



**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 December 11, 2017 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, Frank Gambuzza, Ron Gillihan, Brenda Graham, Judy McAllister, Patricia Richmond, Becky Russell and Amy Tanksley. Ms. Yvette Granger participated telephonically for part of the meeting. Not present Jimmy Boyd and Mona Sappenfield.

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

### **MINUTES-**

Minutes for the November 6, 2017 board meetings were submitted for changes and/or approval.

Motion made by Patricia Richmond and seconded by Judy McAllister to approve the November 6, 2017 minutes. Motion carried unanimously.

### **APPEAR BEFORE THE BOARD-**

#### **Paul Mitchell the School, Memphis - Change in Location**

Ms. Caroline Salman appeared before the board for a change in location. This school is located in Memphis and they had to move from their original location several months ago. The board approved a temporary move in October. This request is for their permanent new school location.

The application and new floor plan were received for board consideration. The school currently has 132 students.

MOTION made by Patricia Richmond and seconded by Judy McAllister to approve change in location. Motion carried unanimously.

#### **Hamblen School of Beauty, New Ownership:**

Mr. Jordan Tran, new owner and Ms. Allyson Jarnigan, previous owner both appeared before the board to present a change of ownership. The school located in Morristown. The business license, floor plan, enrollment agreement, student handout, application and fee were all received timely. The school is over 2,970 square feet. The school currently has 18 students.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to approve change of ownership pending an inspection by a field inspector. Motion carried unanimously.

#### **The Beauty School - Change in Location**

Mr. Torrus Brooks appeared before the board for a change in location. This school is located in Memphis and is planning to move across the street for better visibility and parking. The application and new floor plan were received for board consideration. The school is over 5,000 square feet.

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

#### **The Memphis Skin Academy, New Aesthetics Specialty School:**

Ms. Melanie Mull appeared before the board for a new aesthetics specialty school license. The business license, floor plan, enrollment agreement, application and fee were all received timely. The school is 341.4 square feet.

MOTION made by Frank Gambuzza and seconded by Judy McAllister to approve new school pending an inspection by a board member and field inspector. Motion carried unanimously.

## **2018 Continued Education online session – ExpetEase Consulting Edu.**

Ms. Ciara Gordon participated telephonically requesting reconsideration of their online course. The board reviewed this request at the November meeting and the decision was to allow three instructors to take the session once the new system is released and at that time decide if the online process works for the States required 16 hour course on mandatory continued education for instructors. At that meeting the decision was made to stop offering and take down the old link and review the new corrected cite. Three instructors completed the session and provided an evaluation to guide the board on how the new system is or is not working. All three individuals had issues and were able to get done in less than the mandated time. Reports, email communication and the evaluations were all provided to the board.

Motion made by Patricia Richmond and seconded by Nina Coppinger to deny the 2018 online session. Motion carried unanimously.

Vote on course being represented for 2019 year and not represented until October or November 2018 with other renewal sessions.

Motion made by Patricia Richmond and seconded by Nina Coppinger to deny until 2019 sessions are all presented. Motion carried unanimously.

A discussion of how this affects the online course offered to instructors through Shear Perfection.

Motion made by Patricia Richmond and seconded by Judy McAllister to approve board recommendation. Motion carried unanimously.

Discussed website notification for instructors taking online course that is not approved by the board.

Motion made by Patricia Richmond and seconded by Nina Coppinger to approve adding notification on website. Motion carried unanimously.

The Board discussed how to handle their obligation to other State regulatory boards that are offering an online session that is not working as it should.

Motion made by Kelly Barger and seconded by Patricia Richmond to notify other state. Motion carried unanimously.

## **APPLICATIONS FOR EXAMINATION-**

The board had no completed felony applicants to review. For the December meeting.

Application to test as a cosmetologist with hours from Virginia for Mikayla Watkins. Applicants from other States that do not have a license have to provide a transcript or State certification of hours for the board to put them through to test. The school she attended closed in 2015 and she had no transcript. The Virginia Department of Professions and occupational Regulations provided a training & experience verification form and that is all that they have. On it it shows Ms. Watkins was signed up for 1,500 hours completed between July 2013 and May 2014.

Motion made by Amy Tanksley and seconded by Nina Coppinger to approve request to take the Tennessee exams. Motion carried unanimously.

Application to test as a cosmetologist with hours from Mexico for Gloria Jimenez-Guzman. Ms. Jimenez provided translated diploma and transcript showing 1,500 hours were completed in January 2009.

Motion made by Amy Tanksley and seconded by Nina Coppinger to approve request to take the Tennessee exams. Motion carried unanimously.

The Board approved international applicants whose documentation was incomplete or gave reason for concerns, to be asked to submit their documents for an evaluation with Aequo International. Since that time we have sent at least a dozen applicants this information. Many have not gone through with the process. A few have been denied. The five individuals listed below were approved by Aequo International and have verified school information. Recommendation is to approve them to test.

Suong Dang, Tuyen Huynh, Noi Nguyen, Thi Hong Lien Nguyen and Nu Huynh.

Motion made by Patricia Richmond and seconded by Judy McAllister to approve all five individuals to take the Tennessee exams. Motion carried unanimously.

## **APPLICATIONS FOR RECIPROCITY-**

Application for reciprocity of cosmetology license from Texas for Lisa Marie Watts. Certification shows initial licensure in May 2002 with 1,500 hours by examination. Because of an investigation into several schools in Texas in 2014, the board decided to require certification of hours so the school could be confirmed. Ms. Watts completed her schooling prior to 2005 and the State Board conformed that they do not have access to the conversion records that old. There is no indication that Ms. Watts attended anyone of the schools in question. Ms. Watts has also been licensed in Ohio.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Frank Gambuzza and seconded by Nina Coppinger to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Texas for Heather Michelle Springfield. Certification shows initial licensure April 1998 with both exams. Because of an investigation into several schools in Texas in 2014, the board decided to require certification of hours so the school could be confirmed. Ms. Springfield completed her schooling in 1998 and the State Board conformed that they do not have access to the conversion records that old. There is no indication that Ms. Springfield attended anyone of the schools in question.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Frank Gambuzza and seconded by Judy McAllister to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from California for Ngoc Lan Thi Nguyen. Certification shows initial licensure in November 2011 with 400 hours and both exams. Ms. Nguyen was also licensed in Arizona between 2012 and 2015. She has provided tax records for the five years as proof of work experience. Tax records between 2013-2016 show an address in Tennessee and no indication of ownership in a business.

Recommendation - is that the applicant take the Tennessee exams.

MOTION made by Nina Coppinger and seconded by Judy McAllister to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from California for Celina Marie Coffin. Certification shows initial licensure in February 2006 with 600 hours and both exams. Ms. Coffin has a letter from her employer showing she worked between 2007 – 2010 and then returned to them between May 2012 and March 2013.

Recommendation - is that the applicant take the Practical exam.

MOTION made by Judy McAllister and seconded by Kelly Barger to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from New York for Willis Nunez de la Rosa. Certification shows initial licensure in August 2017 with 600 hours and practical exam. Mr. Willis completed his education as an apprentice. A letter from his employer states he was under their supervision between January 2009 and June 2014. Mr. Willis has only taken his practical exam in New York and he provided a letter recapping his path toward licensure and need to start working in Tennessee.

Recommendation - is that the applicant take the Theory exam.

MOTION made by Nina Coppinger and seconded by Patricia Richmond to deny recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Tammy Ingram. Certification shows initial licensure in November 2002 with 1,200 hours and no practical exam. A letter from her employer shows she worked as a manager between December 2009 and November 2017. Ms. Ingram provided a letter recapping her work experience and education. She had to move to Tennessee because she lost everything with hurricane Irma.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Kelly Barger and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from Florida for Bach Loan Thi Nhu. Certification shows initial full specialist license received in May 2003 with only 240 hours in manicuring and no exams. Tax records provided look like they could have been altered after being filed.

Recommendation - is that the applicant take the Tennessee exams.

MOTION made by Nina Coppinger and seconded by Judy McAllister to approve recommendation. Motion carried unanimously.

## **MISCELLANEOUS REQUESTS –**

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

Request for extension of continued education seminar from master barber Melissa Fletcher. Pursuant to Tenn. Code Ann. §62-3-124 (b) an instructor must complete the 16 hours of an approved training program. It is at the board's discretion to approve up to one additional year extension for good cause. Ms. Fletcher provided a letter explaining that in 2017 she had a

medical situation while attending the continuing education session in Nashville and had to leave the class. She was unable to complete the second day therefore receiving only 8 hours. She currently teaches at a school but as of 12/31/2017 she will not have been the mandatory requirement and need to wait until at least April to complete a session.

MOTION made by Nina Coppinger and seconded by Judy McAllister to approve request for extension. Motion carried unanimously.

#### 2018 Continued Education Seminar Requests – TSU:

Tennessee State University, Avon Williams Campus in Nashville submitted the information for the instructor continuing education seminar. They are requesting to have the session on Sunday, August 12 and Monday, August 13, 2018. Ms. Quiteka Moten is the new contact person for 2018.

Motion made by Patricia Richmond and seconded by Judy McAllister to approve the 2018 session and requested dates. Motion carried unanimously.

Request for master barber license for Taurus Carter. Ms. Carter passed his practical exam in August 2017. He previously held a license which was revoked in June 2017 because he was found working on an old license and had to take the reinstatement exams. He has entered into a payment plan and is still paying on the penalties.

MOTION made by Frank Gambuzza and seconded by Judy McAllister to approve request. Motion carried unanimously.

Request for manicurist license for Lan T. Le. Ms. Le passed her practical exam in October 2017. She previously held a license which was revoked in May 2016 because she did not obtain her education as required by Texas law. She completed her education in Tennessee between November 2016 and March 2017. She has passed both exams and is now asking for her license.

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

#### **LEGAL REPORT- STAFF ATTORNEY**

The Complaint Committee of the State Board of Cosmetology and Barber Examiners met at 9:04 AM on Monday, December 11<sup>th</sup> to review the allegations of **86** complaints and make recommendations to the Board.

## COSMETOLOGY CASES

### 1. Case No.: COS-2017043251

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

This is a consumer complaint alleging that the Respondent is unlicensed and performing services. However, the Complainant has no information to support this claim and does not have an address where the services are being performed. The Dept. has no proof any services are being performed by this individual.

**Recommendation:** Closure

**Decision:** Approved

### 2. Case No.: COS-2017044211

**First License Obtained:** 10/13/2014  
**License Expiration:** 10/31/2018  
**Complaint history:** None

This is a consumer complaint alleging a bad result from a haircut and alleges unlicensed activity. However, in response to the complaint the Respondent supplied copies of current license for individual who performed the services.

**Recommendation:** Closure

**Decision:** Approved

### 3. Case No.: COS-2017044641

**First License Obtained:** 11/07/2013  
**License Expiration:** 11/31/2019  
**Complaint history:** None

This is a consumer complaint alleging bad result from a manicure and alleging that persons working in the salon are unlicensed. In response to the complaint, the owner states that they have no one unlicensed working in the salon and that there is no one identified in the complaint who works in the salon.

**Recommendation:** Closure

**Decision:** Approved

### 4. Case No.: COS-2017044391

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



This is a consumer complaint alleging unlicensed activity. The Facebook page advertises mobile service in the Memphis, Tennessee area.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.

**Decision:** Approved

**5. Case No.: COS-2017045211**

**First License Obtained:** 09/14/2012

**License Expiration:** 08/31/2018

**Complaint history:** None

This is a consumer complaint alleging a bad result as a result of a pedicure. In response the Respondent states that all procedures were followed for the pedicure and provided photographs of salon and equipment used to perform pedicures.

**Recommendation:** Closure

**Decision:** Approved

**6. Case No.: COS-2017042691**

**First License Obtained:** 05/01/2015

**License Expiration:** 04/30/2019

**Complaint history:** None

This is a consumer complaint alleging a bad result from a style and color.

**Recommendation:** Closure

**Decision:** Approved

**7. Case No.: COS-2017042731**

**First License Obtained:** 03/28/2008

**License Expiration:** 03/31/2018

**Complaint history:** None

Pursuant to inspection, two individuals were found to be providing services without a current license. One license was expired and the other had been revoked.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1100.00 civil penalty.

**Decision:** Approved

**8. Case No.: COS-2017042711**

**First License Obtained:** 08/27/2013

**License Expiration:** 10/31/2019

**Complaint history:** 2016041161, closed by Consent Order of voluntary

**License Revocation (Texas fraudulent hours)**

This is the individual from the above Complaint No. 2017042731 who was providing services with a revoked license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**9. Case No.: COS-2017042761**

**First License Obtained: 04/18/2005**

**License Expiration: 04/30/2019**

**Complaint history: None**

This is the individual from the above Complaint No. 2017042731 who was providing services with an expired license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**10. Case No.: COS-2017044781**

**First License Obtained: 04/13/2011**

**License Expiration: 03/31/2019**

**Complaint history: None**

Pursuant to inspection, the shop license was expired but has since been renewed.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**11. Case No.: COS-2017044811**

**First License Obtained: 11/30/2016**

**License Expiration: 11/30/2018**

**Complaint history: None**

Pursuant to inspection, no shop manager was present, no valid shop license was displayed and the inspection sheet was not displayed. A letter of warning was sent by centralized complaints regarding failure to display shop license and inspection sheet.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$500 civil penalty.**

**Decision: Approved**

**12. Case No.: COS-2017045531**

**First License Obtained:** 11/15/2006  
**License Expiration:** 11/30/2018  
**Complaint history:** None

This is a consumer complaint alleging a bad result of hair extensions. The Respondent provided a response reiterating her qualifications and explained why there was a refusal to place the extensions in locations requested by the client.

**Recommendation:** Closure  
**Decision:** Approved

**13. Case No.: COS-2017045511**

**First License Obtained:** 10/28/2013  
**License Expiration:** 10/31/2019  
**Complaint history:** None

This is the companion complaint against the salon for the above stylist Complaint No. 2017045531.

**Recommendation:** Closure  
**Decision:** Approved

**14. Case No.: COS-2017045711**

**First License Obtained:** 12/01/2005  
**License Expiration:** 12/31/2017  
**Complaint history:** None

This is a consumer complaint alleging that she purchased hair extensions which she requested be returned to her. The Complainant also states that the Respondent made inappropriate comments on Craigslist about her. The Respondent provided a response with copies of receipts and proof of the refund for the hair extensions and denies making any inappropriate comments about the Complainant.

**Recommendation:** Closure  
**Decision:** Approved

**15. Case No.: COS-2017045841**

**First License Obtained:** 10/23/2013  
**License Expiration:** 09/30/2019  
**Complaint history:** 2014000671, closed by Consent Order and payment of \$1,000 civil penalty; 201500664, closed by Consent Order and payment of \$1,000 civil penalty; 2016025261, closed by Consent Order and payment of \$500.00 civil penalty;

Pursuant to inspection, three unlicensed persons were found in the salon providing services without a license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$3000.00 civil penalty.**

**Decision: Approved**

**16. Case No.: COS-2017046861**

**First License Obtained: 05/28/2003**

**License Expiration: 05/31/2019**

**Complaint history: None**

Pursuant to inspection, the Respondent was providing services with an expired license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**17. Case No.: COS-2017046561**

**First License Obtained: 03/06/2000**

**License Expiration: 03/31/2019**

**Complaint history: None**

Pursuant to inspection, the shop license was found to be expired.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**18. Case No.: COS-2017046621**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

Pursuant to inspection, the shop was found to be operating without a valid license. The shop closed in 2016 and never made application to reopen. The owner was present in the salon and providing services. The owner maintains a valid license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**19. Case No.: COS-2017046581**

**First License Obtained: 10/16/1972**

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

**Complaint history: None**

Pursuant to inspection, the inspector found the manager operating a shop that had been out of business since 2013.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**20. Case No.: COS-2017047001**

**First License Obtained: 05/31/2013**

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

**Complaint history: 2016012611, closed by Consent Order for voluntary revocation of Respondent's license (Texas fraudulent hours)**

Pursuant to inspection, the Respondent was found to be providing services on a revoked license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**21. Case No.: COS-2017047061**

**First License Obtained: 07/21/2014**

**License Expiration: 07/31/2018**

**Complaint history: None**

Pursuant to inspection, this is the shop that was allowing the above Respondent in Complaint No. 201704701 to provide services with revoked license. The shop was operating without having their shop license properly displayed and the shop license was expired.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1100.00 civil penalty and warning from failure to display the shop license.**

**Decision: Approved**

**22. Case No.: COS-2017046681**

**First License Obtained: 05/03/2017**

**License Expiration: 05/31/2019**

**Complaint history: None**

This matter was originally referred to the Dept. as an anonymous complaint which as referred to investigation. No unlicensed activity was found as the inspector visited the shop on two different occasions.

**Recommendation: Closure**

**Decision: Approved**

**23. Case No.: COS-2017047051**

**First License Obtained:** 08/26/2000  
**License Expiration:** 07/31/2016  
**Complaint history:** None

Pursuant to inspection, the shop license was found to be expired since 2016 and the shop was marked as “closed” in CORE. There was one individual providing services without a license. The owner refused to sign the NOV and stated she had moved the shop to a new location.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$2000.00 civil penalty.

**Decision:** Approved

**24. Case No.: COS-2017047361**

**First License Obtained:** 09/04/1996  
**License Expiration:** 09/30/2018  
**Complaint history:** None

Pursuant to inspection, the Respondent’s license was found to be expired and she was performing services in the salon.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

**25. Case No.: COS-2017047441**

**First License Obtained:** 09/16/2009  
**License Expiration:** 09/01/2018  
**Complaint history:** 2009024791, closed w/no action; 2009025961, closed and flagged; 2012000141, closed w/no action; 2014016731, closed with a letter

This is a student complaint against a school alleging discrimination after being terminated with cause from the school. The school filed a response with copies of incident and witness statements as proof of why the student was expelled from the school.

**Recommendation:** Closure

**Decision:** Approved

**26. Case No.: COS-2017047551**

**First License Obtained:** 05/28/2015  
**License Expiration:** 05/31/2019  
**Complaint history:** None

Pursuant to inspection in July 2017, the shop was found to be operating on an expired license. However, according to CORE, this shop is now closed/out of business per the area inspector as of 9/21/2017.

**Recommendation: Closure and flag.**

**Decision: Approved**

**27. Case No.: COS-2017047801**

**First License Obtained: 05/01/2015**

**License Expiration: 03/31/2019**

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity. An inspection was requested and no unlicensed activity was found and the salon was in compliance with all rules and regulations.

**Recommendation: Closure**

**Decision: Approved**

**28. Case No.: COS-2017048761**

**First License Obtained: 06/30/2017**

**License Expiration: 06/30/2019**

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity of the owner of the salon. The owner is a licensed and operates a licensed shop.

**Recommendation: Closure**

**Decision: Approved**

**29. Case No.: COS-2017049041**

**First License Obtained: 11/01/1995**

**License Expiration: 05/31/2019**

**Complaint history: 2014024891, Dismissed**

This is a consumer complaint alleging that two patrons were using the same foot bath and that the owner's son was riding a scooter in the salon. The salon responded and explained that the two patrons were not "using" the same foot bath for a pedicure. The Respondent states it was, in fact, a mother and daughter and the child had just dipped her feet in the bath but was not receiving a pedicure and the owner's son had just been given a new scooter and did in fact ride it through the salon one time. The Respondent also stated that the Complainant was asked to leave because she was attempting to bring an animal into the salon without proof that the animal was a service animal and the Respondent states that is likely why the consumer filed the complaint.

**Recommendation: Closure**

**Decision: Approved**

**30. Case No.: COS-2017048841**

**First License Obtained: 08/05/1999**

**License Expiration: 04/30/2018**

**Complaint history:** 2010001261, closed by Consent Order and payment of \$1,000 civil penalty; 2012015601, closed by Consent Order and payment of \$750.00 civil penalty

This is a consumer complaint that alleges a bad result from a pedicure.

**Recommendation:** Closure

**Decision:** Approved

**31. Case No.:** COS-2017049361

**First License Obtained:** 06/04/2009

**License Expiration:** 10/31/2018

**Complaint history:** None

This is a consumer complaint requesting a refund and for the extensions to be repaired. The owner responded to the complaint stating that she offered to work something out with the Complainant and that she has a credit to use with the salon.

**Recommendation:** Closure

**Decision:** Approved

**32. Case No.:** COS-2017049381

**First License Obtained:** 05/23/2016

**License Expiration:** 05/31/2018

**Complaint history:** None

This is a consumer complaint alleging unlicensed activity and unprofessional conduct. The owner provided a response stating that they have never been cited for unlicensed activity and they have no records of this consumer receiving services in the salon. The Respondent stated that they have attempted to make contact with the consumer but the consumer has not returned their calls. Legal has attempted to reach the consumer to discuss this matter but all attempts to contact the contact have failed.

**Recommendation:** Closure

**Decision:** Approved

**33. Case No.:** COS-2017049611

**First License Obtained:** 05/11/1993

**License Expiration:** 10/31/2019

**Complaint history:** 942, closed; 978, Dismissed

This is a consumer complaint alleging that the consumer developed an infection as a result of a pedicure. No medical proof was provided. The Respondent provided a response stating that there is no proof that the pedicure caused the infection and that the Complainant has been to the salon several times prior to this alleged complaint.

**Recommendation:** Closure

**Decision:** Approved



**34. Case No.: COS-2017049781**

**First License Obtained:** 06/07/2017

**License Expiration:** 06/30/2019

**Complaint history:** None

This is a consumer complaint alleging unlicensed activity. Pursuant to inspection, no unlicensed activity was found.

**Recommendation:** Closure

**Decision:** Approved

**35. Case No.: COS-2017049771**

**First License Obtained:** 01/27/2014

**License Expiration:** 06/30/2019

**Complaint history:** None

Pursuant to inspection, the shop was open for business and the owner was providing services with an expired license. The shop license was also not properly displayed. The owner and manager are the same individual.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty and warning about shop license not properly displayed.

**Decision:** Approved

**36. Case No.: COS-2017049801**

**First License Obtained:** 11/07/2011

**License Expiration:** 11/30/2018

**Complaint history:** None

Pursuant to inspection, the owner was found to be providing services with an expired shop license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

**37. Case No.: COS-2017050081**

**First License Obtained:** 12/12/2012

**License Expiration:** 11/30/2018

**Complaint history:** None

This is a consumer complaint alleging unlicensed activity. Pursuant to inspection, no unlicensed activity was found.

**Recommendation:** Closure

**Decision:** Approved

**38. Case No.: COS-2017050781**

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

This is a consumer complaint alleging unlicensed activity. The Respondent did not file a response to the Complaint and the consumer has provided an address where the services are being rendered which appears to be a home business.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.  
**Decision:** Approved

**39. Case No.: COS-2017050741**

**First License Obtained:** 03/19/2012  
**License Expiration:** 02/28/2018  
**Complaint history:** 201700602, closed by Agreed Citation and payment of \$500.00 civil penalty

This is a consumer complaint use of a straight razor without being a licensed barber. Pursuant to inspection no violations were found.

**Recommendation:** Closure  
**Decision:** Approved

**40. Case No.: COS-2017051001**

**First License Obtained:** 07/30/2013  
**License Expiration:** 09/30/2018  
**Complaint history:** None

This is a consumer complaint alleging unlicensed activity and unsanitary conditions. Pursuant to inspection no violations were found.

**Recommendation:** Closure  
**Decision:** Approved

**41. Case No.: COS-2017051431**

**First License Obtained:** 06/14/2016  
**License Expiration:** 06/30/2018  
**Complaint history:** None

This is a consumer complaint alleging unsanitary conditions and requested that the manicure be stopped. In response to the complaint the owner states that the consumer had a nail fungus and that is the reason the manicure was stopped.

**Recommendation: Closure**

**Decision: Approved**

**42. Case No.: COS-2017051661**

**First License Obtained: 06/25/2009**

**License Expiration: 06/30/2019**

**Complaint history: None**

This is a consumer complaint alleging product being used caused eye irritation. No medical proof was submitted.

**Recommendation: Closure**

**Decision: Approved**

**43. Case No.: COS-2017051681**

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

**License Expiration: 05/31/2018**

**Complaint history: None**

This is an anonymous consumer complaint alleging unsanitary conditions. Pursuant to inspection no violations were found.

**Recommendation: Closure**

**Decision: Approved**

**44. Case No.: COS-2017052201**

**First License Obtained: 01/14/2010**

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

**Complaint history: 2014031241, closed w/no action**

This is the salon owner for the below complaint Nos. 2017052201 and 2017052251. Pursuant to inspection one unlicensed individual was found to be providing services and one individual was providing services with expired license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1100.00 civil penalty.**

**Decision: Approved**

**45. Case No.: COS-2017052221**

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

This is the unlicensed individual from the above Complaint No. 2017052201.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.

**Decision:** Approved

46. Case No.: COS-2017052251

**First License Obtained:** 01/15/2009  
**License Expiration:** 01/31/2019  
**Complaint history:** None

This is the person who was performed services with expired license at the above salon, Complaint No. 2017052201.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

47. Case No.: COS-2017053031

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

Pursuant to inspection, this salon was not open for business at the time of inspection but has business license and appears to be operating as a salon.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.

**Decision:** Approved

48. Case No.: COS-2017053011

**First License Obtained:** 05/04/1994  
**License Expiration:** 09/01/2018  
**Complaint history:** 8124, dismissed; 2009023791, closed w/no action; 2017015891, closure

This is a consumer complaint alleging unacceptable facilities and unprofessional learning environment. An inspection was requested based on the complaint and no violations were found.

**Recommendation:** Closure

**Decision:** Approved

**49. Case No.: COS-2017052861**

**First License Obtained:** 09/22/1997

**License Expiration:** 09/30/2019

**Complaint history:** None

Pursuant to inspection, the shop license was found to be expired. The Respondent is the owner and manager of the salon.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

**50. Case No.: COS-2017053751**

**First License Obtained:** 02/10/2014

**License Expiration:** 01/31/2016

**Complaint history:** None

This salon was found to be operating with an expired license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

**51. Case No.: COS-2017053771**

**First License Obtained:** 09/23/1991

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

**Complaint history:** None

This is the manager from the above Complaint No. 201705371 who was cited for allowing the salon to operate with an expired license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

**52. Case No.: COS-2017053981**

**First License Obtained:** 12/03/2001

**License Expiration:** 04/30/2018

**Complaint history:** None

Pursuant to inspection, one individual was found to be providing services with an expired license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision: Approved**

**53. Case No.: COS-2017054001**

**First License Obtained: 06/24/2008**

**License Expiration: 06/30/2018**

**Complaint history: None**

This is the manager from the above cited shop, Complaint No. 2017053981 which was cited for allowing one individual to provide services when license was expired. The manager and owner are not the same individual.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**54. Case No.: COS-2017054031**

**First License Obtained: 06/25/2007**

**License Expiration: 06/30/2019**

**Complaint history: None**

This is the individual was providing services with an expired license at the above salon.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**55. Case No.: COS-2017054711**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity. Pursuant to inspection, the inspector found no violations as the alleged unlicensed Respondent was not present at the salon on the day of the inspection.

**Recommendation: Closure**

**Decision: Approved**

**56. Case No.: COS-2017054791**

**First License Obtained: 06/18/2015**

**License Expiration: 05/31/2019**

**Complaint history: 2017019551, closed by Agreed Citation and payment of \$2000 civil penalty**

Pursuant to inspection based on a consumer complaint, no unlicensed activity was found in the salon.

**Recommendation: Closure**

**Decision: Approved**

**57. Case No.: COS-2017055061**

**First License Obtained: 02/04/2015**

**License Expiration: 01/31/2019**

**Complaint history: None**

Pursuant to inspection, the shop was found to be operating with expired license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**58. Case No.: COS-2017055441**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This is a consumer complaint alleging a bad result after receiving salon services at a school. The school responded and stated that the Complainant has been to the school several times for services but also has received services from another individual outside of the school and not a part of the school. The school states that they are not responsible for the “breakage” to the Complainants hair.

**Recommendation: Closure**

**Decision: Approved**

**59. Case No.: COS-2017055761**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

Pursuant to inspection, this Respondent was found to be providing services without a license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**60. Case No.: COS-2017055681**

**First License Obtained:** 05/04/2017  
**License Expiration:** 05/31/2019  
**Complaint history:** None

This is a consumer complaint alleging a bad result from a haircut. The Respondent submitted a response stating with details exactly what methods were used for the cut and color and that the Complainant was not happy with the service so the Respondent did not charge her. The Respondent states that the Complainant's significant other used profanity towards the Respondent and therefore the Respondent cancelled the next appointment with them.

**Recommendation:** Closure  
**Decision:** Approved

**61. Case No.: COS-2017055801**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** 2017041521, closed w/no action

This is the salon from the above listed Complaint No. 2017055681. This salon is a suite provider not licensed by this board.

**Recommendation:** Closure  
**Decision:** Approved

**62. Case No.: COS-2017055741**

**First License Obtained:** 09/10/2010  
**License Expiration:** 04/30/2019  
**Complaint history:** 2011026351, closed w/no action; 2014012051, closed by Consent Order and payment of \$1,000 civil penalty

Pursuant to inspection, one individual was found to be providing services without a license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.  
**Decision:** Approved

**63. Case No.: COS-2017055941**

**First License Obtained:** 09/26/2005  
**License Expiration:** 09/30/2017  
**Complaint history:** 2008015041, closed by Consent Order and payment of \$2000 civil penalty; 2012004641, closed by Consent Order and payment of \$500.00 civil penalty

Pursuant to inspection regarding a consumer complaint of unlicensed activity, no unlicensed activity was found in the salon.



**Recommendation: Closure**  
**Decision: Approved**

**64. Case No.: COS-2017056441**

**First License Obtained: 01/13/2016**  
**License Expiration: 09/01/2018**  
**Complaint history: 2016064021, Closure. contract discloses overage rates; 2016048961, Closure. Contract fully discloses overage rates. Records reflect student's low attendance records resulting in the overage hours and multiple attempts by the school to encourage the student to increase attendance, which would have resulted in a smaller overage; 2017022241; closure**

Pursuant to inspection, the school was found to have two violations. First, the school failed to separate the practical and theory areas. Second, one instructor failed to have the individual license properly displayed.

**Recommendation: Letter of warning.**  
**Decision: Approved**

**65. Case No.: COS-2017056481**

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

This is an anonymous complaint alleging unlicensed activity which was confirmed as providing services on Facebook.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**  
**Decision: Approved**

**66. Case No.: COS-2017056901**

**First License Obtained: 07/01/2014**  
**License Expiration: 05/31/2018**  
**Complaint history: None**

This is a consumer complaint alleging unsanitary conditions. The Respondent provided a response with an explanation that all tools are sanitized and provided photographs of the sanitized tools.

**Recommendation: Closure**

**Decision: Approved**

**67. Case No.: COS-2017057161**

**First License Obtained: 05/18/2015**

**License Expiration: 04/30/2019**

**Complaint history: None**

This is an employee complaint alleging that that her employer is stating that she has bad hygiene.

**Recommendation: Closure**

**Decision: Approved**

**68. Case No.: COS-2017057961**

**First License Obtained: 01/05/2001**

**License Expiration: 08/31/2018**

**Complaint history: 200502079, closed by Consent Order and payment of \$300.00 civil penalty**

Pursuant to inspection, the manager/owner was not present and one unlicensed individual was found to be providing services without a license. In response the salon states it closed in April 2017. However, the shop is not closed in CORE and the shop was open for business on the date of the inspection.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1500.00**

**Decision: Approved**

**69. Case No.: COS-2017058521**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

Pursuant to inspection, this shop was investigated to determine if it was providing services outside of the scope of licensure. At the time of the investigation no services were being provided and no violations were noted. There is no proof that this shop is operating outside the scope of the medical spa license.

**Recommendation: Closure**

**Decision: Approved**

## **BARBER CASES**

**70. Case No.: BAR-2017044541**

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

Pursuant to inspection, the Respondent was found to be inside a Barber shop and stated that he was an employee of the shop. However, no customers were present at the time so the Respondent was not providing services. The Respondent is in the process of obtaining his license and has taken the theory but not the practical part of the exam.

**Recommendation:** Letter of warning.

**Decision:** Approved

**71. Case No.: BAR-2017044521**

**First License Obtained:** 07/28/2016  
**License Expiration:** 07/31/2018  
**Complaint history:** None

Pursuant to inspection, the shop was found to have no manager present and the shop license was not displayed.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$500.00 civil penalty and warning for failure to have shop license posted.

**Decision:** Approved

**72. Case No.: BAR-2017044581**

**First License Obtained:** 04/13/2005  
**License Expiration:** 04/30/2019  
**Complaint history:** None

Pursuant to inspection, the shop was found to be operating with an expired license. This Respondent is the manager of the shop.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.

**Decision:** Approved

**73. Case No.: BAR-2017044561**

**First License Obtained:** 05/24/2013  
**License Expiration:** 05/31/2019  
**Complaint history:** 20150213251, closed by Consent Order and payment of \$50.00 civil penalty as to the shop's complaint

This is the shop from the above complaint. Pursuant to inspection the shop license was expired. The manager and owner are not the same individual.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.**

**Decision: Approved**

**74. Case No.: BAR-2017046901**

**First License Obtained: 11/14/2007**

**License Expiration: 11/30/2019**

**Complaint history: None**

Pursuant to inspection July 14, 2017, the Respondent was cited as the owner of a shop operating without a shop license. The owner applied for a dual shop license on July 18, 2017 and that application was approved.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**75. Case No.: BAR-2017046961**

**First License Obtained: 06/19/2012**

**License Expiration: 06/30/2018**

**Complaint history: None**

Pursuant to inspection on July 14, 2017, this shop owner was found to have moved locations without requesting a change of address from the Board. No other violations were found. The Respondent did apply for a change of location which was received on July 25, 2017 and same was approved on August 7, 2017.

**Recommendation: Discussion.**

**Decision: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**76. Case No.: BAR-2017048611**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity. However, an inspection of the shop found that the shop was closed in 2016 and the location was closed at the time of inspection and no activity was observed.

**Recommendation: Closure**

**Decision: Approved**

**77. Case No.: BAR-2017050831**

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

This is a consumer complaint alleging unlicensed activity but no proof was provided of any unlicensed activity and no address was provided to confirm whether or not this individual is providing any unlicensed services.

**Recommendation:** Closure  
**Decision:** Approved

**78. Case No.: BAR-2017052361**

**First License Obtained:** 11/07/2014  
**License Expiration:** 10/31/2018  
**Complaint history:** 20150212471, closed and flagged

Pursuant to inspection, this barber shop was found to be operating with expired license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty.  
**Decision:** Approved

**79. Case No.: BAR-2017053321**

**First License Obtained:** 05/14/2014  
**License Expiration:** 04/30/2018  
**Complaint history:** None

This is a consumer complaint alleging that the shop is selling food. However, no food was being sold on the date of the inspection and no specific violations were found.

**Recommendation:** Closure  
**Decision:** Approved

**80. Case No.: BAR-2017054671**

**First License Obtained:** 01/13/2015  
**License Expiration:** 01/31/2018  
**Complaint history:** None

Pursuant to inspection, the shop was found to be open for business. No customers were present during the time of inspection and the owner stated that the shop was not open for business. The owner's license was expired but she was not providing services at the time of inspection. The owner renewed her license within two days of the inspection.

**Recommendation:** Closure with re-inspection.  
**Decision:** Approved

**81. Case No.: BAR-2017055321**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This is a consumer complaint alleging unlicensed activity. The Respondent provided a response acknowledging that he is entering into barber school and “from time to time” practices on family members or models with their consent.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.

**Decision:** Approved

**82. Case No.: BAR-2017055111**

**First License Obtained:** 05/25/2016

**License Expiration:** 06/30/2018

**Complaint history:** 2016028181, Formal Charges Authorized

Pursuant to inspection, the shop owner was found to be providing services with expired license and the shop was cited for sanitary violations.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100 civil penalty for expired license and warning for sanitary violations.

**Decision:** Approved

**83. Case No.: BAR-2017057011**

**First License Obtained:** 12/28/1982

**License Expiration:** 06/30/2019

**Complaint history:** None

Pursuant to inspection based on a consumer complaint alleging unsanitary conditions, no violations were found.

**Recommendation:** Closure

**Decision:** Approved

**84. Case No.: BAR-2017059061**

**First License Obtained:** 11/09/2012

**License Expiration:** Revoked

**Complaint history:** 2013021421, closed by Final Order for revocation of Respondent’s master barber license and the assessment of \$3,000 civil penalty and hearing costs of \$225.00

This is an administrative complaint which was opened due to the fact that the Respondent continues to work as a barber after his license has been revoked and also allows his minor son to perform services as a barber who has no license and is under the age to obtain a license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1000.00 civil penalty.**

**Decision: Approved**

**85. Case No.: BAR-2017058541**

**First License Obtained: 07/23/2015**

**License Expiration: 03/31/2019**

**Complaint history: None**

Pursuant to inspection, the shop was found to be operating with an expired license. The manager was not present and one individual was servicing a client but did not have proof of licensure and would not provide identification and refused to sign the NOV.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1600.00 civil penalty.**

**Decision: Approved**

**86. Case No.: BAR-2017059091**

**First License Obtained: 07/23/2015**

**License Expiration: 03/31/2019**

**Complaint history: None**

This is an administrative complaint alleging the Respondent in Complaint No. 2017059061 was employed as a barber in this shop. The owner responded to the complaint and states that the young child was only cutting his Father's hair and that the shop was only the venue for the news segment and the child is not paid or allowed to cut hair in the shop. The owner was unaware that the Father's license had been revoked.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$2000.00 civil penalty.**

**Decision: Approved**

Attending were Board members Ron Gillihan, Frank Gambuzza, Becky Russell and Amy Tanksley.

The meeting adjourned at 9:30 AM.

MOTION made by Ron Gillihan and seconded by Frank Gambuzza for approval of the Legal Report as amended. Motion carried unanimously.

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

## **NEW BUSINESS**

Financial information for fiscal year 2016 – 2017 was provided along with the prior three years of final numbers. The Cosmetology and Barber Examiners Board finished the fiscal year with a balance of 50,787 leaving the reserve balance at 281,620

The shop inspection form was updated to work better for dual shops, mobile shops and cover many of the updated rules and laws. The new form was presented for board approval at the November and suggested changes addressed with the field inspectors prior to final review. A new school inspection form will be presented as soon as it can be revised.

MOTION made by Patricia Richmond and seconded by Amy Tanksley for approval of the revised inspection form. Motion carried unanimously.

The August and October board meetings covered updating the equipment and student kits for shops and schools. A work session was led by attorney for the board, Cherrelle Hooper who completed the lists. Board members made recommendations and the changes will be presented at the December board meeting to finalize updates.

### **Additional Questions:**

### **Motion to adjourn**

MOTION to adjourn made by Patricia Richmond and seconded by Anita Charlton. Motion carried unanimously.