



**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 August 3, 2020 at 9:00 a.m. via WebEx.

The Meeting was called to order by Chairman Ron Gillihan.

Ron Gillihan, Board Chairman welcomed everyone to the Board meeting taking place through WebEx.

Roxana Gumucio, Executive Director, called roll. The following members participated telephonically: Kelly Barger, Anita Charlton, Frank Gambuzza, Ron Gillihan, Patricia Parsons, Janie Ross, Becky Russell, Mona Sappenfield, Amy Tanksley and Susan Witcher.

Unable to participate: Judy McAllister and Yvette Granger.

Others participating: Roxana Gumucio, Executive Director and Hugh Cross, Attorney for the Board.

### **STATEMENT OF NECESSITY-**

Attorney Hugh Cross read the statement of necessity for the record. Patricia Parsons motioned to accept the statement of necessity. This was seconded by Mona Sappenfield. The motion carried by unanimous roll call vote.

### **MINUTES-**

Minutes for the June 1, 2020 board meetings were submitted for changes and/or approval.

Motion made by Janie Ross and seconded by Frank Gambuzza to approve the June 2020 minutes. The motion carried by unanimous roll call vote.

## **PRESENTED BEFORE THE BOARD-**

### **Shear Perfection Academy of Charlotte – New Cosmetology School**

Mr. Minh Pham participated to answer any questions for the board. The school is located in Nashville. The school is over 4,000 sq. ft. The new school application was presented at the June meeting, but the board pointed out some items that needed clarification and requested they reappear in August. The updated documents including curriculum, blank contract, floor plan and contingency plan were all received timely.

MOTION made by Patricia Parsons and seconded by Mona Sappenfield to approve the new school pending an inspection by a field inspector and a board member. The motion carried by unanimous roll call vote.

### **Dream Beauty Academy – New Cosmetology School**

Ms. April Hardin participated to answer any questions for the board. The school is located in Knoxville. The school is 3,200 sq. ft. The new school application was presented at the June meeting, but the board pointed out some items that needed clarification and requested they reappear in August. The updated documents including curriculum, blank contract, floor plan and contingency plan were all received timely.

MOTION made by Patricia Parsons and seconded by Mona Sappenfield to approve the new school pending an inspection by a field inspector and a board member. The motion carried by unanimous roll call vote.

### **Paul Mitchell the School: Memphis – Advanced Makeup for Cosmetology Program**

Ms. Caroline Salman presented a plan for advanced makeup to be part of the cosmetology program. She presented this to the board at the June meeting but only as part of the aesthetics program.

MOTION made by Mona Sappenfield and seconded by Patricia Parsons to approve advanced makeup for cosmetology as presented. The motion carried by unanimous roll call vote.

### **BellaDonna’s Academy of Cosmetology – School Change of Location**

Ms. Donna Byington participated on the meeting to answer any questions the board had. The school is located in Kingsport. The floor plan, application and fee were all received timely.

MOTION made by Mona Sappenfield and seconded by Janie Ross to approve the new location pending an inspection by a field inspector and a board member. The motion carried by unanimous roll call vote.

### **The Nail Institute of Memphis – School Change of Location**

Ms. Kamecha Wilson participated on the meeting to answer any questions the board had. The school is located in Memphis. The school is 1,200 sq. ft. and this is an apprenticeship only manicure school. The floor plan, application and fee were all received timely.

MOTION made by Patricia Parsons and seconded by Mona Sappenfield to approve the new location pending an inspection by a field inspector. The motion carried by unanimous roll call vote.

### **Global Beauty and Barber Institute – New Barber School**

Ms. Ciara Gordon participated on the meeting to answer any questions the board had. The school is located in Goodlettsville. The school has been licensed as a cosmetology school since June 2018. The business license, curriculum, blank contract, floor plan, contingency plan, 15 student contracts, application and fee were all received timely.

MOTION made by Patricia Parsons and seconded by Janie Ross to approve new school pending an inspection by a field inspector. The motion carried by unanimous roll call vote.

### **Austin’s Beauty College – Name Change and School Extension**

Ms. Lorie Gibbs participated on the meeting to answer any questions the board had. She presented a name school change dropping the Inc. from the name. The school is located in Clarksville, Tennessee. They are also adding more classroom space. That extension to the current campus is less than one mile away.

MOTION made by Mona Sappenfield and seconded by Patricia Parsons to approve the name change and school extension for classroom. The motion carried by unanimous roll call vote.

### **Sandra Academy of Salon Services – New Barber School**

Ms. Sandra Clark participated on the meeting to answer any questions the board had. The school is located in New Tazewell. This facility has been licensed as a cosmetology school since December 2009. The business license, curriculum, blank contract, floor plan, contingency plan, 15 student contracts, application and fee were all received.

MOTION made by Patricia Parsons and seconded by Kelly Barger to approve new school pending an inspection by a field inspector. The motion carried by unanimous roll call vote.

### **DCI Academy – Expansion Plan**

Ms. Destiny Cox participated on the meeting to answer any questions the board had. She presented an expansion plan to use the space next door to the current school in order provide proper social distancing and create two classrooms.

MOTION made by Mona Sappenfield and seconded by Janie Ross to approve the school expansion. The motion carried by unanimous roll call vote.

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

The State Board of Cosmetology and Barber Examiners met to review the allegations of 120 complaints and make recommendations to the Board.

### **COSMETOLOGY CASES**

#### **1. Case No.: COS- 2020017381**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges unlicensed shop activity and individual activity. Subsequent inspection (3-5-20) revealed shop is unlicensed and shop owner is performing services while unlicensed. A Notice of Violation was issued. This Respondent is the shop.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for \$2,000.00 civil penalty.

**Decision:** Approved

#### **2. Case No.: COS- 2020017671**

**First License Obtained:** 11/21/2013

**License Expiration:** 11/30/2021

**Complaint History:** 2016018981, closed by Consent Order and payment of \$100.00

Pursuant to inspection, the inspector found an expired shop license (expired 11-30-19), the shop owners' individual license was not displayed (expiration 2-20-20). The previous inspection sheet was not displayed. This is Respondent shop's second violation for expired shop license and the inspection sheet not being displayed. This is Respondent's first offense of individual license not displayed.

**Recommendation:** Letter of Warning for individual license not displayed and inspection sheet not displayed. Authorize formal hearing. Authorize settlement by consent order with \$500.00 civil penalty.

**Decision:** Approved

**3. Case No.: COS-2020019501**

**First License Obtained:** 12/11/2013

**License Expiration:** 09/30/2021

**Complaint History:** 2019028451, closure

Pursuant to inspection, the inspector found an expired shop license (expiration 9-30-19) and violation of responsibilities of owner of a shop. The Respondent is the shop and has renewed the license.

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

**Decision:** Approved

**4. Case No.: COS- 2020018651**

**First License Obtained:** 04/22/2016

**License Expiration:** 04/30/2020

**Complaint History:** None

This consumer complaint alleges rudeness on the part of the Respondent as well as an inability to accommodate an additional service on short notice. The Respondent replied that she was not rude and had other clients waiting on her to perform scheduled services.

**Recommendation:** Closure.

**Decision:** Approved

**5. Case No.: COS- 2020019231**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This anonymous consumer complaint alleges Respondent is performing cosmetology services (lashes) while unlicensed and out of her home. Subsequent inspection found Respondent was no longer living at the address provided in the complaint. Respondent was contacted by telephone by the inspector and counseled that she cannot provide cosmetology services without a valid shop license issued through the Board. Respondent did not provide her current location.

**Recommendation:** Close and flag.

**Decision:** Approved

**6. Case No.: COS-2020020251**

**First License Obtained:** 09/12/2018

**License Expiration:** 09/30/2020

**Complaint History:** None

Pursuant to inspection, the inspector found two (2) persons cutting hair while unlicensed (one could not produce an ID and the other immediately left the shop) as well as the Respondent shop manager for violation of responsibilities of manager of a shop. A Notice of Violation was issued for both violations. This Respondent is the shop manager.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$2,500.00 civil penalty.

**Decision:** Approved

**7. Case No.: COS- 2020019261**

**First License Obtained:** 05/22/2019

**License Expiration:** 05/31/2021

**Complaint History:** None

This consumer complaint alleges an expired shop license. Subsequent inspection revealed the shop is now permanently closed and the former owner had moved out-of-state.

**Recommendation:** Closure.

**Decision:** Approved

**8. Case No.: COS- 2020019651**

**First License Obtained:** 05/13/2014

**License Expiration:** 04/30/2020

**Complaint History:** None

This consumer complaint alleges unsanitary conditions. Subsequent inspection revealed inspector was unable to substantiate the allegation. An annual inspection was also performed (3-20-20) with Respondent shop passing inspection. No Notice of Violation was issued.

**Recommendation:** Closure.

**Decision:** Approved

**9. Case No.: COS- 2020020231**

**First License Obtained:** 03/28/2014

**License Expiration:** 03/31/2020

**Complaint History:** 2016045041, closed by Agreed Citation and payment of \$2,500 civil penalty 2018008421, closed by Consent Order and payment of \$1,000 civil penalty

Please see fact pattern in #6 above. This Respondent is the shop. A Notice of Violation was issued to the shop. This is Respondent shop's third offense for unlicensed activity.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for revocation of shop license.

**Decision:** Approved

**10. Case No.: COS- 2020019731**

**First License Obtained:** 08/07/2017

**License Expiration:** 07/31/2021

**Complaint History:** 201705194, closed by an Agreed Citation and payment of \$1,000 civil penalty

This consumer complaint alleges contraction of a fungal infection of the hand. Subsequent inspection (3-18-20) revealed Respondent passed inspection. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved

**11. Case No.: COS-2020020571**

**First License Obtained:** 03/18/2018

**License Expiration:** 03/31/2022

**Complaint History:** None

This consumer complaint alleges Respondent was teaching students before obtaining her certification to do so and was using harmful chemicals. Subsequent inspection revealed no banned chemicals in the shop and the inspector could not affirmatively find that Respondent was teaching

cosmetology prior to her certification on March 11, 2020. Respondent was counseled against teaching prior to being certified to do so. No Notice of Violation was issued.

**Recommendation: Closure.**

**Decision: Approved**

**12. Case No.: COS-2020020671**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint History: None**

This consumer complaint alleges Respondent was operating an unlicensed lash service from her home. Subsequent inspection revealed Respondent admitting her unlicensed conduct. Inspector counseled Respondent that she would need to seek the appropriate licenses (individual and shop) through the application process. Inspector did not witness any services being performed. No Notice of Violation was issued.

**Recommendation: Letter of instruction.**

**Decision: Letter of Instruction and flag.**

**13. Case No.: COS-2020020341**

**First License Obtained: 02/13/2020**

**License Expiration: 02/28/2022**

**Complaint History: None**

This consumer complaint alleges unsanitary conditions. Subsequent inspection (2-12-20) revealed Respondent passed inspection. No Notice of Violation was issued.

**Recommendation: Closure.**

**Decision: Approved**

**14. Case No.: COS-2020022921**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint History: None**

Pursuant to inspection, the inspector found Respondent applying eyelashes to a client. Respondent could not produce a Tennessee Cosmetology license. Respondent was counseled on the application process and a Notice of Violation was issued for the unlicensed activity.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1,000.00 civil penalty.**

**Decision: Approved**

**15. Case No.: COS- 2020022771**

**First License Obtained: 01/26/2015**

**License Expiration: 01/31/2021**

**Complaint History: None**

This consumer complaint alleges Respondent is providing cosmetology services outside normal business hours.

**Recommendation: Closure.**

**Decision: Approved**

**16. Case No.: COS- 2020023011**

**First License Obtained: 11/21/2014**

**License Expiration:** 09/01/2020

**Complaint History:** 2018066451, closure; 2018040351, closure

This student complaint alleges the Respondent school has not credited the Complainant with the proper amount of “earned” hours to her accumulated hours needed to graduate. The school provided a response stating that the school is current on their student monthly progress reports and that this student received their certificate of completion and tested in June 2020

**Recommendation:** Closure.

**Decision:** Approved

**17. Case No.:** COS-2020025111

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges the Respondent shop is operating during the mandatory shutdown due to the coronavirus pandemic. The date in question is March 31, 2020 which was one day after the executive order mandating salons close. This Respondent is the lessor of the real property in which the individual salon suites operate.

**Recommendation:** Closure.

**Decision:** Approved

**18. Case No.:** COS- 2020025371

**First License Obtained:** 01/16/2015

**License Expiration:** 01/31/2021

**Complaint History:** 2018061881, closure; 2019003501, closure

This consumer complaint alleges Respondent shop is operating during the mandatory shutdown due to the pandemic. Respondent states that the salon closed on April 1, 2020.

**Recommendation:** Closure.

**Decision:** Approved

**19. Case No.:** COS- 2020025391

**First License Obtained:** 01/16/2015

**License Expiration:** 01/31/2021

**Complaint History:** 2018061881, closure; 2019003501, closure

Please see fact pattern to #18 above. This is the same shop.

**Recommendation:** Closure.

**Decision:** Approved

**20. Case No.:** COS- 2020025401

**First License Obtained:** 12/01/1994

**License Expiration:** 04/30/2022

**Complaint History:** 200502001, closed by Consent Order and payment of \$300.00 civil penalty; 2013010381, closed the complaint with the option to reconsider if new, relevant information arises

This consumer complaint alleges Respondent shop is operating during the mandatory shutdown due to the pandemic. Respondent states the salon was closed on April 1, 2020.

**Recommendation:** Closure.

**Decision:** Approved



**21. Case No.: COS-2020025421**

**First License Obtained:** 01/16/2015

**License Expiration:** 01/31/2021

**Complaint History:** 2018061881, closure; 2019003501, closure

Please see fact patterns to #18 and #19 above. This is the same shop.

**Recommendation:** Closure.

**Decision:** Approved

**22. Case No.: COS- 2020025521**

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

**License Expiration:** 02/28/2022

**Complaint History:** None

This complaint alleges Respondent shop is operating during the mandatory shutdown due to the pandemic. Respondent states the salon was closed on April 1, 2020.

**Recommendation:** Closure.

**Decision:** Approved

**23. Case No.: COS- 2020025461**

**First License Obtained:** 11/25/2003

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

**Complaint History:** 2015001841, dismissed

This complaint alleges Respondent is operating during the mandatory shutdown due to the pandemic. Subsequent inspection revealed the Respondent does not live at the address provided.

**Recommendation:** Closure.

**Decision:** Approved

**24. Case No.: COS-2020025471**

**First License Obtained:** 11/25/2003

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

**Complaint History:** 2015001841, dismissed

Please see fact pattern in #23 above. This is the same individual.

**Recommendation:** Closure.

**Decision:**

**25. Case No.: COS-2020026331**

**First License Obtained:** 10/02/2019

**License Expiration:** 10/31/2021

**Complaint History:** None

This consumer complaint alleges Respondent is operating out of her apartment during the mandatory shutdown due to the pandemic. Subsequent inspection revealed no operation ongoing.

**Recommendation:** Closure.

**Decision:** Approved

**26. Case No.: COS-2020026901**

**First License Obtained:** 11/19/2012

**License Expiration:** 11/30/2020

**Complaint History:** None

This consumer complaint alleges Respondent is operating out of her home during the mandatory shutdown due to the pandemic. Respondent stated she resides and works out-of-state in Georgia.

**Recommendation:** Closure.

**Decision:** Approved

**27. Case No.:** COS- 2020026911

**First License Obtained:** 11/19/2012

**License Expiration:** 11/30/2020

**Complaint History:** None

Please see fact pattern to #26 above. This is the same individual.

**Recommendation:** Closure.

**Decision:** Approved

**28. Case No.:** COS-2020027121

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

**License Expiration:** 04/30/2022

**Complaint History:** None

This anonymous complaint alleges Respondent is operating out of her home during the mandatory shutdown due to the pandemic. Respondent stated she only cut hair for family and friends at no charge.

**Recommendation:** Closure.

**Decision:** Approved

**29. Case No.:** COS-2020027011

**First License Obtained:** 04/27/2010

**License Expiration:** 03/31/2022

**Complaint History:** 201704832, closed by Agreed Citation and payment of \$100.00 civil penalty

This consumer complaint alleges Respondent is advertising on social media for clients to visit the salon and purchase coloring kits for home use during the mandatory shutdown due to the pandemic. Respondent stated her salon was not open at the time.

**Recommendation:** Closure.

**Decision:** Approved

**30. Case No.:** COS-2020028241

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges Respondent is operating an unlicensed shop out of her basement during the pandemic. Subsequent inspection revealed no evidence of an operation. No Notice of Violation was issued.

**Recommendation:** Closure.

**Decision:** Approved

**31. Case No.:** COS-2020028561

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges Respondent is operating an unlicensed manicure business during the initial stage of the pandemic.

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

**Decision:** Approved

**32. Case No.:** COS-2020028701

**First License Obtained:** 10/04/2004

**License Expiration:** 10/31/2020

**Complaint History:** None

This consumer complaint alleges Respondent is operating her salon during the pandemic. Respondent states she has been to the salon to attend to personal property contained at the store for an impending move to a new residence, but not operating during the pandemic.

**Recommendation:** Closure.

**Decision:** Approved

**33. Case No.:** COS- 2020028741

**First License Obtained:** 02/23/2000

**License Expiration:** 02/28/2022

**Complaint History:** None

This consumer complaint alleges Respondent is operating during the pandemic. Respondent states she and the Complainant are in divorce proceedings and she did not perform cosmetology services.

**Recommendation:** Closure.

**Decision:** Approved

**34. Case No.:** COS- 2020028711

**First License Obtained:** 11/24/2008

**License Expiration:** 02/28/2022

**Complaint History:** None

Please see fact pattern to #32 above. This is the shop.

**Recommendation:** Closure.

**Decision:** Approved

**35. Case No.:** COS- 2020028601

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

**License Expiration:** 09/01/2020

**Complaint History:** 6964, dismissed, 9015, dismissed; 2006002571, closed with no action; 2006041431, closed with no action; 2009011581, 2009021901, 2010001381, 201000241, closed with no action; 2013018401 closed by Consent Order and payment of \$250.00 civil penalty

This anonymous night student complaint alleges Respondent school is only providing distance learning through daytime Zoom meetings and not accommodating night students who cannot convert to the daytime distance learning during the pandemic; those that cannot attend the daytime Zoom meetings are being placed on a leave of absence. Respondent school states they are unable to accommodate each student's personal schedule; students not capable of attending are being

placed on leave and are not being penalized in any way for not participating. Complainant supplemented that Respondent school would be re-opening the following day.

**Recommendation: Closure.**

**Decision: Approved**

**36. Case No.: COS-2020028781**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint History: None**

This anonymous complaint alleges Respondent is operating an unlicensed lash business out of her apartment during the pandemic. The request for a response was returned "insufficient address."

**Recommendation: Closure. Unable to locate.**

**Decision: Approved**

**37. Case No.: COS- 2020028971**

**First License Obtained: 09/27/1979**

**License Expiration: 11/30/2020**

**Complaint History: None**

This consumer complaint alleges Respondent is providing cosmetology services in violation of the mandatory shutdown order due to the pandemic. Respondent admits his conduct in the response, but the shutdown has been lifted.

**Recommendation: Closure.**

**Decision: Approved**

**38. Case No.: COS- 2020029141**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint History: None**

This consumer complaint alleges Respondent is offering unlicensed mobile nail services during the mandatory shutdown due to the pandemic. Respondent states she is a student in nail tech school and has performed nail services for free to family members for needed practice.

**Recommendation: Closure.**

**Decision: Approved**

**39. Case No.: COS- 2020028851**

**First License Obtained: 11/14/2005**

**License Expiration: 10/31/2020**

**Complaint History: 2008015031, closed by Consent Order and payment of \$2,000; 2009018811, closed with no action; 2011024211, closed by Consent Order and payment of \$500.00 civil penalty; 2014007651, closed and flagged; 2018044041, closed by Agreed Citation and payment of \$1,000 civil penalty; 2019048971, closed by Agreed Citation and payment of \$500.00 civil penalty**

This consumer complaint alleges Respondent is operating during the mandatory shutdown due to the pandemic. Respondent states she had a staff meeting at the salon on April 13, 2020; otherwise, the salon was closed.

**Recommendation:** Closure.

**Decision:** Approved

**40. Case No.:** COS- 2020029901

**First License Obtained:** 07/27/2012

**License Expiration:** 05/31/2021

**Complaint History:** 2014030591, closed by Consent Order and payment of \$100.00 civil penalty

This consumer complaint alleges Respondent (pre-pandemic) was using “MMA” in their acrylics which produced fungus on three (3) fingernails. Respondent requested a receipt for the date of service, any documentation to substantiate her allegation, to define what “MMA” is, and any other relevant proof the Complainant has in support of her allegations. No additional information has been received.

**Recommendation:** Closure.

**Decision:** Closure with request for inspection regarding “MMA”.

**41. Case No.:** COS- 2020029931

**First License Obtained:** 12/17/2002

**License Expiration:** 03/31/2021

**Complaint History:** None

This anonymous complaint alleges Respondent was operating during the mandatory shutdown due to the pandemic. Complainant states she additionally had the local law enforcement visit the salon. Respondent acknowledges the local police came by to check the business, but states the salon was doing pandemic cleaning, rescheduling appointments (all stylists operate out of one appointment book located on the premises) and checking answering machine messages about appointments; they parked away from the business so as to not generate interest from clients and had the salon door’s locked so that clients would have to speak to them through a closed door.

**Recommendation:** Closure.

**Decision:** Approved

**42. Case No.:** COS- 2020030631

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges Respondent is operating during the mandatory shutdown due to the pandemic. The response letter and address were returned “not delivered.”

**Recommendation:** Closure. Unable to locate.

**Decision:** Approved

**43. Case No.:** COS- 2020030991

**First License Obtained:** 05/13/2010

**License Expiration:** 05/31/2022

**Complaint History:** None

This consumer complaints alleges Respondent is performing cosmetology services out of her home. The inspector was unsuccessful in speaking with the Respondent and left his card on the door. Respondent subsequently called the inspector back stated any social media posts indicating she was performing cosmetology services were deleted.

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

**Decision:** Approved

**44. Case No.:** COS- 2020031021

**First License Obtained:** 05/13/2010

**License Expiration:** 05/31/2022

**Complaint History:** None

Please see fact pattern to #43 above. This is the same individual.

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

**Decision:** Approved

**45. Case No.:** COS-2020031371

**First License Obtained:** 12/30/2019

**License Expiration:** 12/31/2021

**Complaint History:** None

This competitor complaint alleges Respondent is operating during the pandemic. The Respondent stated she planned a “soft opening” but no actual opening had occurred.

**Recommendation:** Closure.

**Decision:** Approved

**46. Case No.:** COS-2020031221

**First License Obtained:** 07/28/2014

**License Expiration:** 03/31/2021

**Complaint History:** None

This anonymous complaint alleges Respondent is operating during the mandatory shutdown due to the pandemic. Respondent states the salon closed until instructed to re-open.

**Recommendation:** Closure.

**Decision:** Approved

**47. Case No.:** COS-2020031421

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This anonymous complaint alleges Respondent is advertising nail services on social media during the mandatory shutdown due to the pandemic. There was no proof of actual services being rendered. Respondent provided a response stating that she was not advertising services.

**Recommendation:** Closure.

**Decision:** Approved

**48. Case No.:** COS-2020031741

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This anonymous complaint alleges Respondent was operating as an unlicensed aesthetician (during the mandatory shutdown due to the pandemic. An inspector visited where Respondent allegedly works (a tattoo parlor); the business was closed and a business card was left on the door. The tattoo shop owner contacted the inspector and affirmed Respondent was operating as an apprentice tattoo artist and was lawfully in compliance with Tennessee law [T.C.A. section 62-38-204 (g)],

under a permit application with the local health department, and outside the scope of the Board's authority.

**Recommendation: Closure.**

**Decision: Approved**

**49. Case No.: COS- 2020032231**

**First License Obtained: 05/23/1997**

**License Expiration: 05/31/2021**

**Complaint History: None**

This consumer complaint alleges Respondent is operating from home during the mandatory shutdown due to the pandemic. Respondent states she has not worked since March 23, 2020.

**Recommendation: Closure.**

**Decision: Approved**

**50. Case No.: COS- 2020032381**

**First License Obtained: 11/22/2019**

**License Expiration: 11/30/2021**

**Complaint History: None**

This anonymous complaint alleges Respondent has expressed an intent to operate during the mandatory shutdown order. Respondent states the only discussion she had on this topic occurred when she made a pre-emptory phone call to the state board to hypothetically inquire about the repercussions should a salon choose to operate during the mandatory shutdown order. Further, Respondent provided pictures of her salon in disarray from a renovation occurring during the mandatory shutdown.

**Recommendation: Closure.**

**Decision: Approved**

**51. Case No.: COS- 2020032561**

**First License Obtained: 06/20/2017**

**License Expiration: 06/30/2021**

**Complaint History: None**

This consumer complaint alleges Respondent is operating during the mandatory shutdown due to the pandemic and provided social media evidence. Respondent states the social media post was advertising the salon would be opening on May 6, 2020; the salon was closed in the interim.

**Recommendation: Closure.**

**Decision: Approved**

**52. Case No.: COS- 2020033241**

**First License Obtained: 08/06/2007**

**License Expiration: 10/31/2020**

**Complaint History: None**

This consumer complaint alleges Respondent is operating during the mandatory shutdown due to the pandemic. Complainant informed local law enforcement and the local health department of same. Respondent states she intended to open her salon on April 15, 2020 and was scheduling appointments for same; however, she received notice from the Board the previous day (as well as a call from local law enforcement) and cancelled all appointments. The salon has been closed since April 1, 2020.

**Recommendation: Closure.**

**Decision:** Approved

**53. Case No.:** COS-2020033391

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges Respondent is providing cosmetology services in her apartment while unlicensed and during the pandemic. Subsequent inspection revealed Respondent does not live at the address provided in the complaint. Additionally, Respondent's telephone number that was provided in the complaint was disconnected.

**Recommendation:** Close.

**Decision:** Approved

**54. Case No.:** COS- 2020033451

**First License Obtained:** 06/14/1977

**License Expiration:** 04/30/2021

**Complaint History:** None

This consumer complaint alleges Respondent was performing services at home during the mandatory shutdown. Respondent ceased business operations on December 31, 2019 and has not performed services since.

**Recommendation:** Closure.

**Decision:** Approved

**55. Case No.:** COS- 2020033321

**First License Obtained:** 02/01/2008

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

**Complaint History:** None

This consumer complaint alleges Respondent salon/stylists are not wearing masks and allowing clients to remove their masks. Subsequent inspection revealed the state coronavirus regulations posted on the salon door, all personnel were wearing masks, and found no further indications of unsafe practices.

**Recommendation:** Closure. Business is no longer open.

**Decision:** Approved

**56. Case No.:** COS- 2020033841

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges Respondent is operating a nail salon from her home during the mandatory shutdown due to the pandemic. Subsequent inspection revealed no evidence of a nail salon at the location.

**Recommendation:** Closure.

**Decision:** Approved

**57. Case No.:** COS- 2020033781

**First License Obtained:** 03/06/1996

**License Expiration:** 09/01/2020

**Complaint History:** 2006031121, closed with Letter of Warning;



**2010014731, closed with no action; 2010029261, dismissed;**

This student complaint alleges Respondent school has miscalculated her hours, thus preventing her to move to the floor to service clients. Additionally, there are insufficient supplies for the students. Respondent school states Complainant, as of April 30, 2020, has a total of 830.34 hours of instruction which was ultimately calculated correctly; the complainant nor any of the instructors have voiced a concern on inadequate school supplies to the Respondent school.

**Recommendation: Closure.**

**Decision: Approved**

**58. Case No.: COS- 2020033861**

**First License Obtained: 02/21/2020**

**License Expiration: 02/28/2022**

**Complaint History: None**

This consumer complaint alleges that Complainant paid \$180.00 for a “one-on-one” hair braiding seminar held by Respondent which did not meet Complainant’s expectations; further, Respondent has not sent Complainant her certificate associated with completion of the training seminar. Complainant requests a refund and/or receipt of her certification. Respondent states that Complainant admitted at the end of the seminar she was only 16 years old and could not produce a guardian to sign the necessary forms for the certification prior to testing. This is a contract issue outside the scope of the Board’s authority.

**Recommendation: Closure.**

**Decision: Approved**

**59. Case No.: COS- 2020034671**

**First License Obtained: 01/10/2007**

**License Expiration: 01/31/2021**

**Complaint History: None**

This employee complaint alleges Respondent manager is not requiring mask use by the stylists/customers and allowing multiple customers into the lobby area as opposed to coming in from the parking lot at the appropriate time. Respondent stated employees are wearing masks on the premises, customers are encouraged to wear a mask, the lobby is not being utilized, and customers are to remain outside in their vehicles until contacted. Respondent provided pictures of state coronavirus regulations signs and their own signs on the front door in support.

**Recommendation: Closure.**

**Decision: Approved**

**60. Case No.: COS- 2020035091**

**First License Obtained: 02/01/2008**

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

**Complaint History: None**

Please see fact pattern in #55 above. This is the same shop.

**Recommendation: Closure. Business is no longer operating.**

**Decision: Approved**

**61. Case No.: COS- 2020035761**

**First License Obtained: 07/26/2011**

**License Expiration: 06/30/2021**

**Complaint History:** 2018070391, closed by Consent Order and payment of \$2,000 civil penalty

This consumer complaint alleges Respondent salon/manager is allowing unlicensed persons to perform manicure services. Subsequent inspection revealed two (2) persons practicing unlicensed and without name tags; the shop license and the inspection sheet were not displayed; and for a violation of responsibilities of manager of a shop. The two (2) individuals were issued Notices of Violation and the Respondent manager was issued a Notice of Violation for all infractions. This Respondent is the shop; this is Respondent salon's second violation of unlicensed persons practicing.

**Recommendation:** Closure. Shop is now closed.

**Decision:** Approved

**62. Case No.:** COS- 2020036161

**First License Obtained:** 02/15/2013

**License Expiration:** 02/28/2021

**Complaint History:** 201909605, closed by Agreed Citation and payment of \$1,000 civil penalty

This consumer complaint alleges Respondent salon was crowded and with nominal mask use during the pandemic. Respondent salon stated they are utilizing social distancing and signs on the door; customers are allowed now by appointment only.

**Recommendation:** Closure.

**Decision:** Approved

### **BARBERS**

**63. Case No.:** BAR-2020018461

**First License Obtained:** 11/09/2001

**License Expiration:** 11/30/2021

**Complaint History:** 2016026251, closed by Consent Order and payment of \$100.00 civil penalty

Pursuant to inspection, the inspector found Respondent operating with an expired license (expiration 11-30-19). A Notice of Violation was issued. This is Respondent's second offense for expired license (outside the grace period).

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

**Decision:** Approved

**64. Case No.:** BAR-2020019981

**First License Obtained:** 10/06/2014

**License Expiration:** 10/31/2020

**Complaint History:** 201706996, closed by Agreed Citation and payment of \$1,000 civil penalty

This consumer complaint alleges most of the barbers were not licensed with some consuming alcohol on the premises during working hours. An inspector was not able to make in-person or telephonic contact with the shop due to the "safer at home" order in effect at the time due to the pandemic and the shop was therefore closed. The inspector left a business card on the front door of the shop.

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

**Decision:** Approved

**65. Case No.:** BAR- 2020027471

**First License Obtained:** 10/04/2019

**License Expiration:** 10/31/2021

**Complaint History:** None

This consumer complaint alleges Respondent is operating out of his garage with two other individuals during the mandatory shutdown during due to the pandemic. A subsequent inspection revealed no barbers/customers present during the inspection of the garage. Respondent was counseled about the legality of operating an unlicensed barber shop from home. No Notice of Violation was issued.

**Recommendation:** Closure.

**Decision:** Approved

**66. Case No.:** BAR- 2020028271

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

Please see the fact pattern in #65 above. The Respondent is one of the alleged barbers operating out of the garage.

**Recommendation:** Closure.

**Decision:** Approved

**67. Case No.:** BAR- 2020031431

**First License Obtained:** 06/12/2000

**License Expiration:** 06/30/2020

**Complaint History:** None

This anonymous complaint alleges Respondent is operating during the pandemic. Respondent stated he was in the barber shop getting the shop prepared to re-open but was not operating at the time in question.

**Recommendation:** Closure.

**Decision:** Approved

**68. Case No.:** BAR- 2020031751

**First License Obtained:** 07/13/2006

**License Expiration:** 07/31/2020

**Complaint History:** None

This anonymous complaint alleges Respondent is operating an unlicensed barber shop out of her residence/garage. Subsequent inspection revealed an unlicensed barber shop in the garage. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1,000.00 civil penalty.

**Decision:** Approved

**69. Case No.:** BAR- 2020035421

**First License Obtained:** 07/22/2010

**License Expiration:** 06/30/2012

**Complaint History:** None

This competitor complaint alleges Respondent shop is providing barber services under an expired license. Subsequent inspection revealed the shop closed due to the pandemic.

**Recommendation:** Closure. Business is closed.

**Decision:** Approved

**70. Case No.:** BAR- 2020034501

**First License Obtained:** 12/06/2016

**License Expiration:** 05/31/2022

**Complaint History:** None

This anonymous complaint alleges Respondent shop is employing unlicensed (out-of-state) persons to perform barbering services. Subsequent inspection revealed the allegation could not be confirmed. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved

**71. Case No.:** BAR- 2020048761

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint History:** None

This consumer complaint alleges Respondent is operating an unlicensed barber shop. Subsequent inspection revealed no shop sign on building, windows were covered with paper obstructing view inside and locked door. Inspector noted she knocked on door and announced herself to person who came to the door; said individual stated he was involved in remodeling the previous barber shop and would not allow her inside to inspect.

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

**Decision:** Approved

### **RE-PRESENTS**

**72. Case No.:** COS- 2017050541

**First License Obtained:** 05/07/2015

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

**Complaint history:** None

**73. Case No.:** COS- 2017050561

**First License Obtained:** 04/24/2015

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

**Complaint history:** None

**74. Case No.:** COS- 2017050581

**First License Obtained:** 09/10/2001

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

**Complaint history:** None

On July 28, 2017 and August 9, 2017, the Board summarily suspended the Respondent's manicure and skin care shop licenses and the shop manager's license based on Affidavits for the arrest of both shop owner and manager for the promotion of prostitution at the Respondent's shop and

another massage shop located in Nashville, Tennessee. These matters were previously placed in litigation monitoring pursuant to the Board's direction and approval, given that criminal charges were pending.

**Update:** The criminal charges have been resolved. All charges at the state level have been dismissed with the exception of the shop owner who pled guilty to attempted money laundering. Additionally, Respondent manager had all charges of promoting prostitution dismissed. Shine Nails is no longer in business and vacated their business space.

**New Recommendation:** Closure with reinstatement of the manager's individual license.

**Decision:** Approved

**75. Case No.: COS- 2018013671**

**First License Obtained:** 03/02/2012

**License Expiration:** 01/31/2022

**Complaint history:** 2012015841, closed by a Cease and Desist letter and follow up inspection in 30 days; 2012009191, closed by Letter of Warning

This matter was previously presented to the Board at its June 4, 2018 meeting as follows: *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.

**Update:** Subsequent to the inspection, the Respondent renewed the shop license. This is the first offense.

**New Recommendation:** Letter of Warning

**Decision:** Approved

**76. Case No.: COS-2018033091**

**First License Obtained:** 07/01/2013

**License Expiration:** 10/31/2020

**Complaint history:** None

This matter was previously presented to the Board at its October 1, 2018 meeting as follows: *This is a consumer complaint alleging that a dog is inside the salon. The Respondent admits that she has a therapy dog that comes in the salon at times.*

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$500.00 reduced to \$0.00 if Respondent provides documentation within 30 days to meet rules for allowing animals in salon.

**Decision:** Approved.

**Update:** The Respondent provided additional details and does not maintain an animal in the shop.

**New Recommendation:** Closure

**Decision:** Approved

**77. Case No.: COS-2018062071**

**First License Obtained:** 11/23/2005

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

**Complaint history:** None

This matter was previously presented to the Board at its December 10, 2018 meeting as follows: This Respondent is the shop manager who was cited during an inspection for manager responsibilities related to the shop license being expired.

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

Decision: Approved.

**Update: The shop is closed.**

**New Recommendation: Closure**

**Decision: Approved**

**78. Case No.: COS-2018062631**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This matter was previously presented to the Board at its January 28, 2019 meeting as follows: *This is a consumer complaint opened pursuant to allegations of procuring fraudulent hours from San Diego Beauty College and Atlanta Beauty Academy. This Respondent denies obtaining any fraudulent hours but admits to being unable to pass the State exam and is providing services without a license.*

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

Decision: Approved

**Update: This is the shop owner. The shop has paid a \$1500.00 civil penalty via Agreed Citation for the same violation.**

**New Recommendation: Closure**

**Decision: Approved**

**79. Case No.: COS- 2019007651**

**First License Obtained: 03/08/2019**

**License Expiration: 03/31/2021**

**Complaint history: None**

This matter was previously presented to the Board at its June 3, 2019 meeting as follows: Pursuant to inspection, this 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

**Update: A Consent Order was sent to the Respondent. In response, the Respondent submitted a response denying providing any services during the inspection. No pictures were provided to prove that the Respondent was in fact providing services during the inspection. The Respondent is now licensed by the Board and resides out of state.**

**New Recommendation: Closure**

**Decision: Approved**

**80. Case No.: COS-2019016211**

**First License Obtained: 08/05/1988**

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

**Complaint history: 2012016631, closed with no action; 2014008641, closed by Consent Order and payment of \$500 civil penalty; 2016065301, closed by Consent Order to pay \$1,000 civil penalty – sent to collection for failure to pay remaining civil penalty balance of \$425.00**

This matter was previously presented to the Board at its June 3, 2019 meeting as follows: *Pursuant to inspection, one individual was found to be providing services with expired license and no manager present.*

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

Decision: *Approved*

**Update:** The Respondent has paid \$600.00 civil penalty for complaint No. 201901619 against the Respondent's barber shop for operating on an expired barber shop license regarding the same inspection on February 21, 2019. The owner was not providing services at the time of the inspection and would need to retest in order to renew the license.

**New Recommendation: Closure**

**Decision: Approved**

**81. Case No.: COS-2019060851**

**First License Obtained: 06/14/1994**

**License Expiration: 03/31/2022**

**Complaint history: 2010017541, closed by Consent Order and payment of \$500.00 civil penalty**

This matter was previously presented to the Board at its December 9, 2019 meeting as follows: *Pursuant to inspection, the shop owner who is also the manager 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*

**Update:** This is the shop. The shop owner paid \$600.00 civil penalty for a separate complaint for the same violation.

**New Recommendation: Closure**

**Decision: Approved**

**82. Case No.: COS-2018078271**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This matter was previously presented to the Board at its January 28, 2019 meeting as follows: *Pursuant to inspection, the shop owner admitted to allowing this employee to provide services without a license.*

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

Decision: *Approved*

**Update:** This Respondent is the individual and was not present in the salon when the inspection occurred, and no Notice of Violation was issued. Further, all mail has been returned.

**New Recommendation: Close and flag.**

**Decision: Approved**

**83. Case No.: COS-2018042321**

**First License Obtained: N/A**

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

This matter was previously presented to the Board at its November 5, 2018 meeting as follows:  
*This Respondent is providing services without a license.*

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

**Decision:** *Approved.*

**Update:** **This Complainant has requested to remain anonymous and as such there would be insufficient proof to go forward with a hearing.**

**New Recommendation:** **Letter of Warning with cease and desist language, which includes information providing the requirements to become licensed in Tennessee.**

**Decision:** **Approved**

**84. Case No.: COS- 2019030971**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This matter was previously presented to the Board at its August 5, 2019 meeting as follows:  
*Pursuant to inspection this shop was found to be operating without a license.*

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

**Decision:** *Approved*

**Update:** **All correspondences sent to the Respondent have been returned marked unable to forward.**

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

**Decision:** **Approved**

**85. Case No.: COS-2019057031**

**First License Obtained:** 10/11/2018

**License Expiration:** 05/31/2020

**Complaint history:** None

This matter was previously presented to the Board at its December 9, 2019 meeting as follows:  
*Pursuant to inspection the shop was found to be allowing one individual to provide services with expired license and no manager present.*

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

**Decision:** *Approved*

**Update:** **Board records indicate the shop is now closed and no longer operating for business.**

**New Recommendation:** **Closure**

**Decision:** **Approved**

**86. Case No.: COS-2019083421**

**First License Obtained:** 10/17/2018

**License Expiration:** 10/31/2020

**Complaint history:** None

This matter was previously presented to the Board at its February 3, 2020 meeting as follows: *This anonymous consumer complaint alleges that the Respondent is a registered sex offender and has recently been found guilty of violating the sex offender registry.*



*Recommendation:* Legal has requested additional information from Knox County Criminal Court. Authorize complaint to be placed in litigation monitoring pending receipt of documents. TBI information indicates Respondent currently incarcerated.

*Decision:* Approved

**Update:** The Respondent was originally convicted for sex related crimes and drug crimes and 2006 and 2009 and was placed on probation for the felony charges. The Respondent violated her probation in 2019 related to a form sexual offender registration violation and probation was extended to January 2021. The parole officer stated that Respondent “checks in” frequently and is currently looking for a salon to work in with her valid cosmetology license.

**New Recommendation:** Closure.

**Decision:** Approved

**87. Case No.:** COS- 2019058221

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This matter was previously presented to the Board at its December 9, 2019 meeting as follows: Pursuant to inspection, this 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

**Update:** All correspondences sent to the Respondent have been returned marked unclaimed and unable to forward.

**New Recommendation:** Closure due to unable to locate Respondent.

**Decision:** Approved

**88. Case No.:** COS-2019047201

**First License Obtained:** 12/14/2018

**License Expiration:** 12/31/2020

**Complaint history:** None

This matter was previously presented to the Board at its October 7, 2019 meeting as follows: Pursuant to inspection, this shop was found to be allowing one individual to provide services without a license.

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

*Decision:* Approved

**Update:** Board records indicate the shop is now closed and no longer operating for business.

**New Recommendation:** Closure

**Decision:** Approved

**89. Case No.:** BAR- 2019048441

**First License Obtained:** 07/26/2016

**License Expiration:** 07/31/2020

**Complaint history:** None

This matter was previously presented to the Board at its October 7, 2019 meeting as follows:  
*Pursuant to inspection, this Respondent was found to be allowing an individual to provide services without a license. The Respondent is the manager.*

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

Decision: Approved

**Update: The Respondent was listed as the manager for the above shop which is now closed for business. No additional complaints have been filed against this Respondent.**

**New Recommendation: Closure with Letter of Warning.**

**Decision: Approved**

**90. Case No.: COS-2018017511**

**First License Obtained: 10/16/2013**

**License Expiration: 08/31/2021**

**Complaint history: None**

This matter was previously presented to the Board at its August 6, 2018 meeting as follows:  
*Pursuant to inspection, the shop was found to be providing services not authorized by the license.*

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

Decision: Approved.

**Update: Further review of this matter revealed that there was only waxing equipment found in the storage room of the shop, but there is not sufficient evidence to prove that waxing services were being provided during the inspection.**

**New Recommendation: Letter of Warning.**

**Decision: Approved**

**91. Case No.: COS- 2018042261**

**First License Obtained: 02/08/2012**

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

**Complaint history: None**

This matter was previously presented to the Board at its November 5, 2018 meeting as follows:  
*Pursuant to inspection, this shop was found to be providing services with expired shop license and one individual was providing services with expired license.*

Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$200.00 civil penalty.

Decision: Approved.

**Update: Board records indicate the shop has been reported out of business according to the area inspector.**

**New Recommendation: Closure**

**Decision: Approved**

**92. Case No. COS-2019018511**

**First License Obtained: 06/25/2003**

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

**Complaint history: 200502077, closed by Consent Order and payment of \$300.00 civil penalty; 2014031431 & 2014000891, closed by Final Order and assessment of \$2,000 civil**

penalty and \$250.00 hearing costs – currently in collection

**93. Case No. COS-2019018481**

**First License Obtained:** 05/22/1985  
**License Expiration:** 10/31/2020  
**Complaint history:** 2014031441, closed by Final Order and assessment of \$1,000 civil penalty and \$125.00 hearing costs – currently in collection

These matters were previously presented to the Board at its June 3, 2019 meeting as follows  
*Pursuant to inspection, the shop owner's license was found to be expired. The shop owner is also the manager.*

*Recommendation: Authorize formal hearing. Authorize \$100.00 civil penalty against the shop and owner/manager.*

*Decision: Approved*

**Update: Board records indicate that the owner's cosmetologist license was renewed within few days after the inspection.**

**New Recommendation: Letter of Warning**

**Decision: Approved**

**94. Case No.: BAR-2018019811**

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

This matter was previously presented to the Board at its August 6, 2018 meeting as follows:  
*Pursuant to an inspection, the Respondent was found to be practicing barbering on a client without a master barber license.*

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

*Decision: Approved.*

**Update: All correspondences sent to the Respondent's address on file have been returned marked insufficient address – unable to forward and/or wrong address.**

**New Recommendation: Closure due to unable to locate Respondent.**

**Decision: Approved**

**95. Case No.: BAR-2018019831**

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

This matter was previously presented to the Board at its August 6, 2018 meeting as follows:  
*Pursuant to an inspection, the Respondent was found to be practicing barbering on a client without a master barber license.*

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

*Decision: Approved.*

**Update: All correspondences sent to the Respondent's address on file have been returned back marked unclaimed – unable to forward.**

**New Recommendation: Closure due to unable to locate Respondent.**

**Decision: Approved**

**96. Case No.: BAR-2018044971**

**First License Obtained:** 05/01/1996

**License Expiration:** 04/30/2022

**Complaint history:** 2015001951, closed by Consent Order and payment of \$100.00 civil penalty

This matter was previously presented to the Board at its November 5, 2018 meeting as follows: *Pursuant to an inspection on July 6, 2018, the Respondent was found to be providing barbering services to a client with an expired master barber license which has been since renewed.*

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

**Decision:** *Approved.*

**Update:** Further review of this matter revealed that the Respondent renewed the license on the same day of the inspection.

**New Recommendation:** Letter of Warning.

**Decision:** Approved

**97. Case No.: BAR-2018083581**

**First License Obtained:** 03/20/2015

**License Expiration:** 03/31/2021

**Complaint history:** None

This matter was previously presented to the Board at its April 1, 2019 meeting as follows: *Pursuant to inspection, the shop license was found to be expired and no manager was present.*

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

**Decision:** *Approved*

**Update:** Consent Order was sent to the Respondent. In response, the Respondent shop owner provided extensive documentation that he was hospitalized during the shop license renewal period and the shop license is current at this time.

**New Recommendation:** Letter of Warning.

**Decision:** Approved

**98. Case No.: BAR-2018090041**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This matter was previously presented to the Board at its April 1, 2019 meeting as follows: *This is a consumer complaint alleging unlicensed activity. The complainant provided photographs and Facebook details.*

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

**Decision:** *Approved*

**Update:** Consent Order was sent to the Respondent's address on file and has been returned marked no such number – unable to forward.

**New Recommendation:** Closure due to unable to locate Respondent.

**Decision:** Approved

**99. Case No.: BAR-2020001051**

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

This matter was previously presented to the Board at its June 1, 2020 meeting as follows: *This is a consumer complaint alleging unlicensed activity, also referred to in 112—BAR- 2019100431, 115— BAR-2019102231, and 116—BAR-2019102261. Follow-up inspection revealed two individuals performing barber services without a license. A notice of violation was issued to the Respondent shop and the Respondent shop manager for unlicensed activity and responsibilities of owner and manager of a shop. A notice of violation was also issued to the unlicensed individuals for unlicensed activity.*

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$1,000.00 civil penalty.

**Decision:** Approved

**Update:** Although the Respondent was named as one of the unlicensed individuals in the consumer complaint, this Respondent was not present in the shop during the inspection and that the shop owner advised that the Respondent has never worked at the shop. A Notice of Violation was not issued to the Respondent.

**New Recommendation:** Closure

**Decision:** Approved

**100. Case No.: BAR-2019100431**

**First License Obtained:** 07/21/2004  
**License Expiration:** 06/30/2020  
**Complaint history:** 2014029791, closed by Amended Consent Order and payment of \$2,000 civil penalty; 2017035311, closure

This matter was previously presented to the Board at its June 1, 2020 meeting as follows: *This is a consumer complaint alleging unlicensed activity, also referred to in 115—BAR-2019102231, 116—BAR-2019102261, and 117—BAR-2020001051. Follow-up inspection revealed two individuals performing barber services without a license. A notice of violation was issued to the Respondent shop and the Respondent shop manager for unlicensed activity and responsibilities of owner and manager of a shop. A notice of violation was also issued to the unlicensed individuals for unlicensed activity. This Respondent is the shop.*

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$2,000.00 civil penalty.

**Decision:** Approved

**Update:** Board records indicate the shop is now closed and no longer operating for business.

**New Recommendation:** Closure

**Decision:** Approved

**101. Case No.: COS-2018029501**

**First License Obtained:** 09/14/2012  
**License Expiration:** 08/31/2020  
**Complaint history:** 20150221911, closed by Consent Order and payment of \$50.00 civil penalty

**102. Case No.: COS-2018032131**

**First License Obtained:** 08/16/1993

**License Expiration:** 07/31/2021  
**Complaint history:** 20150221912, closed by Consent Order and payment of \$50.00 civil penalty

This matter was previously presented to the Board at its October 1, 2018 meeting as follows:  
*Pursuant to inspection, both the shop and the owner's license were found to be expired. The owner is the manager operating with expired license.*

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

**Decision:** Approved.

**Update:** The shop and individual license are now current.

**New Recommendation:** Letter of warning.

**Decision:** Approved

**103. Case No.: BAR-2018042531**

**First License Obtained:** 02/28/2003

**License Expiration:** 02/28/2021

**Complaint history:** 2015009451, closed by Initial Order and assessment of \$100.00 civil penalty and \$187.50 hearing costs

This matter was previously presented to the Board at its November 5, 2018 meeting as follows:  
*Pursuant to an inspection on June 27, 2018, the Respondent barber shop's license was expired and no licensed shop manager was present in the shop, but no clients were present during the inspection.*

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

**Decision:** Approved.

**Update:** The Respondent has paid additional penalties on his individual license and shop license and the license is now current.

**New Recommendation:** Closure

**Decision:** Approved

**104. Case No.: BAR- 2019053911**

**First License Obtained:** 12/02/1997

**License Expiration:** 01/31/2022

**Complaint history:** 2005011161, closed with Letter of Warning; 2007049501, Letter of Warning; 2008027121, dismissed; 201701602, closed by Agreed Citation and payment of \$600.00 civil penalty

**105. Case No.: BAR- 2019053951**

**First License Obtained:** 09/15/1995

**License Expiration:** 09/30/2021

**Complaint history:** 201701592, closed with Letter of Warning; 2017021961, closed with Letter of Warning

These matters were previously presented to the Board at its October 7, 2019 meeting as follows:  
*Pursuant to inspection, the owner/manager's license was found to be expired.*

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty to the individual manager for expired license and \$500.000 to the shop for no shop manager present due to expired license.

Decision: *Approved*

Update: The Respondent individual renewed its license, which was the underlying basis for the violation to the shop. Respondent individual is the shop owner.

New Recommendation: Closure of the Respondent individual's file with letter of warning. Closure of the Respondent shop file.

Decision: **Approved**

**106. Case No.: BAR- 2019051101**

First License Obtained: **09/30/2008**

License Expiration: **09/30/2022**

Complaint history: **2013003281, closed by Agreed Final Order and payment of \$500.00 civil penalty and \$200 filing costs; 2018005731, Formal Charges Authorized**

**107. Case No.: BAR- 2019051121**

First License Obtained: **07/16/1997**

License Expiration: **07/31/2021**

Complaint history: **2018005751, Formal**

These matters were previously presented to the Board at its October 7, 2019 meeting as follows: Pursuant to inspection, the shop license and the manager/owner's license was expired. Therefore, no manager was present.

Recommendation: *Authorize formal hearing. Authorize settlement by consent order with \$600.00 civil penalty to the shop and \$100.00 civil penalty to the manager/owner for expired license.*

Decision: *Approved*

Update: The Respondent individual renewed its license, which was the underlying basis for the violation to the Respondent shop for no manager/owner present due to expired individual license. The Respondent shop renewed its license. The Respondent individual is the shop owner.

New Recommendation: Closure of the Respondent individual file with a letter of warning. As to Respondent shop, letter of warning for expired shop license.

Decision: **Approved**

**108. Case No.: BAR-2019047651**

First License Obtained: **06/21/2012**

License Expiration: **06/30/2022**

Complaint history: **None**

This matter was previously presented to the Board at its October 7, 2019 meeting as follows: Pursuant to inspection, shop was found to have expired shop license.

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

Decision: *Approved*

Update: The Respondent shop renewed its license subject to this complaint.

New Recommendation: Closure with a letter of warning.

Decision: **Approved**

**109. Case No.: BAR- 2019047691**

First License Obtained: **09/16/1983**

License Expiration: **11/30/2021**

**Complaint history:** None

This matter was previously presented to the Board at its October 7, 2019 meeting as follows: *Pursuant to inspection, previously referred to in BAR-2019047651, the shop license was expired. This Respondent is the owner/manager.*

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

**Decision:** *Approved*

**Update:** The Respondent individual renewed its shop license. Respondent individual is the shop owner.

**New Recommendation:** Closure.

**Decision:** Approved

**110. Case No. COS-2019017991**

**First License Obtained:** 10/14/2016

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

**Complaint history:** None

**111. Case No. COS-2019018011**

**First License Obtained:** 11/04/2010

**License Expiration:** 11/30/2020

**Complaint history:** None

These matters were previously presented to the Board at its June 3, 2019 meeting as follows: *Pursuant to inspection the shop license was found to be expired. The owner is the manager of the shop.*

**Recommendation:** *Authorize formal hearing. Authorize \$100.00 civil penalty against the shop and owner/manager.*

**Decision:** *Approved*

**Update:** The shop license is still expired. The Respondent individual is the owner of the shop and her license has been renewed.

**New Recommendation:** Closure of the Respondent individual file as owner. Authorize formal hearing. Authorize settlement by consent order with a \$100.00 civil penalty against Respondent shop as shop license is still expired.

**Decision:** Approved

**112. Case No.: COS-2018079041**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This matter was previously presented to the Board at its April 1, 2019 meeting as follows: *Pursuant to inspection, this shop was found to be operating without a license.*

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

**Decision:** *Approved*

**Update:** An inspection was recently conducted and it has been reported that there was no cosmetology business found for Respondent at the Respondent's address on file, according to the area inspector.

**New Recommendation:** Closure

**Decision:** Approved



**Shilina B. Brown, Associate General Counsel**

**113. Case No.: COS-2018006851**

**First License Obtained:** 03/20/1997

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

**Complaint history:** None

This matter was previously presented to the Board at its June 4, 2018 meeting as follows: *This Pursuant to inspection, the owner of the Respondent Shop Complaint No. 2018006821 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.

**Update:** Board records indicate that the Respondent's cosmetologist license was renewed within few days after the inspection.

**New Recommendation:** Letter of Warning

**Decision:** Approved

**114. Case No.: COS-2018006821**

**First License Obtained:** 02/12/2018

**License Expiration:** 02/29/2020

**Complaint history:** None

This matter was previously presented to the Board at its June 4, 2018 meeting as follows: *This is the shop from the above Complaint No. 2018006851. At the time of inspection in January 2018 the shop did not have a license.*

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

*Decision:* Approved.

**Update:** Board records indicate that the Respondent submitted an application for a shop license within a few days after the inspection and such application was approved.

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

**COSMETOLOGY CASES**

**115. Case No.: COS-2020027531**

**First License Obtained:** 01/08/2020

**License Expiration:** 12/31/2020

**Complaint History:** None

This consumer complaint alleges Respondent shop is operating during the mandatory shutdown due to the pandemic. Respondent states, outside of working on family members, no nail services have been performed out of the shop during the shutdown.

**Recommendation:** Closure.

**Decision:** Approved

**116. Case No.: COS-2020031371**

**First License Obtained:** 12/30/2019

**License Expiration:** 12/31/2021

**Complaint History:** None

This consumer complaint alleges Respondent is performing services during the mandatory shutdown due to the pandemic. Respondent states she has complied and has not performed services during the shutdown time period.

**Recommendation: Closure.**

**Decision: Approved**

**117. Case No.: COS-2020036221**

**First License Obtained: 10/16/2014**

**License Expiration: 10/31/2020**

**Complaint History: None**

This consumer complaint alleges Respondent shop is operating during the mandatory shutdown due to the pandemic. Respondent states her shop has been closed and re-opened on May 25, 2020.

**Recommendation: Closure.**

**Decision: Approved**

**118. Case No.: COS-2020036881**

**First License Obtained: 07/10/2018**

**License Expiration: 07/31/2020**

**Complaint History: None**

This competitor complaint alleges Respondent shop is operating during the mandatory shutdown due to the pandemic. Inspection revealed the door to the business locked and no business activity.

**Recommendation: Closure.**

**Decision: Approved**

**119. Case No.: COS-2020038231**

**First License Obtained: 01/13/1975**

**License Expiration: 04/30/2021**

**Complaint History: None**

This neighbor complaint alleges Respondent is performing services during the mandatory shutdown due to the pandemic from home. Respondent states she has not performed services from home during the mandatory shutdown.

**Recommendation: Closure.**

**Decision: Approved**

**120. Case No.: COS-2020039891**

**First License Obtained: 04/01/2011**

**License Expiration: 04/30/2021**

**Complaint History: None**

This anonymous consumer complaint alleges Respondent is performing services during the mandatory shutdown due to the pandemic. Respondent states the anonymous consumer is her ex-husband and, outside of family members, she has not performed services during the mandatory shutdown order.

**Recommendation: Closure.**

**Decision: Approved**

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

### **APPLICATIONS FOR EXAMINATION-**

Applications for examination for: Andrian Bullock, Melodie Lafevre and Tonni Mitchell. The applicants have felonies within the last three years and/or are currently incarcerated. The request to take the Tennessee examination is submitted for the board's approval. The required information, disclosure from the student and letter of recommendation are submitted. The Board approved Agreed Orders for a probation period of two years as prepared by legal counsel.

Motion made by Patricia Parsons and seconded by Janie Ross to approve application for examination with a signed Agreed Order. The motion carried by unanimous roll call vote.

### **MISCELLANEOUS REQUESTS –**

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

Request to extend the time period to complete cosmetology coursework pursuant to Tenn. Code Ann. §62-4-123 which states a student has seven (7) years from the date they enroll in schools to complete the required coursework. The board may for good cause extend the timeframe. Ms. Chelsea Huskey started school in September 2013 completing 555 hours. She had health issues that caused her to withdraw. She went back to school was on track to finish by September 2020. Due to COVID19 she might not be able to complete the hours because the school had closure dates. She is requesting an additional month so she can complete her hours.

MOTION made by Mona Sappenfield and seconded by Becky Russell to approve extension to complete education by the end of 2020. The motion carried by unanimous roll call vote.

Request to waive the need to retest pursuant to rule 0200-01-.10 which states an applicant must apply for and pay for the original license within six (6) months after passing the examination. The Board may, for good cause, waive this requirement. The board previously authorized the Director to approve these extensions past the six months but for only up to a year and for good cause. Mr. Gregory Kendricks provided a letter explaining his mistake in not following up with the license. He passed his barber practical exam in March 2019.

MOTION made by Patricia Parsons and seconded by Mona Sappenfield to approve extension and approve her license. The motion carried by unanimous roll call vote.

Request to waive the need to retest pursuant to rule 0440-01-.10 which states an applicant must apply for and pay for the original license within six (6) months after passing the examination. The Board may, for good cause, waive this requirement. The board previously authorized the Director

to approve these extensions past the six months but for only up to a year and for good cause. Ms. Sasha Thomas provided an explanation that she started her own business and went through a divorce all causing her to let time go by. She passed her aesthetics practical exam in May 2019.

MOTION made by Patricia Parsons and seconded by Mona Sappenfield to approve extension and approve her license. The motion carried by unanimous roll call vote.

### **DIRECTOR'S REPORT:**

The financial numbers for fiscal year 2020 show an additional \$80,660 was added to the surplus putting the board at 978,518 as of the May reports.

The board voted to approve the following 2021 meeting dates:  
February 1<sup>st</sup>, April 5<sup>th</sup>, June 7<sup>th</sup>, August 2<sup>nd</sup>, October 4<sup>th</sup> and December 6<sup>th</sup>

MOTION made by Patricia Parsons and seconded by Mona Sappenfield for approval of 2021 dates. Motion carried by unanimous roll call vote.

### **NEW BUSINESS:**

Board members discussed the virtual and synchronous continued education being offered throughout 2020 and possibly 2021 to instructors for the required 16 hours. The current list from the website as well as the original sign up list was presented and discussed so members could participate in the future sessions without exposing themselves to COVID19. Members agreed what sessions they could participate in and would individually reach the providers so they could receive the online link.

### **Additional Questions:**

### **Motion to adjourn**

MOTION to adjourn made by Patricia Parsons and seconded by Janie Ross. The motion carried by unanimous roll call vote.