



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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## REGULATORY BOARDS DISCIPLINARY ACTION REPORT January 2012

### Alarm Systems Contractors Board

Respondent: Preventia Security, LLC C-1584 Franklin, TN  
Violation: TCA 62-32-307(d) & 62-32-312(a), (c), (d) Failure to register alarm employee within thirty (30) days  
Action: \$400 Civil Penalty

Respondent: Safegate Security, Inc. C-1123 Johnson City, TN  
Violation: TCA 62-32-307(d) & 62-32-312(a), (c), (d) Failure to register alarm employee within thirty (30) days  
Action: \$1,200 Civil Penalty

Respondent: William Eugene Rader Nashville, TN  
Violation: TCA 62-32-304 (a), (i), (j) Unlicensed activity  
Action: \$2,000 Civil Penalty plus \$200 Investigatory and Hearing costs

Respondent: Moore, Justin G. QA-753 Smyrna, TN  
Violation: Rule 0090-01-.06 (8),(9) (k) Failure to submit termination notice for alarm employees within thirty (30) days  
Action: \$250 Civil Penalty

Respondent: Price, Robert L. QA-1494 Abingdon, VA  
Violation: Rule 0090-01-.06 (9) (k) Failure to submit termination notice for alarm employees within thirty (30) days  
Action: \$200 Civil Penalty

### Board For Licensing Contractors

Respondent: Bennett Building Inc., Pelham, AL  
Violation: Allowing use of license by unlicensed contractor  
Action: \$2,500 Civil Penalty

Respondent: Calloway Boxwood & Landscaping, Franklin, TN  
Violation: Unlicensed Activity  
Action: \$500 Civil Penalty

Respondent: Chimney Works, Inc., Olive Branch, MS  
Violation: Unlicensed Activity  
Action: \$500 Civil Penalty

Respondent: First Impressions Restorations, Knoxville, TN  
Violation: Unlicensed Activity  
Action: \$2,500 Civil Penalty

Respondent: Timothy Quinn Hartline, Memphis, TN  
Violation: Use of an unlicensed subcontractor  
Action: \$500 Civil Penalty

Respondent: JVT Masonry Inc., Antioch, TN  
Violation: Unlicensed Activity  
Action: \$2,000 Civil Penalty

Respondent: Mason Buildings & Steel Erectors, Byrdstown, TN  
Violation: Exceeding Limit  
Action: \$500 Civil Penalty

Respondent: Noltan Construction, Memphis, TN  
Violation: Exceeding Limit  
Action: \$1,000 Civil Penalty

Respondent: Wahidi Construction LLC, Nashville, TN  
Violation: Exceeding Limit  
Action: \$700 Final Order

### **Board of Accountancy**

Respondent: Teresa H. Driver CPA  
Violation: Failure to Obtain Peer Review  
Action: \$2,500 Civil Penalty, 2 hours of state-specific CPE, Reinstate License and close firm

### **Board of Architectural and Engineering Examiners**

Respondent: Mark Steven Frost, P.E. #112477  
Violation: Failed to comply with the continuing education audit.  
Action: Submit audit within ninety (90) days, pay a civil penalty of \$1,000, 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: Alan W. Gordon, P.E. #15889  
Violation: Misconduct/Practice outside area(s) of competence.  
Action: Pay a civil penalty of \$2,000, submit to the Board a letter from the building official or an independent professional engineer or architect certifying that the facility in question is safe and inhabitable and take and pass the Board's Law and Rules Exam.

### **Board of Examiners for Land Surveyors**

Respondent: Paul C. Farris, Whitwell, TN  
Violation: Violation of Standards of Practice.  
Action: \$2,500.00 civil penalty.

Respondent: Todd C. Johnson, Johnson City, TN  
Violation: Unlicensed Conduct.  
Action: \$5,000.00 civil penalty.

Respondent: David C. Evans, III, Brownsville, TN  
Violation: Violation of Standards of Practice.  
Action: \$500.00 civil penalty.

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

Respondent: Boyd Funeral Home, Ashland City, TN  
Violation: Failed to take reasonable steps to secure the preparation room from unauthorized entry and multiple aspects of the establishment's price lists and contracts did not comply with the Funeral Rule  
Action: \$500 Civil Penalty

Respondent: Chattanooga Funeral Home & Crematory – Valley View Chapel, Chattanooga, TN  
Violation: Cremation authorization form failed to contain the name, address and telephone number of the crematory and the funeral director's signature and the crematory's written receipt for delivery of human remains was not properly retained in the file  
Action: \$500 Civil Penalty

Respondent: Cookeville Funeral Home, Cookeville, TN  
Violation: Operated an establishment and conducted multiple funerals on an expired license, used a name on the outside sign and website other than the exact name approved by the Board and failed to respond to the Board's complaint within the time specified in the notice  
Action: \$1250 Civil Penalty

Respondent: Dickson Funeral Home – Fairview Chapel, Fairview, TN  
Violation: Failed to obtain and maintain a copy of the latest inspection report and license of the crematory that the funeral home uses and multiple aspects of the establishment's price lists did not comply with the Funeral Rule  
Action: \$500 Civil Penalty

Respondent: Daniel Richard Early, Athens, TN  
Violation: Practiced funeral directing on multiple occasions while license was invalid including signing contracts and a cremation authorization form  
Violation: \$500 Civil Penalty

Respondent: Rocky Blaise Ford, Savannah, TN  
Violation: Signed numerous funeral contracts and a cremation authorization form as a funeral director while only registered as a student  
Action: \$750 Civil Penalty

Respondent: Gentry-Griffey Funeral Chapel & Cremation Services, Knoxville, TN  
Violation: Failed to obtain and maintain a copy of the latest inspection report and license of two crematories that the funeral home uses and failed to retain multiple cremation authorization forms  
Action: \$500 Civil Penalty

Respondent: Barry Dean Hickman, Jr., Athens, TN  
Violation: Failed to file quarterly report of apprenticeship training within sixty (60) days of the last day of the quarter for which credit is sought  
Action: Shall not receive credit for the time period affected and shall serve the remaining amount of time necessary to complete training as required by law

Respondent: Laycock-Hobbs Funeral Home, Inc., Athens, TN  
Violation: Aiding and abetting an unlicensed person to practice within the funeral profession by allowing a funeral director to practice on multiple occasions while license was invalid including permitting the funeral director to sign contracts and a cremation authorization form  
Action: \$750 Civil Penalty

Respondent: N. J. Ford & Sons Funeral Home, Memphis, TN  
Violation: Unreasonably refused to promptly surrender the custody of a dead human body upon the express order of the person lawfully entitled to the custody of the dead human body  
Action: \$500 Civil Penalty

Respondent: Queen Ann Funeral Home, Pulaski, TN  
Violation: Failed to retain a cremation authorization form, failed to obtain and maintain a copy of the current license of the crematory that the funeral homes uses, multiple aspects of the establishment's price lists did not comply with the Funeral Rule and failed to respond to the Board's complaint within the time specified in the notice  
Action: \$500 Civil Penalty

Respondent: Speck Funeral Home, Inc., Livingston, TN  
Violation: Failed to obtain and retain a copy of the current license of the crematory that the funeral home uses, failed to affix a permanent identification device to a deceased human remains, failed to maintain the preparation room in an orderly fashion and failed to list the reason for embalming on a contract  
Action: \$500 Civil Penalty

## **Burial Services**

Respondent: Anderson Memorial Gardens, Clinton, TN  
Violation: Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection  
Action: Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

Respondent: Cheatham County Memorial Gardens, Inc., Ashland City, TN  
Violation: Failed on multiple occasions to deposit funds into trust within the time specified by law and failed to timely file an annual report on the improvement care trust fund  
Action: \$1000 Civil Penalty

Respondent: Dandridge Memorial Gardens, Dandridge, TN  
Violation: Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection  
Action: Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to

determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

Respondent:

Eastview Memorial Gardens, Strawberry Plains, TN

Violation:

Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection

Action:

Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

Respondent:

Jefferson Memorial Gardens, Jefferson City, TN

Violation:

Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection

Action:

Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

Respondent: Kingston Memorial Gardens, Rockwood, TN  
Violation: Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection  
Action: Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

Respondent: McMinn Memory Gardens, Athens, TN  
Violation: Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection  
Action: Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

Respondent: N. J. Ford & Sons Funeral Home, Memphis, TN  
Violation: Failed on multiple occasions to refund excess funds due to the named beneficiary or the purchaser's estate, failed to identify whether the preneed funeral contract was a guaranteed or non-guaranteed contract, failed multiple times to submit prearrangement insurance applications to the insurance company within the required fifteen (15) days and failed to keep and maintain accurate accounts, books and records of numerous preneed funeral contract and prearrangement insurance policy transactions  
Action: \$1100 Civil Penalty

Respondent: Roane Memorial Gardens, Rockwood, TN  
Violation: Failed repeatedly to make sales records, trust fund records, accounting records and all other records of the cemetery company readily available at all reasonable times for examination or inspection  
Action: Cemetery shall obtain an independent audit of the cemetery's merchandise and trust fund by a certified public accountant to determine compliance with applicable laws and rules with respect to proper withdrawals from trusts and that the trust assets after disbursement of income shall not have a market value of less than one hundred twenty percent (120%) of the aggregate procurement costs of all merchandise and services for which deposits are held in trust, shall provide Burial Services with a letter of engagement within thirty (30) days and at the conclusion of the audit, the certified public accountant shall submit audit results to the Commissioner within a reasonable period of time

### **Motor Vehicle Commission**

Respondent: TNC Scooters, LLC, Jackson, TN  
Violation: Unlicensed Activity  
Action: \$3000 Civil Penalty

Respondent: Rice Auto Sales, Jackson, TN  
Violation: No County or City Business Tax License  
Action: \$500 Civil Penalty

Respondent: Carnival Kia of Franklin, Franklin, TN  
Violation: Failure to Produce a Title  
Action: \$1000 Civil Penalty

Respondent: Pirtle and Howerton Automotive, Shelbyville, TN  
Violation: Advertising Violation  
Action: \$500 Civil Penalty

Respondent: S & S Motors Chattanooga, LLC, Chattanooga, TN  
Violation: Sign Violation  
Action: \$250 Civil Penalty

### **Private Protective Security Services**

Respondent: Benoit, Jordan AG-605922 Hermitage, TN  
Violation: TCA 62-35-130(a) (1), (4), (5), & (6) Conviction  
Action: Suspension



Respondent: Bibbs, Christopher K. AG-612282 Memphis, TN  
Violation: TCA 62-35-104 Unlicensed activity  
Action: \$250 Civil Penalty

Respondent: Dodson, Robert A. AG-608948 Knoxville, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
TCA 62-35-130(a) (1), (4), (5), & (6) Conviction  
Action: Revocation

Respondent: Thomas, Devin D AG-101446 Nashville, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
TCA 62-35-130(a) (3) Knowingly and willfully made a material  
misstatement  
Action: \$500 Civil Penalty

Respondent: Presswood, Danielle S. UG-404936 Harrison, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
TCA 62-35-130(a) (1), (2), (4), (5) & (6)  
TCA 62-35-130(e) Conviction  
Action: Revocation

Respondent: Reed, Casandra R. UG-399461 Memphis, TN  
Violation: TCA 62-35-120(b) Failure to notify of arrest within thirty (30) days  
TCA 62-35-130(a) (1), (3) & (4) Conviction  
Action: Revocation

### **Real Estate Appraisers**

Respondent: John Pinkston, Cordova, TN  
Violation: In an appraisal report, the Respondent failed to analyze the prior  
listing, and failed to adequately support the sales comparison  
approach and site value.  
Action: A fifteen (15) hour Report Writing course.

Respondent: Jason Kelley, Nashville, TN  
Violation: In an appraisal report, the Respondent failed to adequately report  
the site information, the sales comparison approach had errors and  
the income approach was not developed.  
Action: \$500.00 civil penalty and a thirty (30) hour Sales Comparison  
Approach course.

### **Tennessee Real Estate Commission:**

Respondent: Richard S. Armstrong, III, Bristol, TN  
Violation: Failure to supervise activities of affiliates (E&O)  
Action: \$1000 Civil Penalty

Respondent: Kevin M. Barr, Jackson, TN  
Violation: Advertising violation  
Action: \$250 Civil Penalty

Respondent: Gail J. Burleson, Elizabethton, TN  
Violation: Failure to supervise activities of affiliates (E&O)  
Action: \$1000 Civil Penalty

Respondent: CP Bass Real Estate d/b/a Assist2Sell, Knoxville, TN  
Violation: Agency disclosure violation  
Action: \$250 Civil Penalty

Respondent: Darrell T. Cobbins, Memphis, TN  
Violation: Failure to timely complete required education  
Action: \$600 Civil Penalty

Respondent: David M. Dixon, Gatlinburg, TN  
Violation: Failure to timely submit monies belonging to others  
Action: \$500 Civil Penalty

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

Respondent: John Hetzler, Chattanooga, TN  
Violation: Failure to timely complete required education  
Action: \$600 Civil Penalty

Respondent: Bobby Hite Co., Brentwood, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent: Charles T. Holden, Portland, TN  
Violation: Failure to timely complete required education  
Action: \$300 Civil Penalty

Respondent: JPW&C Realty, Inc., Franklin, TN  
Violation: Agency disclosure violation  
Action: \$250 Civil Penalty

Respondent: MJ Realty, Franklin, TN  
Violation: Escrow account violation  
Action: \$250 Civil Penalty

Respondent: Beverly Y. Moore, Sevierville, TN  
Violation: Failure to maintain E&O insurance  
Action: Surrendered license

Respondent: Ingrid Prather, Athens, TN  
Violation: Failure to properly account for earnest money and deposits  
Action: \$3000 Civil Penalty

Respondent: Royal Resorts International, LLC, Sevierville, TN  
Violation: Unlicensed activity  
Action: \$1000 Civil Penalty

Respondent: Billy "Bill" Joe Stewart, Germantown, TN  
Violation: Failure to supervise activities of affiliates (E&O)  
Action: \$1000 Civil Penalty

Respondent: Laura A. Zarecor, Germantown, TN  
Violation: Failure to timely complete required education  
Action: \$600 Civil Penalty