



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

CONTACT: D. CHRISTOPHER GARRETT
OR SHANNON ASHFORD
615-741-6007 (OFFICE)

APRIL 2012 DISCIPLINARY ACTION REPORT

Alarm Systems Contractors Board

Respondent: Lovell, James R., QA-307, Nashville, TN
Violation: Rule 0090-01-.06(7) & (9)(k) Failure to submit termination notices within thirty (30) days
Action: \$100 Civil Penalty

Respondent: Miller, Craig, QA-1240, Smyrna, TN
Violation: Rule 0090-1-.06(7) & (9)(k) Failure to submit termination notices within thirty (30) days
Action: \$300 Civil Penalty

Respondent: Rifkin, Michael A., QA-651, Nashville, TN
Violation: TCA 62-32-304(a),(h), (j) & (k) Unlicensed activity
Action: Revocation & \$10,000 Civil Penalty plus \$2,280 Investigatory and Hearing costs

Respondent: Roark, Robert R., QA-167, Knoxville, TN
Violation: Rule 0090-01-.06(7) & (9)(k) Failure to submit termination notice within thirty (30) days
Action: \$50 Civil Penalty

Respondent: Sanford, Claude E., QA-854, Brentwood, TN
Violation: TCA 62-32-316(d) & Rule 0090-1-.07(7) Failure to post certification number on yard sign
Rule 0090-1-.14 Failure to respond to the complaint within thirty (30) days.
Action: \$100 Civil Penalty plus \$1,290 Investigatory and Hearing costs

Respondent: Tupper, Frank C., QA-1572, Dickson, TN
Violation: Rule 0090-01-.06(7) & (9)(k) Failure to submit termination notice within thirty (30) days
Action: \$ 50.00 Civil Penalty

Respondent: Warren, Charles B., QA-690, Nashville, TN
Violation: Rule 0090-01-.06(7) & (9)(k) Failure to submit termination notice within thirty (30) days
Action: \$ 300.00 Civil Penalty

Auctioneer Commission

Respondent: Two Rivers Realty & Auction
Violation: Advertised as an auction firm without a valid Tennessee Auction Firm license
Action: \$500.00 Civil Penalty

Barber Examiners Board

Respondent: Blue Boy Barber Shop, Chattanooga, TN
Violation: Display of license, sterilization and sanitation of the shop
Action: \$500.00 Civil Penalty Assessed

Respondent: Hair Pavillion, Hendersonville, TN
Violation: License not posted
Action: \$500.00 Civil Penalty Assessed

Board For Licensing Contractors

Respondent: Belew Construction, Clarksville, TN
Violation: Poor Workmanship
Action: \$2,000 Civil Penalty

Respondent: Decorating & Coating Applications LLC, Doraville, GA
Violation: Unlicensed Activity
Action: \$3,000 Civil Penalty

Respondent: K & G Industrial Services LLC, Loxley, AL
Violation: Unlicensed Activity
Action: \$3,000 Civil Penalty

Respondent: Rufino G. Luna DBA Luna Masonry, Jackson, TN
Violation: Unlicensed Activity
Action: \$1,000 Civil Penalty

Board of Examiners for Land Surveyors

Respondent: John T. Dixon, Lawrenceburg, TN
Violation: Violation of Standards of Practice.
Action: \$250.00 civil penalty and evidence of correction of the land surveying documents.

Board of Funeral Directors and Embalmers

- Respondent: Austin & Bell Funeral Home, Greenbrier, TN
Violation: Failed to state a reason for embalming on contracts and business cards and signage on establishment referred to the funeral establishment by a name other than the exact name approved by the Board
Action: \$250 Civil Penalty
- Respondent: Austin & Bell Funeral Home, Springfield, TN
Violation: Cremation authorization form lacked the signature of a funeral director, failed to provide a clear title for each staff member listed on web site, and business cards referred to the funeral establishment by a name other than the exact name approved by the Board
Action: \$500 Civil Penalty
- Respondent: Austin & Bell Funeral Home, White House, TN
Violation: Unlicensed individuals signed cremation authorization forms, failed to have funeral director and embalmer licenses available for inspection, business card failed to provide clear title for unlicensed staff member, failed to state a reason for embalming on contracts and business cards referred to the funeral establishment by a name other than the exact name approved by the Board
Action: \$2500 Civil Penalty
- Respondent: Chattanooga Funeral Home & Crematory – East Brainerd Chapel, Chattanooga, TN
Violation: Billboard advertisement referred to the funeral establishment by a name other than approved by the Board
Action: \$250 Civil Penalty
- Respondent: Chattanooga Funeral Home & Crematory – East Chapel, East Ridge, TN
Violation: Billboard advertisement referred to the funeral establishment by a name other than approved by the Board
Action: \$250 Civil Penalty
- Respondent: Chattanooga Funeral Home & Crematory – North Chapel, Hixson, TN
Violation: Billboard advertisement referred to the funeral establishment by a name other than approved by the Board
Action: \$250 Civil Penalty
- Respondent: Chattanooga Funeral Home & Crematory – Valley View Chapel, Chattanooga, TN
Violation: Billboard advertisement referred to the funeral establishment by a name other than approved by the Board
Action: \$250 Civil Penalty

Respondent: Dyer Funeral Home, Cookeville, TN
Violation: Cremation authorization forms lacked the signature of funeral director, failed to retain a cremation authorization form, multiple aspects of the establishment's prices list did not comply with the Funeral Rule, contracts failed to provide an itemized description for items purchased, failed to take reasonable steps to prevent unauthorized entry into the preparation room, and preparation room was in an unkempt condition with uncovered garbage and soiled linen
Action: \$750 Civil Penalty

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

Respondent: High's, Inc., McMinnville, TN
Violation: Discrepancies found on a cremation authorization form and failed to maintain a copy of the crematory's current license and latest inspection results that the funeral home used
Action: \$250 Civil Penalty

Respondent: Hux-Lipford Funeral Home, Mountain City, TN
Violation: Immoral or unprofessional conduct (consumer purchased a steel outer burial container but instead received a wooden box)
Action: \$1000 Civil Penalty

Respondent: M. D. Dotson & Sons Funeral Home, Athens, TN
Violation: Cremation authorization form failed to disclose the name, address and telephone number of the crematory used by the funeral home and contracts failed to provide an itemized description for items purchased
Action: \$750 Civil Penalty

Respondent: Weaver Funeral Home, Knoxville, TN
Violation: Price of a casket in selection room was inconsistent with the same casket listed on the price list
Action: \$500 Civil Penalty

Burial Services

Respondent: Crest Lawn Funeral Home – Cremation Center, Cookeville, TN
Violation: Employee who was not registered as a preneed sales agent placed brochures in a public place offering preneed funeral contracts
Action: \$750 Civil Penalty

Respondent: Hermitage Funeral Home, Old Hickory, TN
Violation: Improperly provided discounts on preneed funeral contracts
Action: \$1500 Civil Penalty

Respondent: Mayes Family Services of Morristown, Morristown, TN
Violation: Individuals who were not registered as preneed sales agents sold preneed funeral contracts and failed to timely file an annual report
Action: \$1500 Civil Penalty

Respondent: Mt. Olivet Cemetery, Nashville, TN
Violation: Assessed an improper inspection fee on cemetery markers
Action: \$1000 Civil Penalty

Cosmetology Board

Respondent: Diva Nails, Mt. Juliet, TN
Violation: Unlicensed individual
Action: \$500.00 Civil Penalty Assessed

Respondent: Fashion Nail II, Bolivar, TN
Violation: Sanitation and sterilization of the shop
Action: \$1500.00 Civil Penalty Assessed

Motor Vehicle Commission

Respondent: United Imports, Inc., Nashville, TN
Violation: Failure to Provide Business Records
Action: \$500 Civil Penalty

Respondent: Corlew Chevrolet-Cadillac-Oldsmobile, Clarksville, TN
Violation: Advertising Violation
Action: \$1000 Civil Penalty

Respondent: Joe Ben Arney, Murfreesboro, TN
Violation: Unlicensed Activity
Action: \$2500 Civil Penalty

Respondent: Global Motorsports, Inc., Nashville, TN
Violation: Employment of Salesperson & Failure to Supervise
Action: \$1000 Civil Penalty

Respondent: Carlock Powersport, Jackson, TN
Violation: Temporary Tag Violation & Open Title
Action: \$2000 Civil Penalty

Respondent: Florence White Ford, Smithville, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: East Tennessee Nissan, Inc., Morristown, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: Global Motor Sports, Brentwood, TN
Violation: Temporary Tag Log
Action: \$3000 Civil Penalty

Respondent: Landers McLarty Toyota, Fayetteville, TN
Violation: Advertising Violation
Action: \$500 Civil Penalty

Respondent: U-Save Auto Sales, Clarksville, TN
Violation: Temporary Tag Violation
Action: \$500 Civil Penalty

Private Protective Security Services

Respondent: Axis Security, CSC-12124, Johnson City, TN
Violation: TCA 62-35-134(a) Unlawful employment
Action: \$5,000 Civil Penalty

Real Estate Appraisers

Respondent: William F. Kernea, Chickamauga, GA
Violation: Failed to analyze site characteristics and support adjustments applied in the sales comparison approach.
Action: \$500.00 civil penalty and a thirty (30) hour Sales Comparison Approach course and a fifteen (15) hour Site Valuation and Cost Approach course.

Respondent: Sheila R. Kirk, New Albany, MS
Violation: In a residential appraisal, multiple violations of USPAP.
Action: \$500.00 civil penalty and a thirty (30) hour Basic Appraisal Procedures course and a fifteen (15) hour Residential Report Writing course.

Real Estate Commission

Respondent: Harold E. Blockman, Memphis, TN
Violation: Misleading or untruthful advertising
Action: \$500 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Harold E. Blockman, Memphis, TN
Violation: Unlicensed property management co.
Action: \$1000 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Philip "Phil" M. Byrn, Nashville, TN
Violation: Failure to timely complete required education
Action: \$550 Civil Penalty

Respondent: Richard L. Chappell, Gatlinburg, TN
Violation: Misleading or untruthful advertising
Action: \$500 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Donald E. Clark, Greenbrier, TN
Violation: Failure to timely complete required education
Action: \$600 Civil Penalty

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

Respondent: Cobbly Nob Realty, Inc., Gatlinburg, TN
Violation: Misleading or untruthful advertising
Action: \$500 Civil Penalty

Respondent: Jimmy D. Gibson, Morristown, TN
Violation: Failure to timely remit monies belonging to others
Action: \$1000 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Peggy Hanrahan, Oak Ridge, TN
Violation: Advertising violation
Action: \$250 Civil Penalty

Respondent: Kimberly A. Hazel, Townsend, TN
Violation: Failure to timely complete required education
Action: \$600 Civil Penalty

Respondent: Daniel L. Lipsey, Memphis, TN
Violation: Misleading or untruthful advertising
Action: \$500 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Daniel L. Lipsey, Memphis, TN
Violation: Unlicensed property management co.
Action: \$1000 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Jonathan M. Putt, Jackson, TN
Violation: Failure to supervise activities of affiliates (Advertising)
Action: \$250 Civil Penalty and attendance at a two-day meeting of the Commission

Respondent: Doug Sharp, Gatlinburg, TN
Violation: Misleading or untruthful advertising
Action: \$500 Civil Penalty and attendance at a two-day meeting of the Commission

The Department of Commerce and Insurance works to protect consumers while ensuring fair competition for industries and professionals who do business in Tennessee.
www.tn.gov/commerce/, [@TNCommerceInsur](https://twitter.com/TNCommerceInsur) (Twitter), <http://on.fb.me/uFQwUZ> (Facebook), <http://bit.ly/ry1GyX> (YouTube)