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GUARDIANS - DISCIPLINARY ACTION LOG
(Effective 08/25/2023)

Last Name	First Name	Complaint Number	Violation	Rule Violation	Disciplinary Action	Date of Final Order	First Disciplinary Action (Yes/No)
Watts	Sarah	CG-15-00353-037, 037, 045, 056 & 65	Failure to visit wards, respond to family and facility staff and participate in care planning conferences for wards; provide basic needs for wards and to respond to JBCC. Withheld funds from wards	Minimum Standards 4(VI), 5(I), 13(VI)(A-F), 14(I), 18(I), 19(IV), 21(I), 22; JBCC 3.12(b)	Refuse to renew Certification-Exp. July 7, 2015; Administrative penalty-\$25,500	December 8, 2015	Yes
Deleon	Jorge	87-CG-2016	Failed to file an Annual and final report of the person for both wards; Guardian paid himself fees for ward care out of estate w/out notifying court	Min Standards 12(e); Code of Ethics 8; Min Standards 17(i); Min Standards 16(h); Min Standards 5(a);	Admin penalty in the amount of \$1,400 to be paid w/in one year after date of Final Order; complete 5 hrs of CE in Guardianship law and ethics w/in one yr after the date	April 13, 2018	Yes

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			and failed to clear furniture & boxes A.Bs rooms such that the facility staff were unable to bathe A.B.	Min Standards 12(b)	of Final Order (in addition to 12 hrs of CE req for renewal of certification)		
Guzman	Arturo	11-CG-2017	In providing guardianship services to eight wards, failed to file or timely file; bonds and maintain bonds for protection of estate, initial inventories and list of clients of claims, annual accounts of estate, and annual report of persons. Failed to respond to court 's requests, apprise court of condition and value of estate, maintain and manage estate,keep monies of individual wards'	Estates Code 1154.051, 1163.001(a); Probate Code 729, 741, 743; Minimum Standards for Guardianship Services 2, 2(t), 2(f), 2(VI), 12(e), 12(E), 13 (f), 13(f)(7)	Certification not eligible to renew for five years; \$10,000 admin penalty	August 4, 2017	Yes

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			estates separate, and visit wards monthly.				
Spears	Sundra	12-CG-2017	Violated multiple Code of Ethics and Min Standards for Guardianship Service; violated TX Probate Code and TX Estates Code while providing guardianship in TX to 11 wards in TX	Min Stan 17 (VI) & Sec 729 Probate Code; Min Stan 2(f) & 12(e) & Sec 1163.102(c) Estates Code; Sec 743 Probate Code; Min Stan 16 (I); Sec 768 Probate Code; Min Stan 2 (VI) & Sec 741 Probate Code; Min stan 12(E); Min Stan 13(f) & 13(f)(7); Min Stan 2 (VI) & 17 (V) Sec 1163.002 Estates Code & Sec 741 Probate Code; Min Stan 19(VI); Min Stan 13 (VI);	Refuse to renew certification for 5 yrs; impose an admin penalty of \$12,000; the admin penalty of \$12,000 is reduced to \$6,000 w/in 5 yrs if respondent complies w following terms & conditions. Submit copies of court discharge orders to the Commission for release of guardian in 27 open guardianship case as of 01/1/2017, per 2016 Annual report filed w/Commission	February 12, 2018	Yes

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				Sec 1163.001 Estate Code & Min Stan 2(f)&17(e); Sec 1151.151 Estate Code & Min Stan 16(a); Min Stan 17(VI); 1163.001 Estates Code; Min Stan 19			
Marcano	Melissa	CG-0079	Respondent failed to cooperate with investigation being unresponsive to investigator	Commission Rule 7.6(a)(2); Rule 3.12(b)	Reprimand; Admin penalty of \$250 due within 6 mths after the date of the Final Order	December 12, 2019	Yes
Baker	Kyla	CG-0261	Respondent used the funds of the ward to purchase items that were not used for his personal benefit and to pay living expenses for another ward in her care. Respondent did not file supporting vouchers and documentation	Code of Ethics (COE) 2, 5, 8, 10; Min Standards 13(a)(1), (a)(2)E, (f)(1), 15(a)(b)(d); 16(a)(c)(d)(f)(h); 19(a)(f)(g); 21(a)(b)(c)	Revocation for a period of 10 yrs; Admin penalty a total of \$11,000 (\$500 for the foregoing 22 violations) due within 1 year of the date of the Final Order.	February 25, 2021	Yes

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			<p>required to be attached to the Annual Accts filed on June 16, 2020 and July 24, 2020. Respondent also did not file an app for a monthly allowance, failed to file an app for an investment plan, and failed to file the Annual Acct timely. Respondent failed to maintain receipts accounting for all ATM withdrawn funds and failed to maintain receipts and invoices for all debit card purchases and caregiver services. Respondent did not assess the appropriateness of ward's current living situation, as the ward's apartment was filthy, insect infested, and in general disrepair.</p>				
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			Respondent employed an acquaintance from church, in a caregiving role for ward, without disclosing the arrangement to the court. Respondent was employed in the capacity of a guardian for a total of 80 guardianships, without disclosing this info to the Certification Division Director of the Commission.				
Baker	Kyla	CG-306	Respondent failed to comply with Lubbock Cty Court ltr dated 09/09/20 to file the Final Annual Report before 09/25/20, for the court to close the guardianship case due to the death of the ward, 01/13/21 respondent filed the final annual report; failed to visit the	Code of Ethics (COE) 8, Min Standards 2(f), 13(f), and 20(d)	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order	May 6, 2022	No

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			ward mthly, relying on uncertified employees to visit the ward. Respondent answer dated 01/04/21 stated Trilogy employees (not certified) visited the ward in 2019, 1-July-Aug 2019, 2-Sept – Dec 2019				
Baker	Kyla	CG-307	August 2019, Adult Protective Services (APS) determined Respondent's ward living quarters were infested. January 2020 is when Respondent addressed infestation issue placing the ward in a group home	Min Standard 13(a)(1)	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order		
Baker	Kyla	CG-308	APS noted significant concerns regarding financial mismanagement of ward's funds in overdrafts occurred from Nov 2019	Code of Ethics (COE) 5; Min Standard(s) 13(a)(1) and 22	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a		

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			through July 2020; Respondent bank statements confirmed mismanaged funds.		total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order		
Baker	Kyla	CG-309	Respondent failed to comply w/Lubbock Cty Court ltrs dated 07/16/20 and 09/28/20 stating the Annual Report of the Guardian due 09/21/20 and the Annual Report of the Well-being of the ward due 08/20/20; failed to file the 2018-19 and 2019-20 annual reports by the court's deadline, respondent's answer the annual report of the person was submitted to her attorney to be filed on 01/04/21; respondent states she was quarantined due to COVID on 10/14-28/20;	Code of Ethics (COE) 8	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order	May 6, 2022	No

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			December 2020 and respondent admitted her attorney generally completes the annual reports.				
Baker	Kyla	CG-310	Respondent failed to comply with Lubbock Cty court email dated 08/25/20, directing Respondent to file annual report for the court to close the guardianship case due to the death of the ward. January 7, 2021, respondent answer the final acct info was sent to her attorney to file the report. July 2, 2021 respondent has not submitted a final report w/Lubbock Cty Court and the guardianship case was closed on 02/24/2021; respondent failed to visit the ward monthly, relying on an uncertified	Code of Ethics (COE) 4 and COE 8; Min Standard(s) 2(f), 13(f), 17(I) and 20(d)	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order	May 6, 2022	No

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			employee to visit the ward				
Baker	Kyla	CG-311	Respondent failed to file Annual Report of Well-being of ward and Final Annual Accounting for reporting period 08/14/2019 to 08/13/2020 by Lubbock Cty Court's deadline 10/12/2020; respondent failed to comply Lubbock Cty Court's ltr dated 10/14/2020 the Annual Report of the Well-being of the Ward was past due and requesting documents be filed immediately. July 2, 2021, annual report has not been filed with the court.	Code of Ethics (COE) 8; Min Standard 2(f)	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order	May 6, 2022	No
Baker	Kyla	CG-312	Respondent failed to visit ward monthly stating she had not been able to visit ward in	Min Standard 13(f)	Revocation extended for a period of 10 yrs effective 02/25/2021 for	May 6, 2022	No

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			person; respondent relied on former employee and caregivers (not certified) to visit; caregivers visited ward Monday through Saturday most of 2019.		Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order		
Baker	Kyla	CG-313	Adult Protective Services (APS) investigation allegations of physical neglect/financial exploitation by Respondent found to be invalid, however, APS findings noted discrepancies w/guardianship payments by the ward's employment income; respondent provided copies of monthly bank statements from March 23, 2020 through December 7, 2020, in overdrafts for the 2020 calendar yr. January 4, 2021,	Code of Ethics (COE) 5 and COE 8; Min Standard(s) 2(f), 13(a)(1), 13(f) and 22	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order	May 6, 2022	No

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			respondent waiting on info from the provided to file annual report; 06/23/2021 respondent failed to file 2019-2020 annual report with Lubbock Cty Court				
Baker	Kyla	CG-330	Respondent failed to notify Scurry Cty Court of change in ward's residence and transfer guardianship from Scurry Cty to Lubbock Cty; respondent failed to file annual reports of Guardian of Person and annual accounts in 2019 and 2020 w/Scurry Cty Court; respondent failed to seek modification or termination of guardianship of ward's transfer from Scurry Cty to Lubbock Cty and notice of death 10/17/2020. Director of	Min Standard(s) 2(f), 20(d) and 22	Revocation extended for a period of 10 yrs effective 02/25/2021 for Cause No. 0261 for another 10 yrs for a total of 20 yrs; admin penalty of \$7,450 for 28 rule violations due w/in on yr after the date of the Final Order	May 6, 2022	No

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			Nursing, Snyder Oaks Nursing and Rehab, Scurry Cty stated she made efforts to notify Respondent of closure of Snyder Healthcare Ctr where the ward resided; efforts were made to transfer ward to Snyder Oaks Nursing & Rehab (filled), therefore, ward was transferred to Heritage Oaks Nursing in Lubbock. October 1, 2019, Snyder Healthcare Ctr closed. February 15, 2021, Respondent did not file any reports seeking modification or termination with regard to transfer ward to Heritage Oaks Nursing, Lubbock. Scurry Cty Court emailed				
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			<p>respondent failed to file report due 05/23/2019 and 05/23/2020; records reflect respondent made no efforts to seek modification or termination of the guardianship upon the ward's death, occurred 10/17/2020.</p> <p>February 18, 2021, Scurry Cty Court issued an Order to Show Cause for failure to file Annual Report of the Guardian of the Person, an annual account and final settlement;</p> <p>respondent failed to notify court of the ward's death & deliver ward's property</p>				
Jobin	Michael	CG-346	<p>Resp failed to file an answer or respond</p> <p>Investigator interview request;</p> <p>Resp failed to pay ward's residential</p>	<p>Commission rules 5.4, 5.6, & 7.6; Code of Ethics (COE) 3.12(b), COE 2, 5, & 8; Min Standards 2(f),</p>	<p>Commission assess an admin penalty for a total of \$3,900 due within 1 yr of the date of the Final</p>	<p>December 2, 2022</p>	<p>Yes</p>

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			facility and outstanding pharmacy bills; Resp failed to apply for ward's Social Security benefits & ensure monthly benefits were deposited into wards acct; Resp failed to apply for ward's Social Security benefits, Medicare/Medicaid; and Resp failed to file Inventory Appraisement & list of Claims after he was appointed permanent Guardian of the Person of Estate	5(b), 13(b); 16(a), 17(d)(f)	Order; and deny any future apps for certification as a guardian/provisional guardian filed by Respondent.		
Clarke-Smith	Nicole	CG-365	Respondent provided guardianship services on behalf of a business entity doing business as 'Respect for Elders. Respondent acted out of scope of authority: incorrectly informed facility of	Code of Ethics (COE) 1, 2, 3; Min Standards 2 (c) 1, 2, 3	Reprimand; Admin penalty of \$1000 due within 6 mths after the date of the Final Order	February 3, 2023	Yes

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			ward residence that Respect for Elders was appointed as Guardian of person & estate; making funeral arrangements for ward; making arrangements for expenditures of money's from the wards estate for ward's funeral				
Clausen	Christian	CG-405	The Respondent employed his private-owned company, CNC Home Care to provide services for his wards; respondent billed wards for guardianship services by individuals employed by CNC Home care who were not certified guardians by Commission; respondent submitted his Annual Report to Dallas Cty rather	Code of Ethics 7; Minimum Standards 2(g), 15(a)(b)(c); Commission Rule 3.2(a), 7.2(a)(1-5), 7.3(f)	The Commission assess a \$2000 admin penalty due within 6 mths after the date of the Final Order	August 4, 2023	Yes

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			than to the Commission, noted as a guardian on the form an individual who has never been certified as a guardian; respondent was appointed new guardianships and provided guardianship services and billing estates which his certification was expired; respondent submitted an app/renewal app as a PPG with Dallas Cty, his certification was expired at the time, but he falsely recorded on app that his certification expired on 11/30/2020, a renewal app had not been filed at the time; and the Respondent failed to file his annual report with the Commission for the				
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			2021 reporting period.				
Eavenson	Sandra	CG-0453	Respondent was appointed by Bexar Cty Probate Court No 2 as Guardian of Person of ward N.J.A was ordered to file report on the condition/well-being of ward no later than 60 days after expiration of 12 mths from date and qualification, deadline for filing first annual report was 04/21/21, court records indicate Respondent never filed annual report; Respondent was appointed Guardian of the Person for ward C.D.W was ordered to file report on the condition/well-being of ward no later than 60 days after expiration of 12 mths from date and qualification, deadline for filing	Code of Ethics (COE) 8, 10; Min Standards 2(f), 12(e), 17(i), 21(a); Commission Rule 3.12(b)			

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			<p>first annual report was 04/07/21. Respondent filed annual report 526 days past due; respondent was advised of past-due filing for 9 guardianship cases. Respondent filed a notice of C.D.W death with the court 335 days after his death; Respondent never filed a final acct to close C.D.W probate case. Respondent filed a notice of N.J.A death with the court 147 days after the ward's death, court records indicate Respondent never filed a final report to close probate case. Respondent failed to inform court she could not manage caseload, failed to decline additional appt when she felt overwhelmed with</p>				
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			duties. Respondent failed to submit an Annual Report to the Commission for calendar year 2020-2022.				
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