



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

**CONTACT: KEVIN WALTERS
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REGULATORY BOARDS DISCIPLINARY ACTION REPORT OCTOBER 2014

ACCOUNTANCY

Respondent: Jeanette Carson-Wahle, Plano, TX
Violation: Revocation of Texas Licensure
Action: Revocation, Civil Penalty of \$3,000.00 plus hearing costs.

Respondent: Barry J. Flynn, Tullahoma, TN
Violation: Failure to comply with a CPE audit.
Action: Civil Penalty of \$500.00

Respondent: John Lester Jones, Hopkinsville, KY
Violation: Suspension of Kentucky CPA License.
Action: 1 year license suspension; permanently enjoined from conducting audits

Respondent: Henry G. Enriquez, Nolensville, TN
Violation: Failure to meet CPE requirements.
Action: Civil Penalty of \$1,000.00

Respondent: Lisa Jeanine McMurrain, Edmond, OK
Violation: Conviction of eight felony counts of embezzlement.
Action: Revocation, Civil Penalty of \$5,000.00 plus hearing costs.

Respondent: Leo H. Edwards, Collierville, TN
Violation: Failure to complete tax work for a client in a timely manner.
Action: Civil Penalty of \$2,000.00

ALARM SYSTEMS CONTRACTORS BOARD

Respondent: Mark S. Milam, Branchburg, NJ

Violation: Failure to submit employee termination notices within thirty (30) days
Action: \$200.00 Civil Penalty

ARCHITECTURAL AND ENGINEERING EXAMINERS

No actions taken.

AUCTIONEER

Respondent: Grand Estates Auction Company, Charlotte, NC
Violation: TCA § 62-19-102 (a)(1)&(2)
Action: \$500.00 Civil Penalty

BOARD FOR LICENSING CONTRACTORS

Respondent: Arkansas Mechanical LLC, Blytheville, TN
Violation: Unlicensed Activity
Action: \$1,000.00 Civil Penalty

Respondent: Joe William-William Painting Company LLC, Chattanooga, TN
Violation: Unlicensed Activity
Action: \$1,000.00 Civil Penalty

Respondent: Jim S. Disalvo, Oliver Branch, TN
Violation: Unlicensed Activity
Action: \$3,000.00 Civil Penalty

Respondent: Tony Bennett, Johnson City, TN
Violation: Unlicensed Activity
Action: \$10,000.00 Civil Penalty

Respondent: James C. Cass, Baxter, TN
Violation: Unlicensed Activity
Action: \$1,500.00 Civil Penalty

Respondent: Southern Comfort Home Improvement, Murfreesboro, TN
Violation: Unlicensed Activity
Action: \$250.00 Civil Penalty

Respondent: Todd Harkleroad Roofing Inc., Bluff City, TN
Violation: Failure to complete project
Action: \$2,500.00 Civil Penalty

BOARD OF EXAMINERS FOR LAND SURVEYORS

No actions taken.

BOARD OF FUNERAL DIRECTORS & EMBALMERS

Respondent: Bilbrey Funeral Home, Inc., Crossville, TN
Violation: After the informant, a former step-daughter, told the establishment that the decedent had two sons, the establishment buried the decedent four days after death without making any attempts to find or contact decedent's sons and without attestation in writing that a good faith effort had been made to no avail to contact those individuals

Action: \$500.00 Civil Penalty

Respondent: Companion Funeral & Cremation Service, Cleveland, TN
Violation: Photographs of unlicensed employees, owners, or operators contained in magazine advertisements either gave or tended to give the impression that those persons were licensed to practice as a funeral director or an embalmer

Action: \$250.00 Civil Penalty

Respondent: Hardwick & Sons Funeral Home, Inc., Chattanooga, TN
Violation: Establishment charged more for a casket than its price on the General Price List, had other caskets priced higher on display than their price listed on the General Price List, failed to list a reason for embalming on the contract, the establishment's website either gave or tended to give the impression that non-licensed staff were licensed to practice as a funeral director or an embalmer, and failed to respond within the time specified after receiving notice of an open complaint

Action: \$1,000.00 Civil Penalty

Respondent: Henry Louis Smith Funeral Directors, Nashville, TN
Violation: Failed to retain a cremation authorization form in the decedent's file and multiple aspects of the establishment's price lists did not comply with the Funeral Rule

Action: \$500.00 Civil Penalty

Respondent: Henry Louis Smith Funeral Directors, Nashville, TN
Violation: Failed to retain a cremation authorization form in the decedent's file, permitted a business card, likely to be viewed by the public, to reference the establishment by a name other than the exact name approved by the Board, failed to provide a reason for embalming on contracts, and multiple aspects of the establishment's price lists did not comply with the Funeral Rule

Action: \$1,500.00 Civil Penalty

Respondent: Henry Louis Smith Funeral Directors, Nashville, TN
Violation: Engaged in the operation of a funeral establishment while the establishment license was expired, the license of a funeral director was not available for inspection, cremation authorization forms contained incorrect number of days regarding disposition of unclaimed cremated human remains, failed to obtain and maintain the latest inspection report of the crematory utilized by the funeral home, signage referenced the funeral establishment by a name other than the exact name approved by the Board, and multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action: \$2,000.00 Civil Penalty

Respondent: Lewis & Wright Funeral Directors, Nashville, TN
Violation: Failed to provide a reason for embalming on contracts, multiple aspects of the establishment's price lists did not comply with the Funeral Rule, and failed to respond within the time specified after receiving notice of an open complaint
Action: \$750.00 Civil Penalty

Respondent: Lewis & Wright Funeral Directors, Nashville, TN
Violation: Advertisements which listed an unlicensed employee as a funeral service specialist either gave or tended to give the impression that the individual was licensed to practice funeral director or embalming and failed to respond within the time specified after receiving notice of an open complaint
Action: \$1,250.00 Civil Penalty

Respondent: Christy Leann Roberts, Flintville, TN
Violation: Engaged in the practice of funeral directing while funeral director license was expired
Action: \$500.00 Civil Penalty

Respondent: Roundtree, Napier & Ogilvie Funeral Home, Franklin, TN
Violation: A cremation authorized form lacked the signature of a funeral director, an unlicensed individual took a cremation authorization form without a funeral director's signature to be copied and admitted to forgery of the funeral director's signature on the form upon his return of the document to the Field Representative, multiple aspects of the establishment's price lists did not comply with the Funeral Rule, and failed to respond within the time specified after receiving notice of an open complaint
Action: \$1,250.00 Civil Penalty

Respondent: Watson-North Funeral Home, Cremation Center & Memorial Park, Winchester, TN
Violation: Engaged in unfair or deceptive acts or practices as defined in the Funeral Rule
Action: \$250.00 Civil Penalty

BURIAL SERVICES

Respondent: Anderson Memorial Gardens, Clinton, TN
Violation: Failed to deposit moneys into a trust fund and to failed to deposit moneys into a trust fund timely
Action: \$400.00 Civil Penalty

Respondent: Dandridge Memorial Gardens, Dandridge, TN
Violation: Failed to deposit moneys into a trust fund and to failed to deposit moneys into trust funds timely
Action: \$400.00 Civil Penalty

Respondent: Dyer Funeral Home, Cookeville, TN
Violation: Failed to clearly identify whether contracts were guaranteed or non-guaranteed preneed funeral contracts, failed for fifteen months to submit an application for transfer of Preneed Seller registration after the establishment's sale, and failed to submit an audit report prepared and signed by an independent certified public accountant that included an unqualified opinion on the accuracy of the trust fund balances and a report of compliance
Action: \$1,000.00 Civil Penalty

Respondent: First Tennessee Bank, N.A., Knoxville, TN
Violation: Filed an annual report that was not completed correctly, failed to file annual reports timely, and trustee disbursed withdrawals to cemetery companies that failed to file trust certification documents with trustee indicating that the cemetery companies were current on their cemetery registration and current on their required deposits to the trust
Action: \$1,000.00 Civil Penalty

Respondent: First Tennessee Bank, N.A., Knoxville, TN
Violation: Failed to file an annual report timely and trustee disbursed withdrawals to a cemetery company that failed to file trust a certification document with trustee indicating that the cemetery company was current on their cemetery registration and current on their required deposits to the trust
Action: \$250.00 Civil Penalty

Respondent: Henry Louis Smith Funeral Directors, Nashville, TN
Violation: An employee/agent sold preneed funeral contracts without being registered as a preneed sales agent, failed to utilize a properly qualified trustee, failed to keep and maintain, at a minimum, accurate accounts, books, and records of all preneed funeral contract and prearrangement insurance policy transactions, failed to pay fees for examinations conducted by Burial Services, and failed to file annual reports timely

Action: \$1,000.00 Civil Penalty, provide an internal audit of their entire preneed funeral program, including trust account, within 30 days, registration shall be on probation for a period of six months and any violation of the regulations during that six month probationary period will trigger revocation of the Preneed Seller registration

Respondent: Jefferson Memorial Gardens, Jefferson City, TN
Violation: Failed to deposit moneys into a trust fund and failed to deposit moneys into a trust fund timely
Action: \$400.00 Civil Penalty

Respondent: McMinn Memory Gardens, Athens, TN
Violation: Failed to deposit moneys into trust funds timely
Action: \$400.00 Civil Penalty

Respondent: Miller Funeral Home, Inc., Maryville, TN
Violation: Provided discounts on preneed funeral contracts and failed to file annual reports timely
Action: \$400.00 Civil Penalty

Respondent: Monte Vista Burial Park, Johnson City, TN
Violation: Failed to deposit moneys into a trust fund which resulted in a deficiency, failed to carry fidelity bond coverage on its officers and employees who handle money and securities, charged either excessive or variable impermissible inspection fees regarding the installation of markers, and failed to pay consumer protection fees
Action: \$2,000.00 Civil Penalty and Deposit \$13,948.74 into the Improvement Care Trust Fund

Respondent: Roane Memorial Gardens, Rockwood, TN
Violation: Failed to deposit moneys into a trust fund and failed to deposit moneys into trust funds timely
Action: \$400.00 Civil Penalty

Respondent: Ripley Memorial Gardens, Inc., Ripley, TN
Violation: Failed to deposit moneys into a trust fund timely and failed to file trust certification document with trustee
Action: \$750.00 Civil Penalty

Respondent: Roundtree, Napier & Ogilvie Funeral Home, Mount Pleasant, TN
Violation: An employee/agent sold preneed funeral contracts without being registered as a preneed sales agent, utilized a preneed funeral contract that had not been approved by the Commissioner prior to its use, and failed to file annual reports
Action: \$250.00 Civil Penalty

COLLECTION SERVICES

No actions taken.

COSMETOLOGY & BARBER EXAMINERS BOARD

Respondent: Kim Trang Thi Ngo, Knoxville, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Smart Style #4198, Minneapolis, MN
Violation: No manager present
Action: \$1,000.00 civil penalty

Respondent: Dung Quoc Nguyen, Knoxville, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Andy Nguyen, Chattanooga, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Amy Dung Pham, Tullahoma, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Timmy Truong Phan, Tullahoma, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Studio Salon Group, Knoxville, TN
Violation: No manager on duty
Action: \$1,000.00 civil penalty

Respondent: Rose Farr, Niota, TN
Violation: No manager on duty
Action: \$1,000.00 civil penalty

Respondent: T. Nails, Memphis, TN
Violation: Sanitation violations
Action: \$500.00 civil penalty

Respondent: Ann Ponkauskas, Maryville, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Bellagio, Mt. Juliet, TN
Violation: Unlicensed activity

Action: \$1,000.00 civil penalty

Respondent: Binh Thanh Nguyen, Mt. Juliet, TN
 Violation: Unlicensed activity
 Action: \$1,000.00 civil penalty

Respondent: Nikki Ngan Nguyen, Mt. Juliet, TN
 Violation: Unlicensed activity
 Action: \$1,000.00 civil penalty

Respondent: Nina's Nail & Hair Salon, Memphis, TN
 Violation: No manager on duty
 Action: \$1,000.00 civil penalty

Respondent: Vickie Williams Salon, Memphis, TN
 Violation: No manager on duty
 Action: \$1,000.00 civil penalty

Respondent: Bombay Salon, Cordova, TN
 Violation: No manager on duty
 Action: \$1,000.00 civil penalty

Respondent: Anita K. Chalmers, Memphis, TN
 Violation: No manager on duty
 Action: \$1,000.00 civil penalty

Respondent: Trimmers Barber Shop & Styles, Inc., Memphis, TN
 Violation: Unlicensed activity; manager not present
 Action: \$500.00 civil penalty

Respondent: Wende'so Hair Braiding, Jackson, TN
 Violation: Sanitation violations; ID tag violation
 Action: \$1,250.00 civil penalty

Respondent: Atena Nail, Memphis, TN
 Violation: Unlicensed activity; sanitation violations
 Action: \$1,250.00 civil penalty

Respondent: Marcus A. Brittmon, Memphis, TN
 Violation: Unlicensed activity
 Action: \$250.00 civil penalty

Respondent: Anh Tu Ly, Madison, TN
 Violation: Unlicensed activity
 Action: \$1,000.00 civil penalty

Respondent: Cheveux Hair & Tanning Salon, Newport, TN
 Violation: Unlicensed activity
 Action: \$500.00 civil penalty

Respondent: William J. Johnson, Memphis, TN
Violation: Unprofessional conduct
Action: Revocation of license; \$1,000.00 civil penalty

Respondent: Jackson Avenue Barber Shop, Memphis, TN
Violation: Sanitation violations
Action: \$500.00 civil penalty

Respondent: Kim Trang Thi Ngo, Knoxville, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: Smart Style #4198, Minneapolis, MN
Violation: No manager present
Action: \$1,000.00 civil penalty

Respondent: Dung Quoc Nguyen, Knoxville, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

Respondent: New Fancy Nails, Powell, TN
Violation: Unlicensed activity
Action: \$250.00 civil penalty

Respondent: Lyles School of Cosmetology, Nashville, TN
Violation: Unprofessional conduct
Action: Revocation of license; \$1,000.00 civil penalty

Respondent: Vanity Salon, Bartlett, TN
Violation: Shop license not displayed; no manager present; sanitation violation
Action: \$500.00 civil penalty

Respondent: Discount Wigs 2, Memphis, TN
Violation: Sanitation violations
Action: \$1,000.00 civil penalty

Respondent: Universal, Nashville, TN
Violation: Unlicensed activity
Action: \$450.00 civil penalty

Respondent: Gina's Beauty Salon, Memphis, TN
Violation: Unlicensed activity
Action: \$500.00 civil penalty

Respondent: Phuoc Ba Le, Nashville, TN
Violation: Unlicensed activity
Action: \$250.00 civil penalty

Respondent: Apple Nails & Pedispa, Hixson, TN
Violation: Unprofessional conduct
Action: \$4,000.00 civil penalty

Respondent: Studio Plush, Madison, TN
Violation: Unlicensed activity; no manager present
Action: \$500.00 civil penalty

Respondent: Nappy Headz Barber Shop, Nashville, TN
Violation: Unlicensed activity
Action: \$250.00 civil penalty

Respondent: Son's Nails, Memphis, TN
Violation: Sanitation violations; ID tag violation
Action: \$750.00 civil penalty

Respondent: Exquisite Nail Spa, Franklin, TN
Violation: License not posted properly; sanitation violations; animals in shop
Action: \$750.00 civil penalty

Respondent: I Nails Salon, Memphis, TN
Violation: Unprofessional conduct
Action: Revocation of license; \$1,000.00 civil penalty

Respondent: VT Nails, Collierville, TN
Violation: Unlicensed activity; sanitation violations; inspection sheet not posted
Action: \$1,500.00 civil penalty

Respondent: Phuong Ngoc Duong, Memphis, TN
Violation: Unlicensed activity; ID tag violation; sanitation violations; unprofessional conduct
Action: Revocation of license; \$1,000.00 civil penalty

Respondent: Tuan Anh Hoang, Memphis, TN
Violation: Unlicensed activity
Action: \$1,000.00 civil penalty

GEOLOGY REGISTRATION PROGRAM

No actions taken.

HOME INSPECTOR LICENSING PROGRAM

No actions taken.

LOCKSMITH LICENSING PROGRAM

Respondent: Christopher C. Taylor, Memphis, TN
Violation: Unlicensed activity
Action: \$200.00 Civil Penalty plus \$200.00 investigatory and hearing costs

MOTOR VEHICLE COMMISSION

Respondent: CJ's Automotive, LLC, Ooltewah, TN
Violation: Expired Liability Insurance
Action: \$1,000.00 Civil Penalty

Respondent: Carmark Auto Sales and Service, Smyrna, TN
Violation: Open Title
Action: \$500.00 Civil Penalty

Respondent: West Chevrolet, Inc., Alcoa, TN
Violation: Employing Unlicensed Salespeople
Action: \$5,000.00 Civil Penalty

Respondent: Nashville Motor Cars LLC Premier, Murfreesboro, TN
Violation: Failure to timely pay off lien and failure to respond
Action: \$1,500.00 Civil Penalty

Respondent: Nashville Motor Cars LLC Premier, Murfreesboro, TN
Violation: Failure to Deliver Title & Failure to Respond
Action: \$1,500.00 Civil Penalty

Respondent: Authorized Equipment, Inc., Smyrna, TN
Violation: Expired City and County Business License
Action: \$500.00 Civil Penalty

Respondent: Rodgers Big Boy Toys, Inc., Lebanon, TN
Violation: Business Records Violation
Action: \$250.00 Civil Penalty

Respondent: Wilkey and King Motorsports, Athens, TN
Violation: Unlicensed Activity
Action: \$1,000.00 Civil Penalty

Respondent: Brothers Motors, Inc., Murfreesboro, TN
Violation: Open Title Violation (2 counts)
Action: \$1,000.00 Civil Penalty

Respondent: Aleman Auto Sales, Smyrna, TN
Violation: Open Title Violation (3 counts)
Action: \$1,500.00 Civil Penalty

Respondent: Womack Motor Company, McMinnville, TN
Violation: Reasonable Business Hours
Action: \$250.00 Civil Penalty

Respondent: Sevier Import Center, Inc., Sevierville, TN
Violation: Unlicensed Conduct
Action: \$2,000.00 Civil Penalty

Respondent: Town and Country, Athens, TN
Violation: Temporary Tag Log Violation
Action: \$2,000.00 Civil Penalty

Respondent: Global Motorsports, Nashville, TN
Violation: Missing Temporary Tags
Action: \$2,500.00 Civil Penalty

Respondent: Work and Play Trucks, Smyrna, TN
Violation: Expired City and County Business License
Action: \$500.00 Civil Penalty

Respondent: Imports Plus, Nashville, TN
Violation: Expired City and County Business License
Action: \$500.00 Civil Penalty

PRIVATE INVESTIGATION & POLYGRAPH COMMISSION

No actions taken.

PRIVATE PROBATIONS SERVICES

No actions taken.

PRIVATE PROTECTIVE SERVICES

Respondent: AFIMAC U.S. Inc., Strongsville, OH
Violation: Unlawful employment
Action: \$3,500.00 Civil Penalty

Respondent: Adicus Mitchell, Memphis, TN
Violation: Engaged in dishonorable, unethical or unprofessional conduct
Action: Suspension

Respondent: Andrew D. Summers, Knoxville, TN
Violation: Failure to notify of an arrest within thirty (30) days
Action: \$200.00 Civil Penalty

Respondent: Cerita Moore, Cordova, TN
Violation: Engaged in dishonorable, unethical or unprofessional conduct
Action: Suspension

Respondent: Darrelle T. Butler, Memphis, TN
Violation: Failure to notify of an arrest within thirty (30) days
Action: \$200.00 Civil Penalty

Respondent: Robert A. Jarrett, Munford, TN
Violation: Failure to notify of an arrest within thirty (30) days
Action: \$200.00 Civil Penalty

Respondent: Stephan Rooks, Memphis, TN
Violation: Failure to notify of an arrest within thirty (30) days
Action: \$100.00 Civil Penalty

Respondent: Gerald Johnson, Nashville, TN
Violation: Working without a valid registration
Action: \$480.00 Civil Penalty

Respondent: Matthew D. Bowman, Chattanooga, TN
Violation: Failure to notify of an arrest within thirty (30) days
Action: \$200.00 Civil Penalty

Respondent: Toshuna Buford, Memphis, TN
Violation: Failure to notify of an arrest within thirty (30) days
Action: \$200.00 Civil Penalty

REAL ESTATE APPRAISERS

Respondent: David Anthony Shipman, Nashville, TN
Violation: In a residential report the Respondent failed to comply with reporting requirements and supporting data was not found in the work file. Also, the Respondent did not provided an adequate explanation for his omission of the cost approach from the analysis.
Action: Voluntary surrender

REAL ESTATE COMMISSION

Respondent: John McNeese Griffen, Franklin, TN
Violation: Failure to adequately supervise activities of affiliate
Action: \$1,000.00 Civil Penalty, attend one regularly scheduled Commission meeting

Respondent: William Miller Evans, Franklin, TN

Violation: Failure to diligently exercise reasonable skill and care in providing service to all parties to the transaction
 Action: \$1,000.00 Civil Penalty, attend one regularly scheduled Commission meeting

Respondent: Cindy A. Jasper, Franklin, TN
 Violation: Failure to respond to a complaint with the commission and expired firm license
 Action: \$2,000.00 Civil Penalty, attend one regularly scheduled Commission meeting

Respondent: Kevin Andrew Pellatiro, Franklin, TN
 Violation: Failure to diligently exercise reasonable skill and care
 Action: \$1,000.00 Civil Penalty, attend one regularly scheduled Commission meeting

SCRAP METAL DEALERS

No actions taken.

SOIL SCIENTISTS

No actions taken.

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

Burial Services

Leah Hall Cleveland, TN

Cosmetology & Barber Examiners Board

| | |
|----------------------------|--------------------|
| Shana Ray | Los Angeles, CA |
| Debra Trenell | Memphis, TN |
| Amy Hodges | Jefferson City, TN |
| Lara Tipton-Johnson-Rivers | Johnson City, TN |
| Rhonda Jeffers | Huntsville, AL |
| Connie Roberts | Pinson, TN |
| Ashley Anderson | Memphis, TN |
| Ashley Riddle | Collierville, TN |

Motor Vehicle Commission

| | |
|---------------|--------------------|
| Robert Dees | Murfreesboro, TN |
| Gary Shaw | Cordova, TN |
| Daniel Keefe | Knoxville, TN |
| Brian Mathews | Hendersonville, TN |
| Henry Turner | Clarksville, TN |

Jeriah Gray
Donovan Burton
Micah Cullop

Oak Ridge, TN
Mercer, TN
Bluff City, TN

Private Protective Services

Earl Watkins
Donna Long
Sharonda Lamar
Stephanie Merriweather
Terry McGhee

Memphis, TN
Pioneer, TN
Memphis, TN
Memphis, TN
Knoxville, 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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(Facebook), <http://bit.ly/ry1GyX> (YouTube)**