



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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SEPTEMBER 2008 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 SEPTEMBER 2008.

ALARM SYSTEMS CONTRACTORS BOARD

Respondent: 911 Security Systems Inc., Chattanooga TN
Violation: Operating without QA
Action: \$1500 Civil Penalty

Respondent: Security 101, Birmingham AL
Violation: Unlicensed activity
Action: \$1000 Civil Penalty

Respondent: United Monitoring Services, Inc., Fortson GA
Violation: Operating without a QA
Action: \$1100 Civil Penalty

Respondent: PFS Security Group, Inc., Afton TN
Violation: Unlicensed Activity
Action: \$2000 Civil Penalty

Respondent: Ferrer Security, McDonough GA
Violation: Unlicensed activity
Action: \$2500 Civil Penalty

BOARD FOR LICENSING CONTRACTORS

Respondent: Jarrett Construction, Clarksville, TN
Violation: Poor workmanship
Action: \$1000 Civil Penalty

Respondent: Westcon, Inc., Bismarck, ND
Violation: Unlicensed activity
Action: \$250 Civil Penalty

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

Respondent: Timothy J. Wolf, Smyrna, TN
Violation: Operating in a name other than licensed
Action: \$250 Civil Penalty

Respondent: Sheppard Construction, Clarksville, TN
Violation: Misconduct
Action: \$7500 Civil Penalty

BURIAL SERVICES

Respondent: Nashville Embalming, LLC, Nashville, TN
Violation: Offering preneed funeral contracts via establishment's web site without being registered as a preneed seller
Action: \$350 Civil Penalty

Respondent: New Park Cemetery, Inc. / Lakeview Memorial Gardens, Memphis, TN
Violation: Failure to properly deposit payments received from consumers for preneed funeral merchandise
Action: \$6700 Civil Penalty, \$3850 hearing costs and required to make appropriate retroactive deposits into trust funds within 30 days

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Respondent: Bartlett Funeral Home, Inc., Bartlett, TN
Violation: Statement of Funeral Goods and Services Selected fails to disclose that the price being charged for a specific cash advance item is not the same as the cost to the funeral provider.
Action: \$250 Civil Penalty

Respondent: Fielden Funeral Home, Inc., New Market, TN
Violation: FTC Rules
Action: \$250 Civil Penalty

Respondent: Higgins Funeral Home, Inc., Fayetteville, TN
Violation: Numerous FTC Rules and the current license of a funeral director was not available for inspection
Action: \$500 Civil Penalty

Respondent: M. J. Edwards Whitehaven Funeral Chapel, Memphis, TN
Violation: Aiding or abetting an unlicensed person in the practice of embalming
Action: \$500 Civil Penalty

Respondent: Smith Funeral Home, Rutledge, TN
Violation: Failure to make records available for inspection and caskets in selection room did not match Casket Price List
Action: \$350 Civil Penalty

Respondent: Superior Funeral Home Hollywood Chapel, Memphis, TN
Violation: Numerous FTC Rules including failure to make records available for inspection
Action: \$750 Civil Penalty

Respondent: Trinity Funeral Home, Paris, TN
Violation: FTC Rules, the licenses of funeral directors and an embalmer were not available for inspection and failure to maintain a copy of the latest inspection report for the crematory that the funeral home uses
Action: \$500 Civil Penalty

Respondent: V. E. Parham and Son Funeral Home, Springfield, TN
Violation: FTC Rules, ventilation fan inoperable and current licenses of establishment, funeral director nor embalmer were available for inspection
Action: \$450 Civil Penalty and hearing costs upheld by Chancery Court on appeal

Respondent: West-Murley Funeral Home, Oneida, TN
Violation: The prices charged to consumers were greater than the stated amount on applicable price lists, resulting in an overcharge to families
Action: \$500 Civil Penalty

Collection Service Board

Respondent: Pentagroup Financial, LLC Houston, TX
Violation: Abusive language during a collection call.
Action: \$1000 Civil Penalty

Respondent: Collection Bureau of America Hayward, CA
Violation: Unlicensed activity
Action: \$1000 Civil Penalty

Respondent: Nationwide Debt Recovery Spokane, WA
Violation: Unlicensed activity
Action: \$1000 Civil Penalty

MOTOR VEHICLE COMMISSION

Respondent: Gateway Ford, Inc., Dover, TN
Violation: Unlicensed Salesperson (3 counts)
Action: \$2500 Civil Penalty

Respondent: Mile After Mile Auto Parts, Knoxville, TN
Violation: Unlicensed Activity (Dismantler/Recycler)
Action: \$500 Civil Penalty

Respondent: Volunteer Cycles and Trykes, LLC, Sevierville, TN
Violation: Selling Vehicles Not Franchised For
Action: \$500 Civil Penalty

Respondent: Rent to Own Cars of Chattanooga, Chattanooga, TN
Violation: Misuse of Temporary Tags and Unlicensed Salesperson
Action: \$1000 Civil Penalty

Respondent: Subaru of Cool Springs, Franklin, TN
Violation: Temporary Tag Log
Action: \$500 Civil Penalty

PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION

Respondent: Kimmberly A Garbler, Smyrna TN
Violation: Failure to complete required continuing professional education
Action: \$250 Civil Penalty

Respondent: Merri Mai Williamson, Chattanooga TN
Violation: Failure to complete required continuing professional education
Action: \$250 Civil Penalty

Respondent: Charles Edward Glover, Manchester TN
Violation: Failure to complete required continuing professional education
Action: \$250 Civil Penalty

PRIVATE PROTECTIVE SECURITY SERVICES

Respondent: Corporate Protective Services Inc, Memphis TN
Violation: Working unlicensed security guards
Action: \$750 Civil Penalty

Respondent: Airport Security, LLC, Collierville TN
Violation: Working unlicensed security guard
Action: \$750 Civil Penalty

Respondent: Spartan Security Division, Spartanburg SC
Violation: Working unlicensed security guard
Action: \$2000 Civil Penalty

Respondent: Stacey T Comer, Knoxville TN
Violation: Material misstatement in connection with an application
Action: \$250 Civil Penalty

TENNESSEE REAL ESTATE APPRAISERS COMMISSION

Respondent: Reginald Howard, Memphis, TN
Violation: Mised commission by failing to comply with requirements of 2007 consent order
Action: Permanent Voluntary Surrender of license, \$100 civil penalty and required to pay investigatory and hearing costs

Respondent: John T. Jordan, Germantown, TN
Violation: Failure to include signed certifications in violation of the Uniform Standards of Professional Appraisal Practice (USPAP)
Action: \$500 Civil Penalty and required to take a 15 hour USPAP course

TENNESSEE REAL ESTATE COMMISSION

Licensee: Richard Chinje, Nashville, TN
Violation: Unlicensed activity
Action: \$1000 Civil Penalty

Licensee: Kurt Finley, Clarksville, TN
Violation: Making any substantial and willful misrepresentation
Action: \$1000 Civil Penalty

Licensee: James O. Hall, Sevierville, TN
Violation: Failure to timely remit monies belonging to others
Action: \$5000 Civil Penalty

Licensee: Malinda Mason, Old Hickory, TN
Violation: Failure to obey and to be loyal to the interest of the client
Action: \$750 Civil Penalty

Licensee: Patrick R. Morgan, Boone, NC
Violation: Failure to maintain E&O insurance
Action: Revocation

Licensee: Ronald "Boo" Weeks, Jr., Cordova, TN
Violation: Misleading or untruthful advertising
Action: \$250 Civil Penalty