



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243  
615-741-2515

## **MINUTES**

The State Board of Cosmetology and Barber Examiners held a meeting February 8, 2016 at 10:00 a.m. in Nashville, Tennessee.

The Meeting was called to order by Chairman Ron Gillihan.

Ron Gillihan, Board Chairman welcomed everyone to the Board meeting.

Roxana Gumucio, Executive Director called roll. The following members were present: Kelly Barger, Anita Charlton, Nina Coppinger, Bobby Finger, Frank Gambuzza, Ron Gillihan, Brenda Graham, Yvette Granger, Patricia Richmond, Judy McAllister, Mona Sappenfield, Amy Tanksley and Dianne Teffeteller. Not in attendance Frank Gambuzza and Judy McAllister.

Others present were: Roxana Gumucio, Executive Director, Laura Martin, Attorney for the Board, and Betty Demonbreun, Administrative Assistant.

### **MINUTES-**

Minutes for the December 14, 2015 board meetings were submitted for changes and/or approval.

Motion made by Dianne Teffeteller and seconded by Mona Sappenfield to approve the December 14, 2015 minutes. Motion carried unanimously.

### **Roberts Rule of Order:**

For 2016 the board needs to vote to adopt Roberts Rule of Order.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to adopt Roberts Rules. Motion carried unanimously.

### **Elect Board Chair and Vice Chair:**

Pursuant to T.C.A. 62-4-105, the board shall annually elect a chair and vice chair annually.

MOTION made by Nina Coppinger and seconded by Mona Sappenfield to elect Ron Gillihan as Chair of the State Board of Cosmetology and Barber Examiners for 2016. Motion carried unanimously by roll call.

MOTION made by Nina Coppinger and seconded by Dianne Teffeteller to elect Kelly Barger as vice chair of the State Board of Cosmetology and Barber Examiners for 2016. Motion carried unanimously by roll call.

### **2016 Legislative Updates:**

The 2016 legislative session has introduced five bills that affect the State Board of Cosmetology and Barber Examiners. They are listed in no specific order and with the most current information as of Wednesday, February 3, 2016:

#### SB2324-HB2315 Required Continued Education –

This bill creates a new requirement upon cosmetologist's manicurists, natural hair stylists and aestheticians who obtain an initial license after July 1, 2016 to complete at least 16 continuing education hours. Failure to provide proof to the board within 60 days of the anniversary date of licensure creates an automatic "invalid" licensure status. The board for good cause may grant up to a one year extension to obtain the continuing education credits. The board is also granted authority to establish a scholarship fund. The board is given rulemaking authority to carry out these provisions. For rulemaking purposes this bill is effective upon becoming law and for all other purposes, this bill takes effect on July 1, 2016.

Motion made by Patricia Richmond and seconded by Dianne Teffeteller that the board is open to including barbers for continuing education now and in the future.

#### SB2374-HB2373 Cleanup Bill –

This bill makes several changes regarding cosmetology and barber licensing. It creates greater flexibility regarding hours taught per day and maximum weekly hours for cosmetology and barber schools. The bill decreases licensure requirements for schools by only requiring that the school submit a copy of the contract that it will use, not provide contracts for 20 students. The bill also provides various revisions to provide clarity regarding activities defined as cosmetology, along with the licensure of natural hair styling, and natural hair styling shops. This bill creates a 3 year experience requirement for a master barber instructor license along with 300 hours of instruction as opposed to current 450 hours, applying only to applications submitted after July 1, 2016. Lastly, the bill allows the board to delegate the administering of the master barber theory and practical exam instead of being before the board, which reflects current practice. This bill takes effect July 1, 2016.

SB2594-HB2496 Denial of Licensure for Felony Conviction–

This bill replaces language in numerous professions allowing denial of a license for a felony, generally, and – instead – requires that the denial be for a felony determined by the agency to reflect on the applicant’s fitness for that profession. Specific TDCI licenses affected are barbers, surveyors, soil scientists, and an exhibitor’s license for fireworks. The amendment to the barber statute also removes the limitation that the felony must have been within the preceding three (3) years. This bill takes effect upon becoming law. This bill references the Cosmetology Act of the Tennessee Code Annotated, (62-4) but not the barber act (62-3).

SB2490-HB2499 Extension of Time for Change of Address–

This bill increases the time in which a licensee is required to provide the program with a change of address from 30 to 60 days with the Board of Cosmetology and Barber Examiners. This bill takes effect upon becoming law. This bill references the Cosmetology Act of the Tennessee Code Annotated, (62-4) but not the barber act (62-3).

SB1536-HB1582 Extension of Boards Sunset –

This Bill extends the sunset of the Board of Cosmetology and Barber Examiners until June 30, 2018 and requires that the Board undergo a question and answer review by the Comptroller in 2017.

**APPEAR BEFORE THE BOARD-**

**New School Application, The Institution School of Cosmetology:**

Dr. Joyner appeared before the board to present a new school application for The Institution of Cosmetology located in Memphis. The application, payment, floor plan, curriculum and all 20 student agreements were provided. The schools instructor is Ms. Patricia Moten. Dr. Joyner explained that he has been in the field since 1999 as a shop owner. He owns the building the school will be located in and will consider offering apprenticeship.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to approve new school application pending an inspection by a field inspector and board member. Motion carried unanimously.

**Change of School Location, Sandra Academy of Salon Services, Inc:**

Ms. Sandra Clark appeared before the board to present a change in location for a school located in New Tazewell. The application, payment, the floor plan and all current documents were provided.

MOTION made by Patricia Richmond and seconded by Dianne Teffeteller to approve change in location application pending an inspection by a field inspector and board member. Motion carried unanimously.

## **APPLICATIONS FOR EXAMINATION-**

Application for examination for Tiffany Asaza and Corin Ramey. The applicants have felonies within the last three years or are currently incarcerated; the request to take the Tennessee examination is submitted for the board's approval. The required information, disclosure from the student and letter of recommendation are submitted. The Board approved Agreed Orders for a probation period of two years as prepared by legal counsel.

Motion made by Amy Tanksley and seconded by Nina Coppinger to approve application for examination with a signed Agreed Order. Motion carried unanimously.

Application to test as a manicurist from Lam Nguyen from Vietnam. Mr. Nguyen was previously presented to the board at the October 5, 2015 meeting and the board requested he submit documents showing the break-down of educational hours. He provided translated documents showing a total of 648 hours completed in April 2014.

Motion made by Mona Sappenfield and seconded by Dianne Teffeteller to approve request to take the Tennessee exams. Motion carried unanimously.

Application to test as a manicurist from Diem Thi Tran from Vietnam. Ms. Tran provided translated certificate of completion showing a total of 714 hours completed in April 2015.

Motion made by Dianne Teffeteller and seconded by Mona Sappenfield to approve request to take the Tennessee exams. Motion carried unanimously.

## **MISCELLANEOUS REQUESTS –**

### **Request for Waivers and Extensions:**

Request for waiver of rule 0440-1-.10 requiring applicant to obtain their original license within six (6) months after passing the examination. Ms. Julie Littleton passed her cosmetologist practical examination in February 2015. Under the Cosmetology statute the applicant must reapply for the examinations within six months after applicant is notified unless there is good cause. Ms. Littleton is five months passed the required timely. Her letter states that she called the board office and did not realize she needed the verification of eligibility form until January 2016 and gives several excuses. A letter from the board dated March 26, 2015 clearly shows the board attempted to reach her. Emails and phone calls are also made as incomplete applications come in.

MOTION made by Patricia Richmond and seconded by Dianne Teffeteller to deny request. Motion carried unanimously.

Request for waiver of rule 0440-1-.10 requiring applicant to obtain their original license within six (6) months after passing the examination. Ms. Tori Steelman passed her cosmetologist practical examination in May 2015. Under the Cosmetology statute the applicant must reapply for the examinations within six months after applicant is notified unless there is good cause. Ms. Steelman is two months passed the required timely. Her letter explains life events that caused her lack of follow through, she apologizes and takes responsibility for missing the dates and verification eligibility requirement.

MOTION made by Yvette Granger and seconded by Amy Tanksley to approve request. Motion carried with all approvals and one no vote from Ms. Nina Coppinger.

Request from instructor Tiffany Wilson for an extension of the required continuing education hours. She has attended a continued education seminar timely since 2006. Pursuant to Tenn. Code Ann. § 62-4-114(a) (2) and instructor may request this waiver one time. She submitted an email explaining that she got off track and missed 2014. Instead in October 2015 she attended a session in Chattanooga. Her request is for the board to allow the exception and consider the 2015 acceptable.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to approve request. Motion carried unanimously.

Request from Paige Norwood for an extension of the tie period for completion of coursework. Pursuant to Tenn. Code Ann. § 62-4-123 students have seven (7) years from the original enrollment date to complete the required courses. The board may require the student complete additional hours or for good cause historically they have considered extensions of time. Ms. Norwood presented a letter explaining a car accident that caused her to move to Alabama. The board considered the original school start date as March 03, 2014 and accepted all hours.

MOTION made by Patricia Richmond and seconded by Bobby Finger to approve request. Motion carried unanimously.

Request from master barber Ronald Fairs for waiver of renewal penalty fee. Letter provided states Mr. Fairs came in person to renew his license on May 12, 2015. His license had been expired for many years. The renewal fees at the time were \$480. He says he asked how much he owed and believed that amount included a renewal into the future. In fact his license expired again 6/30/2015. He paid \$80 on January 12, 2016 but is asking that the board consider waiving the additional \$80 penalty.

MOTION made by Mona Sappenfield and seconded by Dianne Teffeteller to approve request. Motion carried unanimously.

Request from barber shop “Horne’s Creative Hair Designs” for consideration of late fee given that the old online system somehow mischarged them. The Executive Director and Office

Administrative Manager reviewed the financial information. The shop currently owes \$500 to be renewed. They had complaints for working on an expired shop license in 2014 totaling \$500 and have paid them. When Mr. Horne lost his wife life changed drastically and it affected his compliance with renewals. The shop has been in business since 1992 and Mr. Horne has been a licensee much before them. Both he and his shop have no prior complaints. After the 2014 inspection, his daughter assisted him in paying all obligations. She went online to pay for the shop renewal. For some unexplainable reason the old online process allowed her to only pay \$25, instead of the \$300 owed at that moment. We have tried to get a reasonable explanation on how that could happen. The Director is not comfortable charging for accrued penalties when the system failed and their conclusion is that they pad all fees due. Request is to allow Mr. Horne to pay the \$275 he should have been charged on September 28, 2014 and waive the penalties incurred due to that error.

MOTION made by Mona Sappenfield and seconded by Patricia Richmond to approve request. Motion carried unanimously.

### **Continued Education Consideration:**

Dr. Robert Spalding has provided for board review information on continued education online courses offered by MediNail Learning Center. He is unable to attend the meeting but would appreciate guidance and consideration of this seminar. He currently offers the training to some schools and shops, his desire is to also offer to instructors. The Executive Director spoke with him and explained that mandatory continued education currently only applies to instructors but a new law could change that. They would have to offer a program that is for the exact 16 hours instructors need and have a way to submit that information to the board. The board requested Dr. Spalding appear before the board for future consideration.

### **The Center for Cosmetology Education:**

The Center for Cosmetology Education, located in Memphis, was closed by the State Tax Authority for a total of one week back in December 2015. That information was presented at the December 14 board meeting. Since then, the school reopened, but for various reasons is officially closed as of January 31, 2016. The owner of the school, Ms. Nancy Ryall provided by email a quick recap of events. She is asking the board for 45 days to attempt to collect outstanding tuition from students who have taken hours but owe one or both of the interested parties' money. Both Ms. Ryall and Ms. Niki Sparks discussed several plans with the board office, none of which ever produced reliable documents to present at the meeting. The Federal Aid Office has also been in touch with the board and they are available to have conversations with students. Their concern, as is all of ours is for the student's interest and completion of the programs they have started.

At the time the school closed, twelve (12) students were still unable to complete their hours. The board discussed options and decided to allow the school owner to release hours, assist all students and be in compliance with the contracts. If students have no resolution or do not get a response, the board would consider release of hours at a future date.

MOTION made by Patricia Richmond and seconded by Kelly Barger to deny request from School owner. Motion carried unanimously.

### **School change of Ownership:**

Two applications for change in ownership of a school have been received. One is for a barber school license, the other for a cosmetology school license for Pyramid Beauty School. The only document provided was the application and fees accompanied each applicaiton. The new owner appears to be Cleophus S. Bryant who is related to the former owner of the school. Mr. Bryant has not contacted the board to see if all required information has been received.

Legal Counsel for the board, Laura Martin, advised board to hold off on issuing a license since the physical property can't be tied to the applicant as it's currently the subject of litigation brought by the previous owner that the Board revoked.

### **Release of School Hours:**

The board at previous meetings has requested that the board office, through the Executive Director, release hours for students whose school has been revoked and they have no other means to obtain their hours.

At the December 14, 2015 meeting, several names of students were presented with hours from Pyramid Beauty School that did not match those presented by the school. A decision is now needed for:

Gabriel Motley: He had a 333 hour variance between what the school submitted and what he attested to on his affidavit. He was able to find the report showing his attendance detail as of July 22, 2015. That record totals 512.10 hours proving that his calculation of 558 hours was much more accurate than the schools 225.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to give director permission to release the 558 hours he is requesting. Motion carried unanimously.

Deadrick Sims: He submitted an affidavit with 300 hours in natural hair styling form 2010. The board retrieved the box with school hours from that time period and did not see Mr. Sims name on any of the reports. His explanation leaves a lot to be concerned about and it is not the first time a student attests to putting in hours and the owner not logging them in the monthly reports for various reasons.

MOTION made by Nina Coppinger and seconded by Diane Teffeteller to deny release of the 300 hours he is requesting. Motion carried unanimously.

The board had given the Executive Director permission to release hours from Lyles School of Cosmetology through July 30, 2015. At this time we have a request from Thuy An Nguyen for release of 340 hours in manicuring. Records from that school state 158 hours obtained between

October and February 2015. Most of the hours requested, have matched the schools records. The recommendation is to release the 158 hours at this time.

MOTION made by Nina Coppinger and seconded by Patricia Richmond to give director permission to release the 158 hours. Motion carried unanimously.

#### **APPLICATIONS FOR RECIPROCITY-**

The Reciprocity Committee of the State Board of Cosmetology and Barber Examiners met at 8:55 AM on Monday, February 8<sup>th</sup> to review reciprocity applications and make recommendations to the Board.

Attending were Board members Nina Coppinger, Ron Gillihan, and Patricia Richmond. Also present were Roxana Gumucio, Executive Director, Laura Martin, Attorney for the Board, and Betty Demonbreun, Administrative Assistant.

The applications reviewed consisted of the following:

Application for reciprocity of natural hair stylist license from New York for Ba Aminata. Certification shows license was granted in March 2014 with experience from New Jersey and no exams. Ms. Aminata provided attestation of 3,600 hours obtained as well as a letter from a client and her own recap of her experience.

Recommendation - is that the applicant takes the Tennessee exams.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from New York for Nen Mei Chen. Certification shows initial licensure in March 2011, with 250 hours and the written exam taken in Chinese. Given the date of licensure she does not have the minimum five years' experience but a letter from employer states she was working since 2008.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation license. Motion carried unanimously.

Application for reciprocity of aesthetics license from New York for Nen Mei Chen. Certification shows initial licensure in June 2011, with 75 hours and only a written exam taken in Chinese.



License is actually as a waxer and Tennessee does not have that equivalent. Although the letter from employer states she was working since 2008, it was as limited to waxing. In order to obtain an aesthetics license Ms. Chen would need an additional 675 hours and to take the Tennessee exams.

Recommendation - is that the applicant complete 675 hours in aesthetics.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve reciprocity license. Motion carried unanimously.

Application for reciprocity of aesthetics license from New York for Candy Fisher. Certification shows license was issued August 2014 with 600 hours by examination. Ms. Fisher provided a letter regarding her experience and certifications supporting 150 hours obtained on using lasers and other advanced courses.

Recommendation - is that the applicant be approved for a reciprocal license.

Motion made by Patricia Richmond and seconded by Ron Gillihan to deny recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from Pennsylvania for Phung Nguyen. Certification shows initial licensure was April 2003 with 200 hours by examination. Ms. Nguyen provided tax records for the last five consecutive years. However, 2013 and 2014 show Tennessee address and income. Conversations with her and her husband have given conflicting information including admitting that she has been working at the shop in Jackson.

Recommendation - is that the applicant take the Practical exam.

Motion made by Ron Gillihan and seconded by Patricia Richmond to deny recommendation and require applicant take both exams. Motion carried unanimously.

Application for reciprocity of manicurist license from California for Vu Nguyen. Certification shows license was issued August 2001 with 400 hours by examination. He is also licensed in Wisconsin since 2003. Mr. Nguyen provided tax records for proof of experience but does not have records for 2013.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Pennsylvania for Priscilla Pearson. Certification shows initial licensure in 1994 with 1,250 by examination and is also licensed in Florida since 2010. She has provided tax copies of 2013 – 2015. Ms. Pearson was unable to find additional documents for prior years given her recent move.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Illinois for Zoran Stepanov. Certification shows initial licensure in August 2003 by endorsement from Yugoslavia. Documentation provided shows he completed trade qualifications in 1992 and they list the classes he took. He is also able to provide employment records.

Recommendation - is that the applicant take the practical exam.

Motion made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Connecticut for Lisa Vitale. Certification shows initial licensure in May 1989 with 1,500 hours but only a theory exam. Ms. Vitale has been in the industry for over twenty six (26) years and is requesting consideration of all that experience to waive the practical exam required.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetologist license from Georgia for Tommy Vo. Certification shows initial licensure in February 2007 with 1,500 hours by examination. This application would, under normal circumstances, be approved by the Director but prior applications from Mr. Vo cause some concerns. In 2014 Mr. Vo applied for a manicurist license from Texas with hours from a school being investigated. He appeared before the board on June 2, 2014; he explained how difficult this decision was but was still denied. He also had repeated conversations with board staff. At no point did prior hours or other State licenses come up even though the conversations were all about that. In January The Director spoke to Mr. Vo, explained the concerns and why she could not approve the application. He provided an email stating he did not

think his cosmetology license from so long ago could support “nail” work. He explains the chemicals affecting him and now wanting to do hair.

Recommendation - is that the applicant take the practical cosmetology exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve request. Motion carried unanimously.

Application for reciprocity of cosmetologist license from Florida for Teri Wenzlick. Certifications shows initial licensure in May 1998 with theory exam only. Ms. Wenzlick submitted an email requesting the board waive the practical exam requirement since she has been licensed for 17 years.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from California for Bill Wilson. Certification shows initial licensure in May 2000 by examination with 400 hours. Mr. Wilson has been trying to obtain his reciprocal license since July 2015. He is also license in Alaska and several years' tax returns showed Alaska income but we could not obtain that information. The board pulled the license electronically but without proper certification it could not be approved without board members review. Mr. Wilson never paid the fee to Alaska for certification but on January 12<sup>th</sup> that board confirmed all his information. He has been in Tennessee since 2012 and has provided business profit/loss tax returns.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from Oklahoma for Roxanne Wilson. Certifications shows initial licensure in September 2001 with 600 hours by exam. Ms. Wilson is also licensed in Arkansas since 2006 and Florida since 2013. She submitted letter from her employer proving work experience between 2008 and 2013. Since 2013 she has gone back to school to be an RN and included an email explaining her plans.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Alabama for Jacques Horton. Mr. Horton was previously presented to the board at the November 2, 2015 meeting and required to take the Tennessee exams. Certification is from Jefferson County and states Mr. Horton completed 1,500 hours and passed a theory and practical exam to obtain his initial license in September 2015. The board office spoke to director spoke to one of the Jefferson County Barber Commissioners who went into great detail as to way the process that specific county in Alabama has followed should be accepted and how it compares to the requirements in Tennessee. The Commission submitted a detailed letter on behalf of Mr. Horton but also for future barbers with a license from that county.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

The committee meeting adjourned at 9:30 AM.

As a whole, the board discussed the recommendations and decisions.

MOTION made by Ron Gillihan and seconded by Dianne Teffeteller to approve all decisions made by the reciprocity committee as amended. Motion carried unanimously.

## **LEGAL REPORT- STAFF ATTORNEY**

The Complaint Committee of the State Board of Cosmetology and Barber Examiners met at 8:00 AM on Monday, December 14<sup>th</sup> to review the allegations of **96** complaints and make recommendations to the Board.

Attending were Board members Bobby Finger and Amy Tanksley and Dianne Teffeteller. Not in attendance Frank Gambuzza.

## **COSMETOLOGY CASES**

### **NEW CASES**

- 1. Case No.: L15-COS-RBS-2015014991**  
**First License Obtained: N/A**

**License Expiration:** N/A  
**Complaint history:** None

Respondent received a notice of violation pursuant to an inspection for unlicensed activity. He paid \$1000 following the agreed citation that was sent to him. He never signed the agreed citation. Attempts to locate him and obtain his signature have been unsuccessful.

**Recommendation: Close and flag**  
**Decision: Approved**

**2. Case No.: L15-COS-RBS-2015018491**

**First License Obtained:** 11/07/2012  
**License Expiration:** 09/30/2016  
**Complaint history:** None

**3. Case No.: L15-COS-RBS-2015018501**

**First License Obtained:** 12/11/1997  
**License Expiration:** 12/31/2017  
**Complaint history:** None

Respondent, who is the owner and shop, received notices of violation pursuant to an inspection. At the time on inspection the shop was open and providing services to four customers. At the time of inspection the shop license was expired.

**Recommendation: Authorize for formal hearing. Allow authority to settle both complaints by one consent order assessing \$100.**  
**Decision: Approved**

**4. Case No.: L15-COS-RBS-2015020291**

**First License Obtained:** 09/10/2010  
**License Expiration:** 08/31/2016  
**Complaint history:** 2013024571, close the case with a Letter of Warning and an option to re-open the matter if new, relevant information arises.

A consumer complaint was filed against the Respondent shop. The complainant says the services are all preformed proficiently but that she has seen the owner not wash his hands in between customers, sneezes or touches if face without washing his hands before returning to work. Complaint offers no proof or other witnesses.

**Recommendation: Close. Send an inspector to the shop to observe sanitation practices.**  
**Decision: Approved**

**5. Case No.: L15-COS-RBS- 2015020741**

**First License Obtained:** 02/14/2000  
**License Expiration:** 02/28/2016  
**Complaint history:** None

Respondent was cited as an owner for allowing unlicensed activity. The owner has paid the CO for the unlicensed person, and is currently negotiating a payment plan for the complaint against the shop license for this same complaint.

**Recommendation: Close and flag.**

**Decision: Approved**

**6. Case No.: L15-COS-RBS- 2015020942**

**First License Obtained:** 05/05/2014

**License Expiration:** 04/30/2016

**Complaint history:** None

Respondent filed a complaint against this shop after receiving a pedicure. In the weeks that followed her toenails fell off and was eventually told by a podiatrist that she had a fungal infection. The shop says they do not offer refunds and that they don't who this person is. The respondent sent in picture that she took of her foot after the pedicure. The picture wound is clear. She also provided copies of her bank statements showing that she is a regular at this salon, including a charge on her debit card from the day of the alleged event. She also sent in a copy of the prescription for antibiotics that she was prescribed and the medical records following her visit with a doctor. Her doctor diagnosed her with a sever fungus following her visit and the respondent began to take oral medication. If this treatment doesn't work she was looking at a total removal of her toenail.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing \$500.**

**Decision: Approved**

**7. Case No.: L15-COS-RBS- 2015021791-**

**First License Obtained:** 04/29/2005

**License Expiration:** 04/30/2017

**Complaint history:** 2007062871, closed w/no action

Consumer complaint alleges that this shop does not display licenses where the public can see them and that a facial was given in a massage room. Pictures were provided. It is not clear how the complainant came to know this information. The respondent wrote in and said their licenses were displayed but they have moved them to a more conspicuous area. They say there was never a facial given in the massage room except for on one employee from another in trying a new technique. They intend to enroll in training.

**Recommendation: Issue a letter of warning.**

**Decision: Approved**

**8. Case No.: L15-COS-RBS- 2015022461**

**First License Obtained:** 11/26/2008

**License Expiration:** 11/30/2016

**Complaint history:** None

A complaint was opened against the respondent following and inspection. At the time of inspection the respondent was validly licensed but the license was not displayed.

**Recommendation: Issue a letter of warning.**

**Decision: Approved**

**9. Case No.: L15-COS-RBS-20150209641**

**First License Obtained:** 04/13/2012  
**License Expiration:** 03/31/2016  
**Complaint history:** 2012007541, closed w/Letter of Waring;  
2013008321, closed by Consent Order  
and payment of \$500 civil penalty;  
2014007161, closed by Consent Order  
and payment of \$250 civil penalty;  
2015004591, closed by Consent Order  
and payment of \$1500 civil penalty;

**10. Case No.: L15-COS-RBS-20150209661**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

Both the shop and the individual received notices of violation pursuant to an inspection. The inspector observed the unlicensed individual performing waxing services when he arrived. There was no owner or manager present at the shop. The unlicensed person would not give the inspector her id or home address.

**Recommendation: Authorize for formal charges against the shop. Allow authority to settle by consent order assessing \$1500. Send a letter of warning to the shop addressed to the unlicensed individual. Close the case against the individual and flag her name for future license application.**

**Decision: Approved**

**11. Case No.: L15-COS-RBS-20150209801**

**First License Obtained:** 08/27/2013  
**License Expiration:** 09/01/2016  
**Complaint history:** None

**12. Case No.: L15-COS-RBS-20150209861**

**First License Obtained:** 11/18/2014  
**License Expiration:** 02/28/2017  
**Complaint history:** None

**13. Case No.: L15-COS-RBS- 20150225871**

**First License Obtained:** 11/18/2014  
**License Expiration:** 02/28/2017  
**Complaint history:** None

The school and the owner received notices of violation pursuant to an annual school inspection on August 27, 2015. On the day of inspection, no students were present; there were two student files, one missing a driver's license and one missing the

educational background information. Despite no students being present, the owner was working on a client. On November 25, 2015 the same person received a notice of violation for having a student with her in a shop. The shop was located inside an assisted living facility. She told the inspector that the shop's manager was out so the student was on a field trip helping her. She said the student had filled out field trip papers but had not submitted them for approval.

**Recommendation: Authorize formal charges against the owner and the school. Allow authority to settle by consent order. Assess \$500 against the school and owner for the August 27, 2015 complaints. Close the complaint against the owner from November 25<sup>th</sup> with a letter of warning about student field trips.**

**Decision: Approved**

**14. Case No.: L15-COS-RBS- 20150213651**

**First License Obtained:** 01/07/2013  
**License Expiration:** 12/31/2016  
**Complaint history:** None

**15. Case No.: L15-COS-RBS- 20150213671**

**First License Obtained:** 02/11/2009  
**License Expiration:** 02/28/2017  
**Complaint history:** None

The shop and owner both received notices of violation pursuant to an inspection. On the day of inspection an unlicensed worker was giving a customer a manicure. The worker left. Either because the owner told him to or because he was looking for his wallet, the inspector and the owner disagree about his part of the inspection.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle the matter by consent order assessing \$1000.**

**Decision: Approved**

**16. Case No.: L15-COS-RBS- 20150211061**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This shop was cited operating without a license after an inspector in the area noticed a shop not on their list. They had a pending inspection sheet from an inspector in 2011. They have contacted the office to say that they had contacted both that inspector (who is now retired) and the Nashville office to have their inspection done again to no avail. They also claim that the inspector who gave them the pending sheet told them they were fine to open before they had another inspection. The first inspection was pending because of a small leak in the faucet. All of the employees had up to date licenses posted on the wall.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing \$500.**

**Decision: Approved**



**17. Case No.: L15-COS-RBS- 20150211261**

**First License Obtained:** 03/14/2008  
**License Expiration:** 03/31/2016  
**Complaint history:** 2012002511, closed by Consent Order and payment of \$500 civil penalty;  
2013001871, closed by Consent Order and payment of \$750 civil penalty

**18. Case No.: L15-COS-RBS- 20150211281**

**First License Obtained:** 03/01/2013  
**License Expiration:** 03/31/2017  
**Complaint history:** None

The shop and the manager both received notices of violation pursuant to an inspection. On the day of inspection the manager's mother who is not licensed was giving a client a manicure. The unlicensed person left the shop before the inspector could speak with her.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$1000 to each respondent.**

**Decision: Approved**

**19. Case No.: L15-COS-RBS- 20150211611 (unlicensed)**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

The respondent received a notice of violation pursuant to an inspection. When the inspector arrived at the shop, the shop door was open but there were no customers present. The respondent did not give the inspector an id and would not say whether or not she worked at the shop. We have no other address for the respondent besides the shop.

**Recommendation: Close with a letter of warning to the respondent sent to the shop.**

**Decision: Approved**

**20. Case No.: L15-COS-RBS- 20150211781**

**First License Obtained:** 09/30/2009  
**License Expiration:** 09/30/2017  
**Complaint history:** None

**21. Case No.: L15-COS-RBS- 20150211751**

**First License Obtained:** 04/30/2010  
**License Expiration:** 03/31/2016  
**Complaint history:** 2014006711, closed by Consent Order and payment of \$2000 civil penalty

The respondent, who is the owner and shop received notices of violation pursuant to an inspection. At the time of inspection there were three individuals without licenses giving manicures to clients in the shop. The shop's had a licensee but it was not posted. The trashcan was uncovered and unlabeled containers.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by a consent order assessing \$3000.**

**Decision: Approved**

**22. Case No.: L15-COS-RBS- 20150211881 (shop)**

**First License Obtained: 06/27/2014**  
**License Expiration: 06/30/2016**  
**Complaint history: 2014029711, closed by Consent Order and payment of \$2000 civil penalty**

**23. Case No.: L15-COS-RBS- 20150211901 (manager)**

**First License Obtained: 07/01/2015**  
**License Expiration: 07/31/2017**  
**Complaint history: None**

**24. Case No.: L15-COS-RBS- 20150211921 (owner)**

**First License Obtained: N/A**  
**License Expiration: N/A**  
**Complaint history: 2014029731, closed by Consent Order and payment of \$1000 civil penalty**

Shop, owner and manager were all cited pursuant to an inspection. At the time of inspection the owner, who is not a licensee was giving manicure to a customer. There was also a hot wax machine on and ready to use set up in a room specifically for waxing, despite the shop not having a skin care shop license. The inspector had seen the wax machine before and had informed the owner how to obtain the correct shop license to use the wax machine, and he did not receive a Notice of violation at that time.

**Recommendation: Authorize all complaint for formal hearing. Allow authority to settle the complaint against the shop and the owner by consent order assessing \$2000. Allow to settle against the manager by consent order assessing \$250.**

**Decision: Approved**

**25. Case No.: L15-COS-RBS- 20150211981**

**First License Obtained: 03/20/2013**  
**License Expiration: 11/30/2017**  
**Complaint history: None**

**26. Case No.: L15-COS-RBS- 20150212001**

**First License Obtained: 01/04/2007**  
**License Expiration: 03/31/2016**

**Complaint history: None**

The shop and owner both received notices of violations pursuant to an inspection. The shop changed location and did not submit a change in location application. At the time of inspection the shop was operating and had customers in the new location. The owner states she had sent in an application and money order about a month and a half before the inspection. The cosmetology shop license is now closed. There was an application for a barber shop license filed, but it was never completed and has since expired.

**Recommendation: Close this complaint as the shop is out of business. Send an inspector to this location to determine if it is actually closed or not.**

**Decision: Approved**

**27. Case No.: L15-COS-RBS- 20150213291**

**First License Obtained: 01/09/1998**

**License Expiration: 02/28/2016**

**Complaint history: None**

**28. Case No.: L15-COS-RBS- 20150213311**

**First License Obtained: 03/20/1996**

**License Expiration: 03/31/2016**

**Complaint history: None**

**29. Case No.: L15-COS-RBS- 20150213331**

**First License Obtained: 06/28/2005**

**License Expiration: 06/31/2017**

**Complaint history: None**

Shop, owner and employee all received notices of violation in pursuant to an inspection. At the time of inspection the employee's license was expired. The employee wrote in saying that she thought her license and the shop license were on the same renewal schedule. She is paying all the fines because she doesn't feel it's the shops responsibility that she didn't renew. She is asking for a reduction in the \$300 in fines that the agreed citations assessed.

**Recommendation: Authorize the employee's complaint for formal hearing.**

**Allow authority to settle by consent order assessing \$100. Close the complaints against the shop and the owner with a letter of warning.**

**Decision: Approved**

**30. Case No.: L15-COS-RBS- 20150212421**

**First License Obtained: 04/07/2014**

**License Expiration: 02/28/2016**

**Complaint history: None**

This shop received a notice of violation pursuant to an inspection. At the time of inspection the shop was open for business and did not have their license or inspection sheet posted. The shop only had one employee present who was neither the owner nor the manager.

**Recommendation: Authorize this complaint for formal hearing. Allow authority to settle by consent order assessing \$250.**

**Decision: Approved**

**31. Case No.: L15-COS-RBS-20150212681**

**First License Obtained: 04/16/2007**

**License Expiration: 08/31/2017**

**Complaint history: 2015005803, Dismissed the case against the shop as the owner has already been disciplined**

In September 2015 an inspector visited this shop to conduct an annual inspection. When the inspector began talking with the owner about what she saw as possible violations the owner made threatening comments to her about how, he had a gun and that when people like her threaten businesses that's how they get shot. The inspector filed a police report a few days later but told police she was not interest in pressing charges. As a result the police did very limited investigation. The owner's wife contacted counsel to apologize. Apparently she has a better grasp of the English language and therefore she usually communicates with the Board and with inspectors. She said she was out running errands that day and her husband was alone. She said he was very sorry and that his lacks of English skills caused him to be misunderstood. The inspector is very clear that he was talking about his gun to intimidate her.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing \$500.**

**Decision: Approved**

**32. Case No.: L15-COS-RBS-20150213001 unlicensed**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This shop received a notice of violation pursuant to an inspection. At the time of inspection the shop was open and there was a licensed employee giving a customer a pedicure. The shop had a business license but no manicuring shop license. The new owner of the shop had purchased the shop on August 6, 2015, but he didn't actually take over the shop until a few weeks later. He eventually paid for the shop license on September 22, 2015. The new owner said he thought he had thirty days to operate on the old owner's license and he didn't know that the license had been taken with the old owner. He says he thought he was still within the 30 day period to operate the shop on the old license.

**Recommendation: Authorize for formal hearing. Allow to settle by consent order assessing \$100.**

**Decision: Approved**

**33. Case No.: L15-COS-RBS-20150214371 (unlicensed)**

**First License Obtained: N/A**

**License Expiration:** N/A  
**Complaint history:** None

An anonymous complaint was filed against the respondent for running a beauty salon in her home without a license. The complainant appears to be in school with the respondent. The Respondent wrote counsel explaining that she does hair, eyebrow threading, and other services for her family members. She apparently lives in a home with a large amount of her extended family. She also admits to doing some of these same services at the Temple her family attends. She says it was free and all tips that she received went to the wounded warrior project. She included a bank statement showing the deduction to the wounded warrior project. She also included photographs of the weddings at her temple which were very elaborate and said as a member of the family and the temple she would help with hair and makeup for these weddings.

**Recommendation: Close with a letter of warning. Tips, for herself or for charity could easily be seen as for profit. However, it appears she is mostly engaged in eyebrow threading and services for her family.**

**Decision: Approved**

**34. Case No.: L15-COS-RBS-20150214631 (unlicensed)**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

A consumer complaint was filed against the respondent. The complainant alleges that she received a dye job from the respondent that has left her hair severely damaged. The respondent wrote the Board office explain the circumstances the service. The Board office has no records of the respondent ever being licensed by this Board. The Respondent responded saying that she did this women's hair for her as a mutual friend and that she had said that she didn't think her hair could handle the dye that the complainant was requesting but the women insisted. The respondent is not licensed in Tennessee. She was licensed in Texas and since moving to Tennessee has a hair extension company. She says she colors, cuts and sells hair extensions from her home. She still does hair for friends for no pay. Since this women was mutual friend who had also bought extensions before she did this service for no charge.

**Recommendation: Close with a letter of caution.**

**Decision: Approved**

**35. Case No.: L15-COS-RBS-20150216111**

**First License Obtained:**  
**License Expiration:**  
**Complaint history:** 200502386, closed by Consent Order and payment of \$300 civil penalty;  
200502195, closed by Consent Order and payment of \$800 civil penalty;  
2005027231, closed by Consent Order and payment of \$1000 civil penalty;

**2012021271, closed by Consent Order  
and payment of \$1250 civil penalty;**

**36. Case No.: L15-COS-RBS- 20150216141**

**First License Obtained: 07/28/2003**

**License Expiration: 07/31/2017**

**Complaint history: None**

Respondent, who is the owner and the shop received a notice of violation pursuant to an inspection. When the inspector walked in he saw women giving a pedicure to a customer. The owner's husband said something to her and she began cleaning instead. She was not licenses. The owner's husband said that it was his mother who is 70 and that occasionally she helps out. They were told she can clean but can not give pedicures.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing \$1000.**

**Decision: Approved**

**37. Case No.: L15-COS-RBS- 20150213861**

**First License Obtained: 01/16/2009**

**License Expiration: 12/31/2016**

**Complaint history: 201501938, closed by Agreed Citation  
and payment of \$3000 civil penalty**

This shop received a notice of violation pursuant to an investigation. When the investigators arrived to conduct a search of the shop two employees pointed at a closed waxing room. When the inspector attempted to enter, a woman said she was naked. The inspector asked her to dress and then open the door. When the door was opened a women immediately took off to the break room. Another immediately left the shop and two more where hiding under a blanket under the table. A customer told the inspector that right before they walked in someone in the shop had yelled, "state board, hide!" None of the individuals were licensed. They would not give the investigators their name.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing revocation.**

**Decision: Approved**

**38. Case No.: L15-COS-RBS- 20150216621**

**First License Obtained: 02/10/1975**

**License Expiration: 01/31/2018**

**Complaint history: None**

Respondent received a notice of violation following an inspection of shop that was operating on an expired license. The respondent was the manager of the shop. The owner was present the day of inspection and has already settled the complaint opened against the shop.

**Recommendation: Close with a letter of warning.**

**Decision: Approved**

**39. Case No.: L15-COS-RBS- 20150216891**

**First License Obtained:** 02/10/2015  
**License Expiration:** 01/31/2017  
**Complaint history:** None

**40. Case No.: L15-COS-RBS- 20150216921**

**First License Obtained:** 09/29/1983  
**License Expiration:** 01/31/2016  
**Complaint history:** None

**41. Case No.: L15-BAR-RBS- 2015021694**

**First License Obtained:** 04/19/1979  
**License Expiration:** 01/31/2017  
**Complaint history:** None

The respondent, who is the owner and the shop and her employee, all received notices of violation pursuant to an inspection. At the time of inspection the shop was employing a master Barber despite only having a cosmetology license. The respondent wrote in saying that she was told by our Board staff that since the Boards had merged she only needed one license. No one on the staff has ever been advised to tell licensees this incorrect information.

**Recommendation: Authorize complaints against owner and shop for formal hearing. Allow authority to settle by consent order assessing \$250. Close the case against the employee with a letter of warning.**

**Decision: Approved**

**42. Case No.: L15-COS-RBS- 20150214551**

**First License Obtained:** 08/18/2014  
**License Expiration:** 08/31/2016  
**Complaint history:** None

A complaint was filed against this shop by a past customer. The complainant claims that during her visit the employees working on her nails and toes were extremely rough and even after several warnings they continued to work too roughly on her. She provided photographs of her swollen nail beds. She said she attempted to speak with an owner but they would not bring her to an owner. The respondent confirms that she was there the day in question but said no one ever told her that there were any issues.

**Recommendation: Close with a letter of warning.**

**Decision: Approved**

**43. Case No.: L15-COS-RBS-2015018951**

**First License Obtained:** 10/09/2000  
**License Expiration:** 09/30/2014  
**Complaint history:** None

Respondent shop received a notice of violation pursuant to an inspection. This was a re inspection from several months back where the shop license had been expired but the

owner claimed it had been renewed. Months later the shop was still operating on and expired license. The owner had a customer in her stylist's chair.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing \$250.**

**Decision: Approved**

**44. Case No.: L15-COS-RBS-20150217401**

**First License Obtained:** 07/27/2005  
**License Expiration:** 05/31/2017  
**Complaint history:** 2012003751, closed by Consent Order and payment of \$500 civil penalty; 2014022191, closed w/ Letter of Warning

**45. Case No.: L15-COS-RBS-20150217431**

**First License Obtained:** 07/27/2007  
**License Expiration:** 07/31/2017  
**Complaint history:** None

Owner and shop received a notice of violation following an inspection. At the time of inspection a man was photographed giving a customer a pedicure. The man gave his social security card to the inspector. There was no record of this man in Board records of ever having been licensees. After he got his social security card back he took off.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$1000.**

**Decision: Approved**

**46. Case No.: L15-COS-RBS-20150216581**

**First License Obtained:** 11/26/1969  
**License Expiration:** 12/31/2016  
**Complaint history:** None

Respondent received a notice of violation following an inspection. At the time of inspection the shop license had expired and the stylist in charge said she wasn't the manager. The respondent contacted counsel and provided a copy of the check she had mailed in renewing her license before the inspection date. She said the person working did say she was the stylist but later recanted when the inspector told her that she too would receive a complaint for the expired license.

**Recommendation: Close both complaints.**

**Decision: Approved**

**47. Case No.: L15-COS-RBS-20150217021**

**First License Obtained:** 09/25/2013  
**License Expiration:** 03/31/2017  
**Complaint history:** None



Respondent received a notice of violation on her personal and shop license pursuant to an inspection. At the time of inspection the respondent's license was expired. She has already settled the complaint against her personal license for \$100.

**Recommendation: Close with a letter of warning.**

**Decision: Approved**

**48. Case No.: L15-COS-RBS-20150217681**

**First License Obtained: 06/27/2007**

**License Expiration: 03/31/2016**

**Complaint history: None**

A past patron of the respondent shop filed a consumer complaint. The complainant had paid for gel nails that fell off the following day. She called the salon who told her that this had been an issue and that they would fix her nails at 9 am the next morning. She attempted to reschedule the appointment and they told her they would not fix her nails.

**Recommendation: Close with a letter of warning for unprofessional conduct.**

**Decision: Approved**

**49. Case No.: L15-COS-RBS-20150207971**

**First License Obtained: 05/19/2014**

**License Expiration: 05/31/2016**

**Complaint history: None**

**50. Case No.: L15-COS-RBS- 20150218001**

**First License Obtained: 09/23/1998**

**License Expiration: 09/30/2016**

**Complaint history: None**

The respondent shop and owner received a notice of violation pursuant to inspection. At the time of inspection the inspector observed a person giving a customer a pedicure. When the inspector walked in this person was notified and she fled through the back door. The inspector went after her and asked her for id. She told the inspector she had only been cleaning and left.

**Recommendation: Authorize for formal hearing. Allow authority to settle by consent order assessing \$1000.**

**Decision: Approved**

**51. Case No.: L15-COS-RBS-20150218301**

**First License Obtained: 08/13/2014**

**License Expiration: 07/31/2016**

**Complaint history: None**

Respondent shop received a notice of violation pursuant to an inspection. At the time of inspection the owner was cutting a man's hair. Her personal license was expired. She said she had tried to but had issues with the online system. She was cited on her personal license and has settled that case.

**Recommendation: Close, since she has already paid the recommended amount.**

**Decision: Approved**

**52. Case No.: L15-COS-RBS- 20150217081**

**First License Obtained:** 06/07/1995

**License Expiration:** 06/30/2017

**Complaint history:** None

Respondent received a notice of violation pursuant to an inspection. At the time of inspection the shop license was expired. The respondent was also cited on their shop license. They have already settled that complaint and paid the recommended fee.

**Recommendation: Close, since they have already paid the recommended fee.**

**Decision: Approved**

**53. Case No.: L15-BAR-COS- 20150218781**

**First License Obtained:** 10/14/2004

**License Expiration:** 10/31/2016

**Complaint history:** 2015006862, Formal Charges Authorized

**54. Case No.: L15-BAR-COS- 20150218761**

**First License Obtained:** 03/11/2005

**License Expiration:** 03/31/2017

**Complaint history:** 200502415, closed by Consent Order and payment of \$600 civil penalty; 2005033371, closed w/no action; 2006011841, dismissed; 2012002111, closed by Consent Order and payment of \$500 civil penalty; 2013011431, closed for lack of disciplinary grounds; 2015006861, Formal Charges Authorized

Respondent received a notice of violation on their shop and personal license pursuant to an inspection. At the time of inspection there were two individuals braiding hair for customers without licenses, and no owner or manager was present.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$2000.**

**55. Case No.: L15-COS-RBS- 20150223191**

**First License Obtained:** 11/26/2012

**License Expiration:** 10/31/2016

**Complaint history:** None

**56. Case No.: L15-COS-RBS- 20150223192**

**First License Obtained:** 01/17/2007

**License Expiration:** 01/31/2017

**Complaint history:** None

The respondent received notices of violation on his personal and shop license pursuant to an inspection. At the time of inspection the shop was open for business and the

inspector found various sanitary violations. Uncleaned drill bits set up to be reused next to clean ones. Various pedicure tools that had dead skin on them set up at stations to be reused, despite being disposable. Buffers with dirt or dead skin set up to be used in stations. All 8 manicure and pedicure stations had these already used disposable items set up and ready for use.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$250.**

**Decision: Approved**

### Barber Cases

**57. Case No.: L15-COS-RBS-2015021011**

**First License Obtained: 12/18/1991**  
**License Expiration: 09/30/2016**  
**Complaint history: 2010025001, closed by Consent Order and payment of \$500 civil penalty**

**58. Case No.: L15-BAR-RBS- 20150210181**

**First License Obtained: 12/17/1991**  
**License Expiration: 09/30/2016**  
**Complaint history: None**

**59. Case No.: L15-COS-RBS- 20150210141**

**First License Obtained: 12/01/1967**  
**License Expiration: 05/31/2016**  
**Complaint history: None**

This was already presented to the Board as a barber complaint but I realized after the December meeting that there are two shop licenses, for both cosmetology and barbering. The Respondent received a notice of violation on both her shop licenses following an inspection. At the time of inspection the shop was open and had customers. One of the shop licenses was expired. The shop also had a separate room that had two people, a dog, a bed, clothing, and a TV. The owner told the inspector that her daughter had been living in the shop.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$350. Send an inspector to follow up and determine who lives in the shop.**

**Decision: Approved**

**60. Case No.: L15-BAR-RBS- 20150218661**

**First License Obtained: 04/15/2011**  
**License Expiration: 03/31/2017**  
**Complaint history: None**

**61. Case No.: L15-COS-RBS- 20150218681**

**First License Obtained: 09/30/2003**

**License Expiration:** 09/30/2017  
**Complaint history:** None

Shop and employee received notices of violation pursuant to an inspection. The employee is the wife of the owner. The shop is a barber shop and at the time of inspection, the employee, who is a cosmetologist, was working in the shop. The owner has spoken to the inspector before and was told what he needed to get a cosmetology shop license.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$500.**

**Decision: Approved**

**62. Case No.: L15-BAR-RBS- 20150219151**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

An anonymous complaint was filed against the respondent for braiding hair without a license. The respondent contacted counsel and says she braids hair for friends and less fortunate children at her church. Her online profile does have a lot of pictures of her braiding hair but no advertisements for services, and not mention anywhere of money. The respondent also had multiple friends from her church write in explaining that she braids hair as a free service in her church.

**Recommendation: Close.**

**Decision: Approved**

**63. Case No.: L15-BAR-RBS- 20150210991**

**First License Obtained:** 01/25/2005  
**License Expiration:** 01/31/2015  
**Complaint history:** None

**64. Case No.: L15-BAR-RBS- 20150210971**

**First License Obtained:** 09/07/2006  
**License Expiration:** 09/30/2015  
**Complaint history:** None

Respondent received a notice of violation on her personal and shop license pursuant to an inspection. On the day of inspection the respondent was coloring a customer's hair while her personal license was expired.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$100.**

**Decision: Approved**

**65. Case No.: L15-BAR-RBS-20150212511**

**First License Obtained:** 04/15/2011  
**License Expiration:** 04/30/2017  
**Complaint history:** None

**66. Case No.: L15-BAR-RBS- 20150212491**

**First License Obtained: 11/02/2011**

**License Expiration: 10/31/2016**

**Complaint history: None**

Respondent received notices of violation on his personal and shop license pursuant to an inspection. On the day of inspection the shop was open for business but no customers were present. The respondent's personal license was expired.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$100.**

**Decision: Approved**

**67. Case No.: L15-BAR-RBS- 20150213271**

**First License Obtained: 07/17/2001**

**License Expiration: 07/31/2017**

**Complaint history: None**

**68. Case No.: L15-BAR-RBS- 20150213251**

**First License Obtained: 05/24/2013**

**License Expiration: 05/31/2017**

**Complaint history: None**

Respondent received notices of violation on his personal and shop license pursuant to an inspection. On the day of inspection the shop was open for business but no customers were present. The respondent's personal license was expired.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$100.**

**Decision: Approved**

**69. Case No.: L15-BAR-RBS-20150212931**

**First License Obtained: 06/26/1990**

**License Expiration: 08/31/2017**

**Complaint history: None**

Respondent was cited for operating a shop on an expired shop license. Subsequent review found that he had paid the renewal fee before the inspection date, but there were documentation issues that kept his license from renewing automatically.

**Recommendation: Close.**

**Decision: Approved**

**70. Case No.: L15-BAR-RBS-20150212951**

**First License Obtained:**

**License Expiration:**

**Complaint history:**

Respondent was cited for practicing on an expired personal license. Subsequent review found that he had paid the renewal fee before the inspection ate, but there were documentation issues that kept his license from renewing automatically.

**Recommendation: Close.**

**Decision: Approved**

**71. Case No.: L15-BAR-RBS- 20150215471**

**First License Obtained:** 09/17/2013  
**License Expiration:** 09/30/2015  
**Complaint history:** None

**72. Case No.: L15-BAR-RBS- 20150215531**

**First License Obtained:** 08/20/1992  
**License Expiration:** 02/28/2008  
**Complaint history:** None

Respondent received a notice of violation on both her personal and shop license pursuant to an inspection. At the time of inspection she was washing a customer's hair. Her shop license was expired by a few months. Her personal license expired in 2008.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle by consent order assessing \$1000.**

**Decision: Approved**

**73. Case No.: L15-BAR-RBS- 20150218211**

**First License Obtained:** 04/24/2013  
**License Expiration:** 04/30/2017  
**Complaint history:** 2014004121, closed with a Letter of Warning

**74. Case No.: L15-BAR-RBS- 20150218231**

**First License Obtained:** 04/22/2013  
**License Expiration:** 04/30/2017  
**Complaint history:** None

Respondent received a notice of violation on his shop and personal license pursuant to inspection. At the time of inspection his personal license was expired. He had no customers at the time and told the inspector he hadn't been working but was managing the shop.

**Recommendation: Close with a letter of warning.**

**Decision: Approved**

**75. Case No.: L15-BAR-RBS- 20150215631**

**First License Obtained:** 12/08/1994  
**License Expiration:** 12/31/2016  
**Complaint history:** 2015001671, Formal Charges Authorized

Respondent was cited following an inspection of the barber shop he works for. He told the inspector he was not the manager of the shop. It appears the owner was present that day. His license was current, the shop license was expired.

**Recommendation: Close with a letter of warning.**

**Decision: Approved**

## Represented Cases

### 76. Case No.: L15-COS-RBS- 2015008271

**First License Obtained:** 11/30/1992  
**License Expiration:** 09/30/2016  
**Complaint history:** None

### 77. Case No.: L15-COS-RBS- 2015008281

**First License Obtained:** 05/03/1979  
**License Expiration:** 11/30/2017  
**Complaint history:** None

Respondent, who is the shop and owner, was sent a consent order for operating on an expired license. The department received the penalty payment but no signed consent order. All attempts to obtain the signature have failed.

**Recommendation:** Close.

**Decision:** Approved

### 78. Case No.: L15-COS-RBS- 2013022781

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

Complaint was opened against a shop and this respondent for unlicensed activity. The shop has been served and that complaint is in litigation. To date we have not been able to locate this unlicensed person.

**Recommendation:** Close and Flag.

**Decision:** Approved

### 79. Case No.: L15-COS-RBS- 2015000091

**First License Obtained:** 05/30/2012  
**License Expiration:** 05/31/2016  
**Complaint history:** 2014015621, closed with a Letter of Warning

Shop was cited for operating without an owner present. At this time the shop is currently not operating and they have closed their shop license.

**Recommendation:** Close and flag.

**Decision:** Approved

### 80. Case No.: L15-COS-RBS- 2014032091

**First License Obtained:** 03/21/1994  
**License Expiration:** 09/01/2015  
**Complaint history:** 944141, Dismissed; 199901377,  
Dismissed; 2009008501, closed w/ no  
action; 201002401 &  
2010015001, closed w/no  
action; 2011025891, closed w/ Letter

**of Warning; 2012023111, closed with no action; 2013003011, closed w/ Letter of Warning; 2014023051 & 201401891, closed with Letter of Warning ; 2014032091, Formal Charges Authorized**

This school was cited for advertising an accreditation that they didn't have. At this time this school license is not open as the school merged with another school. The issues in this complaint are no longer occurring.

**Recommendation: Close and flag.**

**Decision: Approved**

**81. Case No.: L15-COS-RBS- 2015003081**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This respondent was cited for unlicensed activity. All attempts to locate and serve this person have failed.

**Recommendation: Close.**

**Decision: Approved**

**82. Case No.: L15-COS-RBS- 2015013861**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This respondent was cited for unlicensed activity. All attempts to locate and serve this person have failed.

**Recommendation: Close.**

**Decision: Approved**

**83. Case No.: L15-COS-RBS- 2015017391**

**First License Obtained: 03/27/2008**

**License Expiration: 03/31/2017**

**Complaint history: None**

A complaint was opened administratively against this respondent after his file was audited. It appeared he had obtained reciprocity for a cosmetology license fraudulently through the state of Texas. The respondent was later able to confirm that he should have been given reciprocity through the state of Kentucky for a manicuring license, where he currently holds and active license. It is unclear why our files were incorrect but his license appears to be in good standing.

**Recommendation: Change his license type from cosmetology to manicuring and dismiss this case.**

**Decision: Approved**

**84. Case No.: L15-COS-RBS- 2014022821**



**First License Obtained:** 06/18/2007  
**License Expiration:** 09/30/2016  
**Complaint history:** None

Respondent was cited and fined \$2000 for being open without a manager or owner present. The salon has a booth renter who is the manicurist for the salon. The Respondent said she manages herself but only as far as manicuring goes. The rest of the salon for hair didn't have a client scheduled for another hour so she the owner nor any other employees were supposed to be working until that client showed up. She says they were not open for business.

**Recommendation: Issue a letter of warning with an instruction about the presence of managers when a shop is operating under one license.**

**Decision: Approved**

**85. Case No.: L15-COS-RBS- 2015019581**

**First License Obtained:** 04/16/2007  
**License Expiration:** 08/31/2017  
**Complaint history:** 2012003981, closed by Consent Order and payment of \$500 civil penalty;  
2012017631, closed by Consent Order and payment of \$500 civil penalty;  
2013013801, closed by Consent Order and payment of \$750 civil penalty;  
2014014261, closed by Consent Order and payment of \$750 civil penalty;

The respondent was cited for unlicensed activity. The Board assessed Revocation because of the shop's history. When reviewing the complaints it appears the shop hasn't had an unlicensed person in the shop since 2012. The shop owner told counsel that she did not understand that she had the option to fight those cases in 2012. She says the 2012 cases involved her receptionist and if she had understood that signing the consent order was admitting to the facts she would have fought the case. She told me that she had only settled because it appeared to be the most peaceful solution. The complaints she has had since 2012 were all for sanitary issue that are no longer an issue in the shop. Counsel has fully explained the discipline process to her and she now has a better understanding of the purpose of the consent order.

**Recommendation: Change the assessment from revocation to a fee of \$1000. Increase the inspections of this shop and inform the shop owner that another complaint for unlicensed activity will result in the Board seeking revocation.**

**Decision: Approved**

**86. Case No.: L15-COS-RBS-2014019441**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

The respondent was cited for unlicensed activity. All attempts to obtain service have failed. Currently we cannot locate this person.

**Recommendation: Close and flag.**

**Decision: Approved**

**87. Case No.: L15-BAR-RBS- 2015020761**

**First License Obtained: 08/15/1986**

**License Expiration: 11/30/2016**

**Complaint history: None**

This respondent received a notice of violation as an owner of shop for violations in the shop. This person is actually the manager of the shop and the owner was present the day of the inspection.

**Recommendation: Close**

**Decision: Approved**

**88. Case No.: L15-COS-RBS- 20150209011**

**First License Obtained: 02/29/2012**

**License Expiration: 02/28/2018**

**Complaint history: None**

Respondent was cited on her personal and shop license following an inspection. She has settled the complaint against her shop license for \$2500. She is asking for review of the complaint against her personal license since she has already paid a lot of money.

**Recommendation: Close with a letter of warning.**

**Decision: Approved**

**89. Case No.: L15-COS-RBS- 2014011801**

**First License Obtained: 05/14/2008**

**License Expiration: 05/31/2016**

**Complaint history: None**

**90. Case No.: L15-COS-RBS- 2014011781**

**First License Obtained: 12/09/2013**

**License Expiration: 11/30/2015**

**Complaint history: None**

The shop was cited along with the owner, The owner's license had expired on May 31, 2014. The NOV was cited on June 6, 2014. Apparently, she told the inspector that she had mailed the renewal fee in, but had no proof of payment. The shop is now closed and the phone number we had for this business has been disconnected.

**Recommendation: Close and flag the owner's license.**

**Decision: Approved**

**91. Case No.: L15-COS-RBS- 2015010671**

**First License Obtained: 02/11/1973**

**License Expiration: 11/30/2016**

**Complaint history: None**

**92. Case No.: L15-COS-RBS- 2015010661**

**First License Obtained:** 08/13/2008  
**License Expiration:** 07/31/2014  
**Complaint history:** None

The respondent was cited on her shop and personal license for operating on an expired shop license. She has since closed the shop.

**Recommendation: Close and flag the owner's license.**

**Decision: Approved**

**93. Case No.: L15-COS-RBS- 2014030221**

**First License Obtained:** 11/26/2013  
**License Expiration:** 11/30/2015  
**Complaint history:** None

Respondent shop received a notice of violation for various reasons and was assessed \$1000 by the board. The shop license expired and was never renewed. In attempt to obtain service and inspector was sent to the shop who confirmed that it was closed.

**Recommendation: Close and flag the owner's license.**

**Decision: Approved**

**94. Case No.: L15-COS-RBS- 201500041**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

Respondent was cited for unlicensed activity. We are unable to locate Respondent. We have conducted Westlaw CLEAR, sent letters to multiple addresses and searched the Internet and we are still unable to locate this individual.

**Recommendation: Close.**

**Decision: Approved**

**95. Case No.: L15-BAR-RBS- 2014031741**

**First License Obtained:** 09/17/1999  
**License Expiration:** 09/30/2015  
**Complaint history:** None

The Notice of Violation does not specifically state whether the Respondent was actually present performing barber services. It appears his license was posted and it was expired. Upon discussing with the Investigator, it appears he does not recall which of the two individuals that were present at the barber shop were cutting hair. The Respondent has verbally stated that he was not present on the date of the inspection. .

**Recommendation: Close.**

**Decision: Approved**

**96. Case No.: L15-COS-RBS- 2014029271**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

Respondent was cited for unlicensed activity. All attempts to obtain service on this person have failed.

**Recommendation: Close and flag.**

**Decision: Approved**

MOTION made by Amy Tanksley and seconded by Bobby Finger for approval of the Legal Report as amended. Motion carried unanimously.

The meeting adjourned at 8:45 AM.

MOTION made by Patricia Richmond and seconded by Nina Coppinger for approval by the full board of the Legal Report as amended. Motion carried unanimously.

**Cosmetology Consent Orders – December and January - Totaling \$33,100**

MOTION made by Amy Tanksley and seconded by Brenda Graham for approval of all consent orders. Motion carried unanimously.

**Agreed Citations – December and January - Totaling \$12,750**

MOTION made by Dianne Teffeteller and seconded by Patricia Richmond for approval of all agreed citations. Motion carried unanimously.

**Letters of warning**

During the month of December and January, six letters of warning were issued.

2015022602

2015022604

2015022608

2015022611

201600209

201600211

MOTION made by Nina Coppinger and seconded by Amy Tanksley for approval of all letters of warning. Motion carried unanimously.

**NEW BUSINESS**

**Reciprocal Application:**

The reciprocal application has not been updated since 1996. The document desperately needed improvements and clarity. The form now is numbered one through four so applicants don't miss

the steps. We have also added transaction codes which are meaningful to the way the money is processed for each board. The board reviewed the old and new documents and asked question.

MOTION made by Patricia Richmond and seconded by Nina Coppinger for approval of the revised reciprocal application forms. Motion carried unanimously.

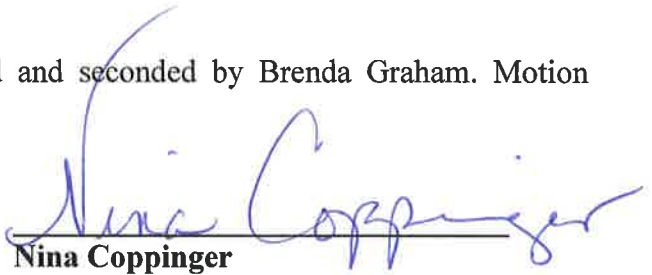
**Field Trip Request:**

Chairman for the Board, Ron Gillihan, shared that his school takes students to a local veterans group once a month to provide services. He will be submitting for approval of these field trip hours as they will be ongoing.

**Motion to adjourn**

MOTION to adjourn made by Patricia Richmond and seconded by Brenda Graham. Motion carried unanimously.

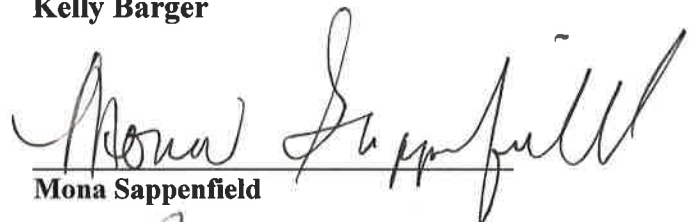
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**Dianne Teffeteller**

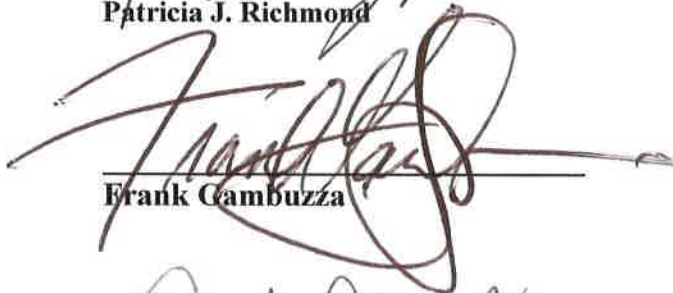
  
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**Nina Coppinger**

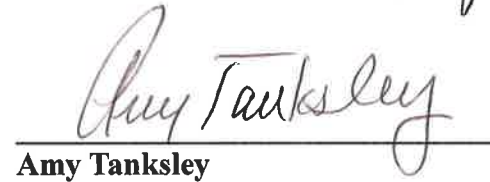
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**Judy McAllister**

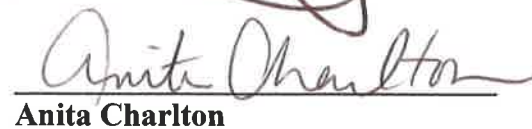
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**Kelly Barger**

  
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**Patricia J. Richmond**

  
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**Mona Sappenfield**

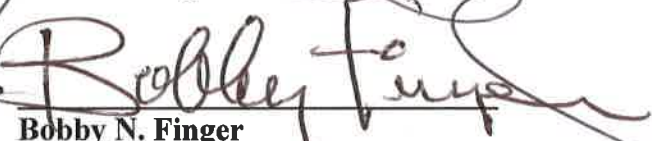
  
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**Frank Cambuzza**

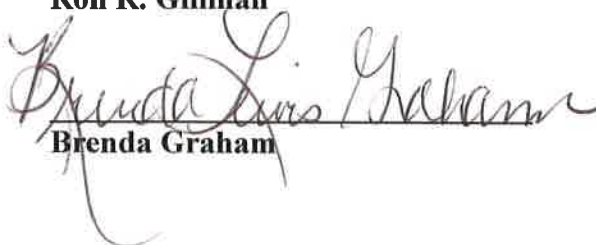
  
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**Amy Tanksley**

  
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**Anita Charlton**

  
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**Yvette Granger**

  
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**Ron R. Gillihan**

  
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**Bobby N. Finger**

  
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**Brenda Graham**