



**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 January 29, 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, Jimmy Boyd, Nina Coppinger, Frank Gambuzza, Ron Gillihan, Brenda Graham, Judy McAllister, Becky Russell, Mona Sappenfield and Amy Tanksley. Not present but participating telephonically: Anita Charlton Yvette Granger and Patricia Richmond.

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

### **MINUTES-**

Minutes for the December 11, 2017 board meetings were submitted for changes and/or approval.

Motion made by Judy McAllister and seconded by Brenda Graham to approve the December 11, 2017 minutes. Motion carried unanimously.

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

For 2018 the board needs to vote to adopt Roberts Rule of Order.

MOTION made by Nina Coppinger and seconded by Frank Gambuzza 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.

MOTION made by Nina Coppinger and seconded by Frank Gambuzza to elect Ron Gillihan as Chair and Kelly Barger as vice chair of the State Board of Cosmetology and Barber Examiners for 2017. Motion carried unanimously.

### **2018 Legislative Updates:**

The 2018 legislative session started and two bills that affect the State Board of Cosmetology and Barber Examiners has been introduced as of Friday, January 26, 2018:

#### **HB1483/SB1888** Continuing Education -

This bill adds a new continuing education requirement for cosmetologists, barbers, and related professions.

#### **HB1809** Combination of Cosmetology and Barber Discipline –

This bill combines the disciplines of barbering and cosmetology by eliminating licenses under the barbering discipline and creating uniform cosmetology/barbering licenses for individual licensees, shops, and schools. This bill deregulates natural hair styling by eliminating the requirement for a license to perform natural hair styling services and eliminating the requirement for specialized shops and schools to be licensed.

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

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

Kevin Johnson appeared before the board for a change in ownership for three separate school licenses. One of the two schools is located in Knoxville and the request is for both the barber and the cosmetology licenses to reflect the change in ownership. The barber school application was still pending for the 15 required contracts. The other location is the school in Murfreesboro. The business license, curriculum, application and fee were all received timely.

MOTION made by Amy Tanksley and seconded by Judy McAllister to approve change of ownership pending an inspection by a field inspector. Mr. Frank Gambuzza abstained from the vote. Motion carried unanimously.

#### **Miller-Motte, Change in Ownership:**

Mr. Jay Frank, Campus Director appeared before the board for the change in ownership of the school located in Chattanooga. The business license, floor plan, enrollment agreement, curriculum, application and fee were all received timely.

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

### **The Institute for Braiding and Natural Hair - New Specialty School**

Ms. Tameshia Effinger appeared before the board for a new specialty natural hair styling school. This school is located in Memphis. The business license, floor plan, enrollment agreement, curriculum, application, five pending contracts and fee were all received. The school is 1,120 square feet.

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

### **New Continued Education Seminar Requests:**

Mr. Thomas James appeared before the board with a presentation to offer continued education to instructors in Tennessee. His request is for a session in Old Hickory on March 11 and 12, 2018. His second date is for a session in Johnson City on June 17 and 18, 2018. The agenda and planned material to cover were presented.

MOTION made by Nina Coppinger and seconded by Mona Sappenfield to approve request for 2018 CE offered to instructors. Motion carried unanimously.

Ms. Ameerah Jones-Ruben appeared before the board with a presentation to offer continued education to instructors in Tennessee. Her sessions are a part of Professional School of Beauty licensed since 2016 and located in Memphis. Her request is for two separate dates and the sessions help in her school. The first date is for May 20 and 21, 2018 and the second is for August 20 and 21, 2018. The agenda and planned material to cover were presented.

MOTION made by Amy Tanksley and seconded by Kelly Barger to approve request for 2018 CE offered to instructors. Motion carried unanimously.

### **APPLICATIONS FOR EXAMINATION-**

Applications for examination for: Dewan Bogan, Darick Lane, and Torin Marshall. 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. Master Barber applicants may be denied if the felony affects the work they will perform in the industry. The Board approved Agreed Orders for a probation period of two years as prepared by legal counsel.

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

Application for Ms. Anh Huynh to test as a manicurist with hours from Word Nail School in Vietnam. Her evaluation was submitted to Aequo International and they have verified school information. Recommendation is to approve to test.

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

### **APPLICATIONS FOR RECIPROCITY-**

Application for reciprocity of aesthetician license from New York for Jany Bagha. Certification shows initial licensure in March 2012 with 75 hours by written examination as a waxer. The curriculum and number of hours are very low in comparison to what an aesthetician does with a Tennessee license. Her experience should at a minimum count toward the general hours.

Recommendation - is that the applicant take an additional 600 hours in aesthetics.

MOTION made by Mona Sappenfield and seconded by Nina Coppinger deny recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from West Virginia for Krista Leigh Bolyard. Certification shows initial licensure May 2015 with 400 hours and both exams. Ms. Bolyard provided a letter from employer stating she worked in the industry between April 2013 and November 2017. She obtained a work permit in February 2013 which allowed her to work in that State.

Recommendation - is that the applicant be approved for reciprocity.

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

Application for reciprocity of cosmetology license from Florida for Renee Lynn Closson. Ms. Closson appeared before the board to answer questions. The certification shows initial licensure in March 2012 with 1,200 hours, no practical exam and shows an expiration date of October 2017. Ms. Closson has a Tennessee aesthetician license she obtained in January 2012 by completing all the requirements. She completed an additional 156 hours in cosmetology in 2016.

in order to obtain that full license. Ms. Closson emailed a summary of her education and request for all her ours and experience to count so she can obtain the cosmetology license.

Recommendation - is that the applicant be approved for reciprocity when an active Florida license can be confirmed.

MOTION made by Mona Sappenfield and seconded by Judy McAllister to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from Florida for Tho Quoc Do. Certification shows initial licensure in October 2015 with 240 hours and no exams. Mr. Do is also licensed in North Carolina since May 2002 by reciprocity from Florida and that license expired in October 2017. He explained that he was originally licensed in Florida in 2002 however renewals are not maintained the original date changes to reflect when the individual gets reinstated. He has provided proof of work experience for the last five years however tax records for 2012 and 2013 reflect work in Tennessee. Applicant was sent a letter when the experience was provided and the letter stated he needed both exams. He is asking for reconsideration.

Recommendation - is that the applicant take the Practical exam.

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

Application for reciprocity of master barber license from Oklahoma for Jewel Larrinaga. Certification shows initial licensure issued in October 1999 with 1,500 hours and both exams. Mr. Larrinaga appeared before the board to answer questions. She has been practicing for nineteen years and is now working on her high school diploma. Oklahoma's requirement is an eighth grade education; however Ms. Jewel has many plans that include her desire to obtain her high school diploma. She provided documents showing the status of her current progress.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Judy McAllister and seconded by Mona Sappenfield to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Puerto Rico for Blansig Mercado. Certification provided could not be confirmed on the website for Puerto Rico. The document states she has license #23526 with 1,000 hours in the cosmetology discipline. Ms. Mercado appeared in person to answer questions. The State Board from Puerto Rico, via Ms. Sonia Lopez,

emailed confirming licensure and 1,260 hours just like the transcript lists. These hours were received in 2005. Also provided are a letter from Ms. Mercado regarding her work experience and an affidavit showing work experience and hours of education.

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 manicurist license from Kentucky for Tai A. Nguyen. Certification shows initial license issued in September 2007 with 600 hours and both exams. Commnet on certification states 525 hours accepted from Georgia. Because Tennessee has a pending investigation with a school from Georgia a transcript of hours was requested. The transcript shows hours were obtained in 2006 therefore they are not part of the ongoing investigation.

Recommendation - is that the applicant be approved for reciprocity.

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

## **MISCELLANOUS REQUESTS –**

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

Request for extension of continued education seminar from master barber instructor Teresa Parker. Pursuant to Tenn. Code Ann. §62-3-124 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. Parker provided an email explaining that her son passed away in April of 2015 and she is just now focused back on her profession. She should have attended by December 2016.

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

Request for extension of continued education seminar from aesthetician instructor Destiny Lawson. Pursuant to Tenn. Code Ann. §62-4-114 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. Lawson does not expire until May 2018. She provided an email explaining that her plans were to attend the online session because she had suffered a miscarriage and now that she is expecting again she cannot do the drive to the sessions being offered early in the year. Her plan is to attend the session offered in Knoxville.

MOTION made by Amy Tanksley and seconded by Patricia Richmond to approve request for extension. Motion carried unanimously.

Request for reconsideration of continued education requirement for inactive aesthetician instructor Pamela Green. Pursuant to Tenn. Code Ann. §62-4-114 (b) an instructor must complete the 16 hours of an approved training program in order to change a license from inactive status to active. Ms. Green requested to go inactive in December 2016. The last time she attended an approved session was August 2014. Ms. Green has an opportunity to teach and would like to go to active instructor prior to completing the required continued education. She stated that her intent was to take the online course. The fact that there are no sessions until March or April would affect all inactive instructors and in past years when there were fewer options individuals had to wait until the summer.

MOTION made by Patricia Richmond and seconded by Judy McAllister to deny request for extension. Motion carried unanimously.

Request for an extension of time to complete the continued education seminar for the thirteen individuals listed below. These are all instructors who had made plans to attend the online session with ExpertEase Consulting Edu. which is not approved for 2018. These licensees would expire and not be able to teach without this extension. The board discussed this issue at the December 11, 2017 meeting and the decision was to extend all the requests until a session is available because plans have been affected. Now these individuals will have to attend an approved 16 hour session two years in a row. Pursuant to Tenn. Code Ann. §62-4-114 and 62-3-124 an instructor must complete the 16 hours of an approved training program prior to their renewal. The approval of this extension will not impact any possible future requests where they prove good cause. Instructors requesting extension are: Tonya Shorts, Destiny Cox, Tracy Nolin, Ebonee McCollins, Tiffini Curry, Evon Taylor, Daniel Paseur, Don Townley, Linda Palmer, Shonte Hazam, April Ramsey, Gina James and Michelle Steadman.

MOTION made by Amy Tanksley and seconded by Rebecca Russell to approve all individuals requesting extension because online session is not approved for 2018. Motion carried unanimously.

## **LEGAL REPORT- STAFF ATTORNEY**

The Complaint Committee of the State Board of Cosmetology and Barber Examiners met at 9:00 AM on Monday, January 29<sup>th</sup> to review the allegations of 37 complaints and make recommendations to the Board.

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

### COSMETOLOGY CASES

**1. Case No.: COS-2017052841**

**First License Obtained:** 07/24/2008  
**License Expiration:** 07/31/2018  
**Complaint history:** None

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

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

**Decision:** Approved

**2. Case No.: COS-2017058941**

**First License Obtained:**  
**License Expiration:**  
**Complaint history:** 201703077, closed by Agreed Citation and payment of \$1,000 civil penalty

This inspection was completed as a result of a consumer complaint alleging sanitation violations, but no violations were found during the inspections.

**Recommendation:** Closure

**Decision:** Approved

**3. Case No.: COS-2017059351**

**First License Obtained:** 03/11/2015  
**License Expiration:** 03/31/2017  
**Complaint history:** None

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

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

**Decision:** Approved

**4. Case No.: COS-2017059841**

**First License Obtained:** 05/07/2015  
**License Expiration:** 03/31/2018  
**Complaint history:** None

An inspection was performed due to a consumer complaint regarding allegations of unlicensed activity. However, no unlicensed activity was found at the time of the inspection.

**Recommendation:** Closure

**Decision:** Approved

**5. Case No.: COS-2017059941**

**First License Obtained:** 03/24/2016



**License Expiration:** 03/31/2018  
**Complaint history:** None

Pursuant to a consumer complaint alleging someone under age working in the shop, an inspection was performed and no violations were found.

**Recommendation:** Closure

**Decision:** Approved

**6. Case No.: COS-2017060111**

**First License Obtained:** 09/29/2016  
**License Expiration:** 09/30/2018  
**Complaint history:** None

This inspection was pursuant to a consumer complaint alleging unlicensed activity and alcohol being served to minors. At the time of inspection, no violations were found.

**Recommendation:** Closure

**Decision:** Approved

**7. Case No.: COS-2017061391**

**First License Obtained:** 09/13/2007  
**License Expiration:** 09/30/2017  
**Complaint history:** None

This is a consumer complaint received prior to the expiration of the license alleging that the Respondent is providing services of Botox outside the scope of her license. However, this is a medical spa operating under the licensing laws for medical spas.

**Recommendation:** Closure

**Decision:** Approved

**8. Case No.: COS-2017061351**

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

This is a consumer complaint alleging that this Respondent is providing unlicensed skin care services. The Respondent has provided no proof that she is operating a medical spa under the supervision of a physician and has not provided any proof of licensure.

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

**Decision:** Approved

**9. Case No.: COS-2017061691**

**First License Obtained:** 03/27/1998  
**License Expiration:** 03/31/2014  
**Complaint history:** None

This is a consumer complaint alleging bad result from hair extension services. Based on the complaint, an inspection was performed but the shop was abandoned.

**Recommendation: Closure**

**Decision: Approved**

**10. Case No.: COS-2017062051**

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

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

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

**Decision: Approved**

**11. Case No.: COS-2017061711**

**First License Obtained:** 12/20/2010  
**License Expiration:** 11/30/2018  
**Complaint history:** 20130114411, Close the case for lack of grounds of Discipline; 2016003401, Close. Send and inspector to see what tools they are using during pedicures.

This is a consumer complaint alleging a bad result.

**Recommendation: Closure**

**Decision: Approved**

**12. Case No.: COS-2017062031**

**First License Obtained:** 01/12/2009  
**License Expiration:** 12/31/2018  
**Complaint history:** 201500440, closed by Agreed Citation and payment of \$3,000 civil penalty

Pursuant to inspection, the shop was found to have one individual performing services without a license.

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

**Decision: Approved**

**13. Case No.: COS-2017062251**

**First License Obtained:** 10/07/2016  
**License Expiration:** 09/30/2018  
**Complaint history:** None

Pursuant to inspection, the shop was found to have one person performing services without a license and the shop manager was not present.

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

**Decision: Approved**

**14. Case No.: COS-2017062361**

**First License Obtained:** 03/14/2008  
**License Expiration:** 06/30/2019  
**Complaint history:** 2012025251, dismissed; 201501391, closed by Agreed Citation and payment of \$1,000 civil penalty

This is a consumer complaint alleging unlicensed activity. A recent inspection found no unlicensed activity.

**Recommendation:** Closure with re-inspection coordinated through legal.

**Decision:** Approved

**15. Case No.: COS-2017062771**

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

This is a consumer complaint alleging the Respondent is performing services outside of the salon. However, the complaint form states that the complaint was from another shop, but when said shop was sent a copy of the Respondent's response the Complainant denied sending a complaint to the office.

**Recommendation:** Closure

**Decision:** Approved

**16. Case No.: COS-2017063161**

**First License Obtained:** 06/18/2015  
**License Expiration:** 05/31/2019  
**Complaint history:** 2017054791, closed w/no action; 201701955, closed by Agreed Citation and payment of \$2,000 civil penalty

This is a consumer complaint alleging unlicensed activity. However, the shop had recently been inspected and no unlicensed activity was found.

**Recommendation:** Closure

**Decision:** Approved

**17. Case No.: COS-2017063221**

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

This complaint is a dispute about a refund regarding continuing education classes attended by a licensee.

**Recommendation:** Closure.

**Decision:** Approved

**18. Case No.: COS-2017063741**

**First License Obtained:** 01/03/2003  
**License Expiration:** 01/31/2019  
**Complaint history:** None

Pursuant to inspection, this Respondent who is also the owner/manager was found to be performing services with expired license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$600.00 civil penalty.

**Decision:** Approved

**19. Case No.: COS-2017064151**

**First License Obtained:** 08/02/2016  
**License Expiration:** 08/31/2018  
**Complaint history:** None

Pursuant to inspection, the shop was found to be offering waxing services which are services not authorized by the issued license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$500.00 civil penalty.

**Decision:** Approved

**20. Case No.: COS-2017064351**

**First License Obtained:** 11/01/2016  
**License Expiration:** 11/30/2018  
**Complaint history:** None

This is a consumer complaint alleging that an out of state school is providing fraudulent licenses. This matter should be referred to the appropriate authorities in the licensing state for investigation.

**Recommendation:** Close and flag.

**Decision:** Approved

**21. Case No.: COS-2017064161**

**First License Obtained:** 09/18/2014  
**License Expiration:** 10/31/2019  
**Complaint history:** None

This is a consumer complaint alleging that the Respondent shop was open for business prior to being inspected to open. No evidence of any work being performed was found at the time of the inspection.

**Recommendation:** Closure

**Decision:** Approved

**22. Case No.: COS-2017064291**

**First License Obtained:** 10/19/2016  
**License Expiration:** 10/31/2018  
**Complaint history:** 2017027791, closure

This is a consumer complaint alleging bad result and underage employment. Based on the complaint, an inspection was requested and no violations were found.

**Recommendation: Closure**

**Decision: Approved**

**23. Case No.: COS-2017064741**

**First License Obtained: 08/19/2016**

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

**Complaint history: None**

This is a consumer complaint alleging unlicensed activity. The Respondent provided a response and is licensed with this Board. In addition, the Respondent states that the Complainant is another business operating next to this Respondent in which this Respondent is also a witness to a criminal proceeding involving this Complainant. The Respondent has provided affidavits stating that the Respondent has been providing services since 2012 and that the Respondent uses a straight razor.

**Recommendation: Letter of warning.**

**Decision: Approved**

**24. Case No.: COS-2017064781**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This inspection is pursuant to consumer complaint alleging unlicensed activity. However, while there were people inside the “shop” at the time of inspection no services were being performed and there is no way to confirm that the “shop” is a barbershop.

**Recommendation: Closure with referral to local authorities.**

**Decision: Approved**

**25. Case No.: COS-2017065371**

**First License Obtained: 05/04/2001**

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

**Complaint history: None**

Pursuant to inspection, this Respondent who is also the owner of the salon was found to be providing services with expired license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$600.00 civil penalty.**

**Decision: Approved**

**26. Case No.: COS-2017065351**

**First License Obtained: 10/07/2015**

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

**Complaint history: None**

This is the salon from the above complaint No. 2017065371. The salon and owner are the same individual.

**Recommendation: Closure**

**Decision: Approved**

**27. Case No.: COS-2017066271**

**First License Obtained: 12/07/2006**

**License Expiration: 12/31/2018**

**Complaint history: None**

This is an anonymous complaint alleging unlicensed activity. However, this Respondent is licensed with this agency.

**Recommendation: Closure**

**Decision: Approved**

**28. Case No.: COS-2017066291**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This is a companion complaint to the above complaint No. 2017066271 from the same Complainant. This Respondent has applied for reciprocity and we have been provided no proof of unlicensed activity.

**Recommendation: Closure**

**Decision: Approved**

**29. Case No.: COS-2017066321**

**First License Obtained: 09/27/1999**

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

**Complaint history: None**

This is another complaint from the same anonymous source. However, this individual also has a valid license with the board.

**Recommendation: Closure**

**Decision: Approved**

**30. Case No.: COS-2017066411**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This is a complaint regarding a student who is allegedly providing services without a license. Both the school and the student responded. The student states that she “practices” on family and friends but does not charge a fee.

**Recommendation: Closure with Letter of instruction**

**Decision: Approved**

**31. Case No.: COS-2017066171**

**First License Obtained:** 06/09/2009  
**License Expiration:** 5/31/2019  
**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

**32. Case No.: COS-2017059581**

**First License Obtained:** 06/08/2017  
**License Expiration:** 09/01/2018  
**Complaint history:** 2003128391, dismissed; 2010004031, closed with no action; 2015019901, Issued a letter of warning for unprofessional conduct, and sent the student information about opening complaints with THEC and the school accrediting agency and sent an inspector the near future to review the school's student files; 2017025981, closure

This complaint is from a student stating her hours were not properly recorded. However, the school responded and provided proof of the recorded hours and well as the record of withdrawal from the school.

**Recommendation:** Closure

**Decision:** Approved

**33. Case No.: COS-2017062591**

**First License Obtained:** 05/04/1994  
**License Expiration:** 09/01/2018  
**Complaint history:** 8124, dismissed; 2009023791, closed w/no action; 2017015891, closure; 2017053011, closure

This is a student complaint submitted in September 2017 alleging maintenance and repair issues, broken shampoo bowls, dirty, outdated and moldy. The complaint alleges lack of proper instruction, drugs on campus, and general unsanitary conditions. The school had been previously inspected in August 2017 as a result of another complaint, however, that complaint was closed because no violations were found. The concern is that this particular student provided photographs showing some students resting or sleeping and some possible unsanitary conditions. In response the school provided an eight page letter with multiple exhibits which include screen shots of the video surveillance to refute the allegations of "no instructor present", proof of renovations completed in May 2016, copies of work orders for repairs of the facility, and copies of correspondence with cleaning services which provides services on a weekly basis. In addition, the response states that the student who filed the complaint has graduated and never once complained during enrollment. The school specifically states that there are 16 security cameras throughout the school and the area is patrolled by the local police dept.

**Recommendation:** Closure

**Decision:** Approved

**BARBER CASES**

**34. Case No.: BAR-2017060521**

**First License Obtained:** 11/10/2016

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

**Complaint history:** None

This is a consumer complaint alleges unsatisfactory haircut. The Complainant provided the Respondent with a photo of haircut style that he wanted to get. The Respondent agreed to do it. The Respondent responded to the complaint stating that the Complainant paid for the service and then called the shop stating that he wasn't happy with his haircut, and that the Complainant arrived at the shop yelling. The Respondent states that he tried to refund his money and the Complainant refused.

**Recommendation:** Closure

**Decision:** Approved

**35. Case No.: BAR-2017060831**

**First License Obtained:** 03/19/2007

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

**Complaint history:** 2013011241, closed with Letter of Warning;  
2015004951, closed by Consent Order and  
payment of \$200.00 civil penalty; 2016067621,  
Formal Charges Authorized

Pursuant to an inspection on September 13, 2017, the shop was found to be operating on an expired shop license and without having a licensed manager present. Barber services were being provided at the time of the inspection.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$600.00 civil penalty.

**Decision:** Approved

**36. Case No.: BAR-2017061551**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This is a consumer complaint alleges unlicensed activity of the Respondent. The Respondent responded to the complaint stating that in his registration for barber school, he set up a booking page on an online application to prepare him for successful barber services, and that he cuts his children's hair and on occasion a family member or a friend. The Respondent further states he was advised by his legal counsel to cease and desist all advertising activity as to not give the impression of being a licensed barber.

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

**Decision:** Approved

**37. Case No.: BAR-2017062551**

**First License Obtained:** 02/25/1994



**License Expiration:**  
**Complaint history:**

**09/18/2018**  
**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;**

Pursuant to an inspection on August 23, 2017, the inspector found that work stations were missing from the Respondent's school. In addition, the shampoo bowl was unsanitary and trash was overflowing. The inspector cited "very unsanitary conditions". There was also no door to the restroom and a mattress in the classroom.

**Recommendation: Discussion**

**Decision: Authorize formal hearing. Authorize settlement by consent order for revocation of the Respondent's school license.**

The meeting adjourned at 9:15 AM.

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

**NEW BUSINESS:**

Financial information was presented through November 2017 reflecting an estimated surplus for fiscal year 2017 – 2018 of 115,789. Cost back of legal fees should change starting with December to reflect true billable hours instead of previous methods used based on number of complaints and licensees.

**Additional Questions:**

**Motion to adjourn**

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