



**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 April 9, 2018 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, Nina Coppinger, Frank Gambuzza, Ron Gillihan, Brenda Graham, Patricia Richmond, Becky Russell and Amy Tanksley. Participating telephonically: Anita Charlton, Yvette Granger and Mona Sappenfield. Not present Jimmy Boyd and Judy McAllister.

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

### **MINUTES-**

Minutes for the March 5, 2018 board meetings were submitted for changes and/or approval.

Motion made by Patricia Richmond and seconded by Frank Gambuzza to approve the March 5, 2018 minutes. Motion carried unanimously.

### **2018 Legislative Updates:**

Cherrelle Hooper update the board on new bills filed that impact the industry as well as amendments as of Thursday, April 5, 2018.

## **APPEAR BEFORE THE BOARD-**

### **Texture Tech Academy – New Specialty Natural Hair Styling School**

Ms. Monica Caruthers appeared before the board for a new specialty natural hair styling school license. The school is located in Memphis and is 1,024 square feet. The business license, curriculum, blank contract, five tentative agreements, floor plan, application and fee were all received timely.

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

### **Kingsport Academy of Hair – School Change in Location**

The school did not have anyone appear before the board for a change in location. It is located in Kingsport and has been licensed since 2000. The new location is and is over 2,600 square feet. The floor plan, application and fee were all received timely.

MOTION made by Patricia Richmond and seconded by Amy Tanksley to approve change in location pending an inspection by a field inspector only. Motion carried unanimously.

## **APPLICATIONS FOR EXAMINATION-**

Applications for examination for: Nikisha Popejoy. The applicant has felonies within the last three years and is 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 with hours from Thailand for Patcharee Isenberg. Mrs. Isenberg provided Aequo International verified documents showing 1,296 hours in course title Beautician, were completed in 2012. Mrs. Isenberg and her husband submitted a letter where they explain the decision to only pursue a manicure license even though many of her hours included hair and skin, they believe concentrating on the manure license is the simplest, fastest and most cost effective path for them.

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

Application to test as a cosmetologist with hours from Mexico for Mayra Aracelli Segura Rodriguez. Ms. Rodriguez providea translated certified document showing 1,700 hours were completed in March 2011.

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

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

Application for reciprocity of cosmetology and from Georgia for Casandra Chapman. Ms. Chapman completed 1,400 hours in 2000 in California but never obtained her license there. She moved to New York and they had her complete an additional 100 hours. Unfortunately she does not have that transcript and New York only keeps records for five years. From there she moved to Georgia where she obtained a license in 2013. That license was active when she applied for reciprocity in Tennessee but it expired on March 31. Her certification form New York has not been received yet but she provided a copy of her license and via email explained her situation. She is desperate to start working back in the industry. She did not have proof of work in the industry for the last five years.

Recommendation - is that the applicant be approved for reciprocity.

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

Application for reciprocity of cosmetologist license from Pennsylvania for Amanda Hassinger. Certification shows initial licensure in January 2014 with 1,250 hours by examination. Ms. Hassinger provided three separate letters from employers showing work experience for the last four years.

MOTION made by Kelly Barger and seconded by Amy Tanklsey to approve reciprocity. Motion carried unanimously.

Application for reciprocity of cosmetology license from Kansas for Jihae Min Wolfe Certification shows initial licensure in July 2016 with 1,520 hours obtained in South Korea. She provided an evaluation report for the hours obtained and provided information regarding spouse being in the military. Kansas only had her take the Law Exam.

MOTION made by Patricia Richmond and seconded by Frank Gambuzza to approve reciprocity. Motion carried unanimously.

## MISCELLANEOUS REQUESTS –

### Request for Waivers, Reconsiderations and Extensions:

Request for consideration to waive theory exam for Mohammed Mohammed. Mr. Mr. Mohamed was approved at the January 30, 2017 board meeting to take the barber exams with education from Tennessee completed in 2009. Mr. Mohammed has failed the theory exam twice because of a language barrier. The board made recommendations of what to present at the next meeting for his reciprocity application as a cosmetologist and consider a dual shop license for his business.

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

Request for approval of manicurist license for Hoang Minh Dong. Mr. Dong was licensed by reciprocity in from Texas in 2013. That licensed was revoked for failure to obtain licensure as the statute required. Since then he attended a school in Memphis and passed both exams. The practical exam was passed in February 2018.

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

Request for extension of continued education for instructor Elizabeth Smith. On March 11 and 12, 2018 Ms. Smith was attending the approved CE session in Old Hickory. She had a family emergency and had to leave early. This meant she only completed 11.5 of the required 16 hours.

MOTION made by Frank Gambuzza and seconded by Patricia Richmond to approve request for extension thru 2018. Motion carried unanimously.

## LEGAL REPORT- STAFF ATTORNEY

The Complaint Committee of the State Board of Cosmetology and Barber Examiners met at 9:15 AM on Monday, April 9<sup>th</sup> to review the allegations of 45 complaints and make recommendations to the Board.

### COSMETOLOGY CASES

#### 1. Case No.: COS-2017072261

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This is a consumer complaint alleging that this Respondent is performing services outside the scope of her license. However, the inspectors visited the shop and found that this Respondent operates as a medical spa under the regulation of the Dept. of Health.

**Recommendation: Closure**

**Decision: Approved**

**2. Case No.: COS-2017072391**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This consumer complaint alleging unlicensed activity. Based on the complaint, an inspector went to the location and discussed the matter with the owner and found no unlicensed activity. The owner advised that this Respondent does not work in the shop.

**Recommendation: Closure**

**Decision: Approved**

**3. Case No.: COS-2017072761**

**First License Obtained: 08/23/2017**

**License Expiration: 08/31/2019**

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity. There is no proof of any unlicensed activity.

**Recommendation: Closure**

**Decision: Approved**

**4. Case No.: COS-2017073851**

**First License Obtained: 07/02/2015**

**License Expiration: 07/31/2019**

**Complaint history: 201700605, closed by Agreed Citation and payment of \$500.00 civil penalty**

This is a consumer complaint alleging the Respondent is practicing outside of the scope of her license. The consumer is a former employee and provided no proof that the Respondent is working outside the scope of her license. Inspectors visited the shop two months prior to the complaint being filed and found no individuals working outside of the scope of their license.

**Recommendation: Closure**

**Decision: Approved**

**5. Case No.: COS-2017073961**

**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; 2017050741, closed with/no action**

This is the companion complaint to the above individual Respondent Complaint No. 2017073851 and consumer is alleging that the shop is performing service outside the scope of their license but no use of a straight razor was found when the inspectors visited the shop. In addition, the shop was licensed as a dual shop at the time of the complaint.

**Recommendation: Closure.**

**Decision: Approved**

**6. Case No.: COS-2017074021**

**First License Obtained: 05/13/2016**

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

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity. However, the Respondent is licensed and the address provided by consumer for the Respondent is not valid and there is no proof of any unlicensed activity.

**Recommendation: Closure**

**Decision: Approved**

**7. Case No.: COS-2017074331**

**First License Obtained: 08/14/2006**

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

**Complaint history: 201605923, closed by Agreed Citation and payment of \$100.00 civil penalty**

This is a consumer complaint alleging that the salon refused to honor a gift card. The consumer requested that the salon "buy back" the gift card. The salon refused to buy it back and offered the consumer the option of using the gift card or re-gifting it.

**Recommendation: Closure**

**Decision: Approved**

**8. Case No.: COS-2017074251**

**First License Obtained: 05/23/1996**

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

**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**

**9. Case No.: COS-2017074481**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

Pursuant to inspection based on a consumer complaint, the shop owner stated that the Respondent is a boutique not a hair salon. There was no one in the shop receiving services at the time.

**Recommendation: Closure**

**Decision: Approved**

**10. Case No.: COS-2017075271**

**First License Obtained:** 10/19/2016

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

**Complaint history:** 2017027791, closure; 2017064291, closure

This is a consumer complaint alleging that the shop has no license. The shop is properly licensed.

**Recommendation:** Closure

**Decision:** Approved

**11. Case No.: COS-2017075301**

**First License Obtained:** 10/19/2016

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

**Complaint history:** 2017027791, closure; 2017064291, closure

This is a consumer complaint alleging that an individual working in the shop has no license. However, no additional information was provided.

**Recommendation:** Closure with request for re-inspection.

**Decision:** Approved

**12. Case No.: COS-2017075361**

**First License Obtained:** 12/13/2004

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

**Complaint history:** 2007088491, dismissed

Pursuant to inspection based on a consumer complaint alleging services performed outside of the scope of the license, no violations were found at the time of inspection.

**Recommendation:** Closure

**Decision:** Approved

**13. Case No.: COS-2017075381**

**First License Obtained:** 12/04/2009

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

**Complaint history:** 2015006711, closed by Consent Order and payment of \$500.00 civil penalty; 2016022861, closed by Consent Order and payment of \$1,000 civil penalty;

Pursuant to inspection, one unlicensed person was found to be providing services in the salon.

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

**Decision:** Approved

**14. Case No.: COS-2017075731**

**First License Obtained:** 04/19/2017

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

**Complaint history:** None

This is an employee complaint alleging sanitation violations. An inspection was performed and no violations were found.

**Recommendation: Closure**

**Decision: Approved**

**15. Case No.: COS-2017076191**

**First License Obtained: 06/09/2015**

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

**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**

**16. Case No.: COS-2017075561**

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

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

**Complaint history: None**

Pursuant to a consumer complaint, an inspection was performed and no violations were found.

**Recommendation: Closure**

**Decision: Approved**

**17. Case No.: COS-2017075791**

**First License Obtained: 11/09/2017**

**License Expiration: 09/01/2018**

**Complaint history: None**

This is a student complaint alleging that one of the instructors at the school acts inappropriate and that the school is unsanitary. The owner of the school responded with an affidavit stating that she has never seen the instructor listed in the complaint act unprofessionally and that the student who filed the complaint withdrew from the school due to anger issues.

**Recommendation: Closure with request for inspection regarding sanitation issues.**

**Decision: Approved**

**18. Case No.: COS-2017076381**

**First License Obtained: 10/05/2007**

**License Expiration: 01/31/2020**

**Complaint history: None**

Pursuant to a consumer complaint alleging services being provided outside the scope of the salon's license. Based on the complaint an inspection was requested and no violations were found.

**Recommendation: Closure**

**Decision: Approved**



**19. Case No.: COS-2017076481**

**First License Obtained:** 11/26/2007  
**License Expiration:** 06/30/2019  
**Complaint history:** 2010029631, closed by Consent Order and payment of \$1,000 civil penalty; 2013008521, closed by Consent Order and payment of \$1,000 civil penalty; 2014031971, closed by Consent Order and payment of \$1,000 civil penalty;

Pursuant to consumer complaint alleging unlicensed activity, an inspection was performed and no violations were found.

**Recommendation:** Closure

**Decision:** Approved

**20. Case No.: COS-2017076761**

**First License Obtained:** 09/09/2016  
**License Expiration:** 09/30/2018  
**Complaint history:** None

This is a consumer complaint alleging unsanitary conditions but no photographs were provided with the complaint. The Respondent provided a response to the complaint and provided photographs of the sanitation pouches used for sterilization.

**Recommendation:** Closure

**Decision:** Approved

**21. Case No.: COS-2017076941**

**First License Obtained:** 02/18/2004  
**License Expiration:** 02/29/2020  
**Complaint history:** None

This is a competitor complaint alleging that one licensee is “stealing” clients from another licensee.

**Recommendation:** Closure

**Decision:** Approved

**22. Case No.: COS-2017077071**

**First License Obtained:** 01/27/1992  
**License Expiration:** 02/28/2019  
**Complaint history:** None

Pursuant to inspection, this Respondent was found to be providing services with expired license.

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

**Decision:** Approved

**23. Case No.: COS-2017077091**

**First License Obtained:** 10/31/1996

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

**Complaint history:** None

Pursuant to inspection, this Respondent was found to be providing services with expired license.

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

**Decision:** Approved

24. Case No.: COS-2017077451

**First License Obtained:** 08/03/2015

**License Expiration:** 07/31/2019

**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

25. Case No.: COS-2017078351

**First License Obtained:** 09/23/1992

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

**Complaint history:** 2014004581, closed by Consent Order and payment of \$1,250 civil penalty; closed by Agreed Citation and payment of \$1,500 civil penalty

This is a consumer complaint alleging that the Respondent shop allowed a student to color a customer's hair. Based on the complaint, an inspection was performed and no unlicensed activity was found.

**Recommendation:** Closure

**Decision:** Approved

26. Case No.: COS-2017077901

**First License Obtained:** 03/21/1994

**License Expiration:** 09/01/2018

**Complaint history:** 2009022431, closed by Consent Order and payment of \$1,000 civil penalty

This Respondent is a school which was closed in October 2017. Two students filed complaints alleging contractual issues with their grants and issues with refunds.

**Recommendation:** Closure as this is a contractual matter between the school and the student.

**Decision:** Approved

27. Case No.: COS-2017077941

**First License Obtained:** 03/15/1994

**License Expiration:** 09/01/2018

**Complaint history:** None

This is a student complaint against the Respondent school alleging issues with curriculum and issues with requests for breakdown of charges. The Respondent filed a detailed response with copies of documents outlining the program, charges, contracts signed, checklist of materials received by the student. The Respondent also provided proof of the refund due to the student which was returned to the school “unclaimed”

**Recommendation: Closure**

**Decision: Approved**

**28. Case No.: COS-2017078441**

**First License Obtained: 12/20/1995**

**License Expiration: 12/31/2019**

**Complaint history: None**

Pursuant to inspection, the Respondent’s license was found to be expired.

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

**Decision: Approved**

**29. Case No.: COS-2014003181**

**First License Obtained: 05/20/2013**

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

**Complaint history: 2014003181, closed by Consent Order and payment of \$750.00 civil penalty**

Pursuant to inspection one person 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**

**30. Case No.: COS-2017078421**

**First License Obtained: 03/10/1980**

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

**Complaint history: None**

Pursuant to inspection, the shop license was found to be expired, no shop manager was present, and one individual providing services with expired license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$700.00 civil penalty.**

**Decision: Approved**

**31. Case No.: COS-2017078951**

**First License Obtained: 08/27/2015**

**License Expiration: 08/31/2019**

**Complaint history: None**

Pursuant to inspection, a hot wax pot was found in the salon. The owner stated that the shop does not provide waxing services. No customers were receiving wax services at the time of inspection.

**Recommendation:** Closure with letter of warning.

**Decision:** Approved

**32. Case No.:** COS-2017078931

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

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

**Complaint history:** 2005027021, closed by Consent Order and payment of \$500.00 civil penalty; 2007061021, closed by Letter of Warning; 2013018411, closed by Consent Order and payment of \$1,250 civil penalty; 2014004791, closed by Consent Order and payment of \$1,000 civil penalty

Pursuant to inspection, a hot wax pot was found in the salon. The owner stated that the shop does not provide waxing services. No customers were receiving wax services at the time of inspection.

**Recommendation:** Closure with letter of warning.

**Decision:** Approved

**33. Case No.:** COS-2017078971

**First License Obtained:** 08/30/2017

**License Expiration:** 08/31/2019

**Complaint history:** None

Pursuant to a consumer complaint regarding unlicensed activity, an inspection was performed and no violations were found.

**Recommendation:** Closure

**Decision:** Approved

**34. Case No.:** COS-2017079421

**First License Obtained:** 05/06/2011

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

**Complaint history:** None

This is a consumer complaint alleging unsanitary conditions. The owner responded and admitted that one individual who was working that day may not have following the sanitation protocol prior to performing services.

**Recommendation:** Closure with letter of warning.

**Decision:** Approved

**35. Case No.:** COS-2017079321

**First License Obtained:** 02/23/2017

**License Expiration:** 02/28/2019

**Complaint history:** None

This is a competitor complaint alleging unlicensed activity. The Respondent provided a response and states both individuals that complained are former employees who were fired.

**Recommendation: Closure with request for inspection.**

**Decision: Approved**

**36. Case No.: COS-2017080901**

**First License Obtained: 02/15/1995**

**License Expiration: 09/30/2018**

**Complaint history: None**

This is a consumer complaint alleging a bad result from a haircut.

**Recommendation: Closure**

**Decision: Approved**

**37. Case No.: COS-2017081461**

**First License Obtained: 05/24/2017**

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

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity but the complainant states that he never filed a complaint with our office.

**Recommendation: Closure**

**Decision: Approved**

**38. Case No.: COS-2017081051**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This is a consumer complaint alleging unlicensed makeup and hair services. No additional information was provided other than pictures of what appear to be celebrities but the pictures provided do not show the individual performing or advertising any services.

**Recommendation: Closure**

**Decision: Approved**

### **BARBER CASES**

**39. Case No.: BAR-2017076151**

**First License Obtained: 10/10/1989**

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

**Complaint history: None**

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

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

**Decision: Approved**

**40. Case No.: BAR-2017081401**

**First License Obtained:** 02/25/1994  
**License Expiration:** 09/18/2018  
**Complaint history:** 9551, dismissed; 2005005241 & 2005005811, closed and Flagged file; 2005012441, closed with Letter of Warning; 2007082761, closed and flagged file; 2009008911, closed and flagged; 2011029321, closed via Consent Order and payment of \$500 civil penalty; 2015008491, closed via Consent Order and payment of \$2,000 civil penalty; 2017062551, Consent Order Proposed for Revocation of the school's license

This is student complaint alleging unsanitary conditions at the school. The complaint also alleges teachers not present during the instruction time. I have spoken to the Executive Director for the school and the school has surrendered the license. The school is now closed and has not submitted hours in a few months. Based on my conversation with the executive director for the school, the prior complaint, **Complaint No. 2017062551**, which was authorized for revocation based on unsanitary conditions, should be closed given the fact that the school is closed.

**Recommendation:** Close and flag.

**Decision:** Close and flag, with a request for an inspector to confirm that the school is closed.

**41. Case No.: BAR-2017081641**

**First License Obtained:** 03/20/1978  
**License Expiration:** 05/31/2019  
**Complaint history:** None

This is a competitor complaint alleging that the Respondent is using a straight razor. The complainant provided no proof of same. The Respondent provided a response denying the allegations.

**Recommendation:** Closure

**Decision:** Approved

**REPRESENTED CASES**

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

**First License Obtained:** 11/30/2016  
**License Expiration:** 11/30/2018  
**Complaint history:** None

This matter was presented to the Board at the December 11, 2017 meeting as follows: *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. Authorization: Authorize formal hearing. Authorize settlement by consent order with \$500 civil penalty.*

**Update:** A Consent Order was sent to the Respondent, but no response has been received. Further investigation of this matter revealed that the shop is now closed.

**Recommendation:** Closure

**Decision:** Approved

**43. COS-2017046561**

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

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

**Complaint history:** None

This matter was presented to the Board at the December 11, 2017 meeting as follows: *Pursuant to inspection, the shop license was found to be expired. Authorization: Authorize formal hearing. Authorize settlement by consent order with \$100 civil penalty.*

**Update:** A Consent Order was sent to the Respondent and the Respondent provided a copy of payment for the renewal of the shop license. However, further investigation of this matter revealed that the shop is now closed.

**Recommendation:** Closure

**Decision:** Approved

**44. Case No.: L15-COS-RBS-2015012971**

**First License Obtained:** 09/27/2002

**License Expiration:** 09/30/2014

**Complaint history:** None

This matter was presented to the Board at the November 2, 2015 meeting as follows: *Respondent received a notice of violation pursuant to an inspection on May 15, 2015. The respondent offered the inspector cosmetology services while she had an expired license. She is also running a cosmetology shop without a shop license. Authorization: Authorize for formal charges. Allow authority to settle the matter beforehand with a consent order for \$1000.*

**Update:** A Consent Order was sent to the Respondent, but no response has been received. Further investigation of this matter revealed that the Respondent's cosmetologist license has lapsed for more than three (3) years, and as such, the Respondent's license shall not be reinstated unless Respondent passes the state law and practical examination pursuant to Tenn. Code Ann. § 62-4-117(d).

**Recommendation:** Closure

**Decision:** Approved

**45. Case No.: BAR – 2016027841**

**First License Obtained:** 02/07/2005

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

**Complaint history:** 2007054701, Referred to outside agency;  
2008007671, closed by Consent Order  
and payment of \$500 civil penalty

This case was presented to the Board at August 8, 2016 meeting as follows: *Shop and employee were both cited pursuant to an inspection. At the time of inspection there were two unlicensed persons cutting hair and one immediately left through the back door. The remaining person is the respondent in the second case. In addition to having two unlicensed persons working the shop also had an expired license, no manager present, several sanitation violations, and a licensed person who was working had an expired license. The employee had written in claiming he was a barber student and has passed the theory exam is still waiting to take the practical exam. He has been struggling financially and was told he could cut his friends hair only at the shop until he was licensed. He asked for us to reconsider a \$1000 penalty since he says he*

cannot pay it at this time. **Authorization:** Authorize formal charges against the shop. Allow authority to settle by consent order assessing \$2,500.

**Update:** A Consent Order was sent to the Respondent, but no response has been received. Further investigation of this matter revealed that the shop is now closed.

**Recommendation: Closure**

**Decision: Approved**

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

The meeting adjourned at 9:25 AM.

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

#### **NEW BUSINESS:**

Financial information presented through December 2017 reflecting an estimated surplus \$166,167 for fiscal year 2018.

The 2018 continued education board member attendance was reviewed. Given the increase in sessions and that a board member will incur travel expenses to attend the Blueprint to Your Student in Johnson, the board voted to approve the signup sheet.

MOTION made by Patricia Richmond and seconded by Brenda Graham for approval of the signup sheet for each session. Motion carried unanimously.

#### **Additional Questions:**

#### **Motion to adjourn**

MOTION to adjourn made by Patricia Richmond and seconded by Frank Gambuzza. Motion carried unanimously.