purchaser after receiving overpayment from the trustee or insurance company and failed to timely file an annual report
Action: \$500 Civil Penalty

Respondent: Robert Ledford Funeral Home and Chapel, Erwin, TN
Violation: Failed to refund excess funds to purchaser after receiving overpayment from trustee or insurance company, allowed an individual to offer and sale preneed funeral contracts without first registering and failed to submit an annual report
Action: \$500 Civil Penalty

Respondent: Spring City Memorial Gardens, Spring City, TN
Violation: Failed to properly trust for funeral merchandise sold, cemetery and an individual offered and sold preneed funeral contracts without first registering, failed to

provide a detailed listing of all preneed merchandise and services contracts not yet serviced, failed to order a monument or place the money into trust within the required time and failed to make timely deposits into trust funds
Action: \$3000 Civil Penalty

Respondent: Sunset Memorial Gardens, Cleveland, TN and Cecil Lawrence, Inc., D/B/A/ The Lawrence Group, Dallas, Georgia

Violation: Improper withdrawals from the trust fund on numerous occasions and improper commingling of trust funds

Action: \$50,000 Civil Penalty and an additional \$1060 as Costs

Respondent: Sweetwater Memorial Park, Sweetwater, TN

Violation: Failed to make timely deposits into the trust fund

Action: \$250 Civil Penalty

Respondent: Wilson County Funeral Home and Memorial Park, Lebanon, TN

Violation: Failed to make timely deposits into preneed funeral trust fund, contract files failed to contain documentation to verify payments made by trust, contracts failed to itemize charges, files failed to contain an invoice or statement and allowed an individual to offer and sale preneed funeral contracts without first registering

Action: \$1000 Civil Penalty and an additional \$210 as Costs

Respondent: Wilson County Memorial Park, Lebanon, TN and Cecil Lawrence, Inc., D/B/A/ The Lawrence Group, Dallas, Georgia

Violation: Improper withdrawals from the trust fund on numerous occasions and improper commingling of trust funds

Action: \$50,000 Civil Penalty and an additional \$260 as Costs

Collection Services Board

Respondent: CBET, Inc.

Violation: Failed to meet the Standards of Conduct

Action: \$1,000.00 Civil Penalty and Consent Order

Cosmetology Board

Respondent: Foxy Nails, Cookeville, TN

Violation: Unlicensed individual

Action: \$500.00 Civil Penalty Assessed

Respondent: Frida's Beauty Salon, Chattanooga, TN

Violation: Unlicensed individual

Action: \$500.00 Civil Penalty Assessed

Respondent: Great Clips, Ashland City, TN

Violation: Expired cosmetologist license

Action: \$500.00 Civil Penalty Assessed

Respondent: Premier Salons, Franklin, TN

Violation: Shop license or grade sheet not posted, name tags
Action: \$500.00 Civil Penalty Assessed

Respondent: Punchy, Hendersonville, TN
Violation: Expired cosmetologist license
Action: \$500.00 Civil Penalty Assessed

Respondent: Top Nails, Dayton, TN
Violation: Name tags, sanitation and sterilization
Action: \$500.00 Civil Penalty Assessed

Home Inspector Licensing Program

Respondent: Stanley David Kahn, Memphis, TN
Violation: Failed to continuously maintain insurance.
Action: \$500 civil penalty and all investigatory and hearing costs.

Motor Vehicle Commission

Respondent: Garland Buick GMC, LLC, Dickson, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Haynes Used Cars, Jackson, TN
Violation: City & County Business Tax License Expired
Action: \$1000 Civil Penalty

Respondent: Victory Pre-Owned of Pikeville, Pikeville, TN
Violation: Failure to Provide Current City Business License
Action: \$250 Civil Penalty

Private Investigation and Polygraph Commission

Respondent: Colt Ledger & Associates, Tompkinsville, KY
Violation: TCA 62-26-202(B) & 62-26-204(a) Unlicensed activity
Action: \$1,000 Civil Penalty

Respondent: Tarver, Frank C., PI-671-Memphis, TN
Violation: 62-26-213(3) Failure to notify of arrest within thirty (30) days
Action: \$250 Civil Penalty

Private Protective Security Services

Respondent: Higgins, Marlon T., AG-609061 - Memphis, TN
Violation: TCA 62-35-102(6),(8)& 62-35-130(a)(1)&(8) Unlicensed activity
Action: \$8,000 Civil Penalty plus \$490 Investigatory and Hearing costs

Respondent: Langston, Derrick D., AG-601845 -Memphis, TN

Violation: TCA 62-35-120 & Rule 0780-5-02-.18 Failure to notify of arrest within thirty (30) days & failure to respond to the complaint within twenty (20) days.
Action: \$250 Civil Penalty

Real Estate Appraisers

Respondent: Shawn P. Stine, Mission Viejo, CA
Violation: The relevant characteristics of improvements are not adequately identified; sales were not properly verified and reported; adjustments in sales comparison approach were inadequately supported; site value and cost approach inadequately supported; reconciliation does not address the quality or quantity of data in arriving at the final value.
Action: A fifteen (15) hour Sales Comparison Approach course.

Respondent: Jerry Bearden, Calhoun, GA
Violation: In an appraisal report, the Respondent failed to adequately summarize the analysis of the prior sale and the sales contract, failed to adequately summarize the analysis of subject improvements and easements, the Sales Comparison Approach grid contained math errors and failed to reconcile for views or river frontage of comparable sales, and there inadequate reconciliation of the indicated value.
Action: \$500 civil penalty and a thirty (30) hour Sales Comparison Approach course.

Real Estate Commission

Respondent: Tanya Lynn Blandford, Knoxville, TN
Violation: Failure to timely complete administrative measures
Action: \$250 Civil Penalty

Respondent: Jimmy W. Deloach, Mt. Juliet, TN
Violation: Failure to timely complete required education
Action: \$600 Civil Penalty

Respondent: Jackson C. Freeman, Jackson, TN
Violation: Failure to supervise (E&O)
Action: \$1200 Civil Penalty

Respondent: Daniel W. Garrett, Sevierville, TN
Violation: Unlicensed activity (Superior Vacations)
Action: \$4000 Civil Penalty

Respondent: John H. Green, III, Franklin, TN
Violation: Failure to timely complete required education
Action: \$250 Civil Penalty

Respondent: Lawrence Johnson, III, Memphis, TN
Violation: Failure to timely submit monies belonging to others
Action: \$1000 Civil Penalty

Respondent: Stacey Deann Olsen, Brentwood, TN
Violation: Not to engage in self-dealing nor act on behalf of licensees
Immediate family
Action: \$5000 Civil Penalty

Respondent: Barbara A. Post, Sevierville, TN
Violation: Failure to furnish a copy of agency status disclosure
Action: \$250 Civil Penalty

Respondent: Progressive Realty, Columbia, TN
Violation: Escrow account violation
Action: \$250 Civil Penalty

Respondent: Beverly J. Richmond, Bartlett, TN
Violation: Failure to maintain E&O insurance
Action: \$317 Civil Penalty

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