



**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 June 1, 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, Ron Gillihan, Yvette Granger, Judy McAllister, Janie Ross, Becky Russell, Mona Sappenfield, Amy Tanksley and Susan Witcher.

Unable to participate: Frank Gambuzza and Patricia Parsons.

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. Susan Witcher motioned to accept the statement of necessity. This was seconded by Janie Ross. The motion carried by unanimous roll call vote.

MINUTES-

Minutes for the February 3, 2020 board meetings were submitted for changes and/or approval.

Motion made by Judy McAllister and seconded by Janie Ross to approve the February 2020 minutes. The motion carried by unanimous roll call vote.

PRESENTED BEFORE THE BOARD-

Miller-Motte College, Chattanooga – Name Change

Mr. Jay Frank, Executive Director for Miller-Motte Technical College completed a school name change application making the new school name Miller-Motte College. The school is located in Chattanooga.

MOTION made by Judy McAllister and seconded by Mona Sappenfield to approve the name change. The motion carried by unanimous roll call vote.

Goshen School of Cosmetology – School Change of Location

Ms. Latonya Williams Bradley participated on the meeting to answer any questions the board had. The school is located in Memphis. The floor plan, application and fee were all received timely.

MOTION made by Judy McAllister and seconded by Kelly Barger to approve the new location pending an inspection by a field inspector and a board member. The motion carried by unanimous roll call vote.

Mid-South Cosmetology and Barber Associations, Inc. – New Cosmetology School

Ms. Shadonna Banks participated to answer any questions for the board. The school is located in Memphis. The school is only going to offer apprenticeship and is 1,800 sq. ft. The business license, curriculum, blank contract, floor plan, contingency plan, application, and fee were all received timely.

MOTION made by Kelly Barger and seconded by Yvette Granger to approve the new school pending an inspection by a field inspector and a board member. The motion carried by unanimous roll call vote.

Shear Perfection Academy of Charlotte – New Cosmetology School

Mr. James 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 business license, curriculum, blank contract, floor plan, contingency plan, application, and fee were all received timely. The board requested several changes and that the school be represented at the August board meeting.

MOTION made by Judy McAllister and seconded by Janie Ross to represent updated application in August. 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 business license, curriculum, blank contract, floor plan, contingency plan, application, and fee were all received timely. The board requested several changes and that the school be represented at the August board meeting.

MOTION made by Judy McAllister and seconded by Susan Whitaker to represent updated application in August. The motion carried by unanimous roll call vote.

Skin & Brow Room – New Specialty Aesthetics School

Ms. Jessica West participated to answer any questions for the board. The school is located in Chattanooga and is a specialty aesthetics school with 1100 sq. ft. The floor plan, five contracts, contingency plan, application and fees were all received timely.

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

Paul Mitchell the School: Murfreesboro and Knoxville campuses – Distance Learning Plan

Mr. Kevin Johnson presented a plan for both the Murfreesboro and the Knoxville campuses to offer distance learning as an alternative to the traditional education offered.

MOTION made by Mona Sappenfield and seconded by Judy McAllister to approve distance learning as presented. The motion carried by unanimous roll call vote.

Paul Mitchell the School: Memphis – Distance Learning & Advanced Makeup Program

Ms. Caroline Salman presented a plan for both theory distance learning as an alternative to the traditional education and a program for advanced makeup.

MOTION made by Judy McAllister and seconded by Janie Ross to approve theory distance learning and the advanced aesthetics as presented. The motion carried by unanimous roll call vote.

DCI Academy – Distance Learning Plan

Ms. Destiny Cox presented a plan for to offer MindTap online course, from milady, to the apprenticeship students as an alternative to the traditional in person education offered.

MOTION made by Mona Sappenfield and seconded by Yvette Granger to approve MindTap online course as presented. The motion carried by unanimous roll call vote.

Georgia Career Institute – Distance Learning Plan

Ms. Lauren Davis presented a plan to offer distance learning as an alternative to the traditional education offered. The school campuses are located in Murfreesboro and McMinnville.

MOTION made by Mona Sappenfield and seconded by Judy McAllister to approve distance learning as presented. The motion carried by unanimous roll call vote.

The board discussed giving permission to the executive director to approve schools submitting proposals to continue distance learning or have a hybrid program.

MOTION made by Judy McAllister and seconded by Janie Ross to grant permission to the executive director for these requests. The motion carried by unanimous roll call vote.

APPLICATIONS FOR EXAMINATION-

Applications for examination for: Kimberly McCord, Neena Constanza, Ashley Huff, Nesheryl Summers, Brittany Lee. 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 Judy McAllister and seconded by Kelly Barger to approve application for examination with a signed Agreed Order. The motion carried by unanimous roll call vote.

APPLICATIONS FOR RECIPROCITY-

Application for reciprocity of restricted Barber license from Florida for Marrgie Vega. Certification shows initial licensure in December 2019 with 1,200 hours and a theory exam.

MOTION made by Becky Russell and seconded by Judy McAllister to take both exams. The motion carried by unanimous roll call vote.

MISCELLANEOUS REQUESTS –

Request for Waivers, Reconsiderations and Extensions:

Request for extension of continued education requirement from cosmetology instructor Sarah Smith Pursuant to Tenn. Code Ann. §62-4-114 an instructor must complete the 16 hours of an approved training program within each renewal cycle. Ms. Smith emailed explaining she had a death in the family and now is personally dealing with an illness. She provided her request timely for the April expiration of her license, but the board meeting was canceled. She is aware that she can't teach until this requirement is met. She would like to put her instructor license on inactive status and take the CE once her illness passes.

MOTION made by Judy McAllister and seconded by Janie Ross to approve the request. The motion carried by unanimous roll call vote.

Ms. Jatziry Guzman-Berzunza presented her testing preparation plan to the board. Ms. Guzman-Berzunza is a licensed cosmetology instructor and the test preparation coursework would be taught outside of a licensed school therefore she is seeking the board's approval.

MOTION made by Judy McAllister and seconded by Kelly Barger to approve the request. The motion carried by unanimous roll call vote.

Ms. Terica Fitzgerald presented her testing preparation plan to the board. Ms. Fitzgerald is a licensed cosmetology instructor and the test preparation coursework would be taught outside of a licensed school therefore she is seeking the board's approval.

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

Request to waive the need to retest pursuant to rule 0440-1-.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. Yasmeen Manjiyani did not have current documents as a qualified alien when she passed her practical exam in August 2015. She requested the board waive the need for her to retest given this was outside of her control and her immigration status has been updated.

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

New CE Provider – Hair World Education: Ms. Tiffany Curry provided course work and dates for three separate instructor continuing education sessions. All three sessions are planned to be held in Memphis. The request was submitted mid-March. The complete agenda for the 16-hour session is pending and the June date was possibly going to be done as a virtual course.

Motion made by Mona Sappenfield and seconded by Judy McAllister to approve the 2020 session and requested dates pending submission of a detailed agenda. The motion carried by unanimous roll call vote.

DIRECTOR'S REPORT:

The financial numbers for fiscal year 2020, between July and March, an additional \$46,848 was added to the surplus putting the board at 944,706.

LEGAL REPORT- STAFF ATTORNEY

The State Board of Cosmetology and Barber Examiners met to review the allegations of 140 complaints and make recommendations to the Board.

COSMETOLOGY CASES

1. Case No.: COS- 2019091591

First License Obtained: 12/02/2019

License Expiration: 12/31/2021

Complaint history: None

This administrative complaint alleges unlicensed activity. The inspector visited the location of the Respondent shop on numerous occasions over the span of approximately one week, which appeared to be closed on each visit. The inspector submitted photos of the outside of the location, showing various signage advertising cosmetology services, and the name of the location reflects a cosmetology related business. The inspector also submitted photos of the inside (taken from the outside, through the windows), showing workstations with cosmetology material on and around it. However, the inspector was unable to complete an inspection as the shop appeared to be closed.

Recommendation: Closure.

Decision: Letter of Instruction.

2. Case No.: COS- 2019092821

First License Obtained: 12/21/2011

License Expiration: 12/31/2021

Complaint history: None

This complaint was opened pursuant to a notice of violation regarding unlicensed activity. The Respondent signed two Agreed Citations and paid a total of \$1500.00 towards the two agreed citations. The shop complaint has been closed based on receipt of payment of \$1000.00 penalty. This Respondent, the owner, paid \$500.00 as the manager of the salon.

Recommendation: Closure based on the \$500.00 payment of the civil penalty that has been paid by the owner with letter to Respondent clarifying how the payments were applied.

Decision: Approved

3. Case No.: COS- 2019092731

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This consumer complaint alleges unlicensed activity. Follow-up inspection revealed an unlicensed shop. A notice of violation was issued to the owner and Respondent shop. This Respondent is the shop.

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

Decision: Approved

4. Case No.: COS- 2019093421

First License Obtained: 05/21/2019

License Expiration: 05/21/2021

Complaint history: None

This is a consumer complaint alleging that Complainant contracted an infection from receiving services at the Respondent shop. Based on the complaint, an inspection was performed and no violations were found. The Respondent has since refunded the Complainant. No medical proof was provided to substantiate that the injury was a result of the service.

Recommendation: Closure.

Decision: Approved

5. Case No.: COS- 2019094071

First License Obtained: 02/26/2019

License Expiration: 02/28/2021

Complaint history: None

This consumer complaint alleges unlicensed activity. Follow-up inspection revealed no unlicensed activity.

Recommendation: Closure.

Decision: Approved

6. Case No.: COS- 2019094141

First License Obtained: 12/01/2017

License Expiration: 12/31/2019

Complaint history: None

This consumer complaint in November 2019 alleges unsanitary conditions.

Recommendation: Closure. Last inspection was on November 6, 2019.

Decision: Approved

7. Case No.: COS- 2019094941

First License Obtained: 11/07/2005

License Expiration: 10/31/2021

Complaint history: None

Pursuant to inspection in November 2019, the shop license was found to have expired in October 2019. The Respondent has since renewed their shop license.

Recommendation: Closure with a letter of warning.

Decision: Approved

8. Case No.: COS- 2019094801

First License Obtained: 01/31/2018

License Expiration: 09/01/2020

Complaint history: 2018066661, closure

This is a complaint from a current student alleging that the Respondent only employs junior instructors whom are not properly licensed. The Respondent provided a response to the complaint stating that all employed junior instructors hold active licenses, and that a proper ratio of one licensed instructor for every junior instructor in the Respondent shop at all times.

Recommendation: Closure.

Decision: Approved

9. Case No.: COS- 2019094811

First License Obtained: 01/05/2006

License Expiration: 09/01/2020

Complaint history: 2008015181, closed with Letter of Warning; 2008016441, closed after informal conference; 2009009761 combined w/2012011561, closed by Consent Order and payment of \$1,000 civil penalty; 2010007331, closed with no action; 2010007341, closed with no action; 201023701, closed; 201029181, closed; 2016017291, closed by Consent Order and payment of \$1,000 civil penalty; 2017070771, closed w/ no action; 2018033241, closure

This is a complaint from an instructor alleging that Respondent school does not provide adequate equipment to students, such as not providing students with adequate student kits and that the owner of the school pays \$75.00 to students to attend the school. No proof was provided to substantiate the alleged. Follow-up inspection resulted in a successful score. Respondent school noted in their response to the inspector that adequate equipment is provided, and the inspector took photos of the equipment in the storage area. Further, the inspector questioned the Respondent about the \$75.00 payment to students. The Respondent stated they had a second school location with students enrolled. This second school location closed permanently and unexpectedly, and the students enrolled there were given a gasoline voucher to offset commute costs to continue their training at the Respondent school location which remained open.

Recommendation: Closure.

Decision: Approved

10. Case No.: COS-2019095181

First License Obtained: 06/18/2018

License Expiration: 09/01/2020

Complaint history: 2019036861, closure; 2019055511, closure; 2019050661, closure

This is a complaint from a former employee of the Respondent shop alleging wrongful termination. This is an employment-related contractual dispute for wrongful termination that is outside the scope of department regulatory jurisdiction.

Recommendation: Closure.

Decision: Approved

11. Case No.: COS-2019095801

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity from a residence. The inspector visited the location of the alleged unlicensed activity. However, the location was inside a gated residential area to which the inspector was not able to gain access.

Recommendation: Closure.

Decision: Letter of Instruction.

12. Case No.: COS- 2019095941

First License Obtained: 10/08/2015

License Expiration: 10/31/2021

Complaint history: None

This consumer complaint alleges low quality cosmetology services and seeks a refund. Department staff was not able to contact the Respondent for a response due to an undeliverable mailing address. Further, this is a contract dispute among the parties involved that is outside the scope of department regulatory jurisdiction.

Recommendation: Closure.

Decision: Approved

13. Case No.: COS- 2019095681

First License Obtained: 04/08/2019

License Expiration: 03/31/2021

Complaint history: None

This is a consumer complaint alleging that Complainant contracted an infection from receiving services at the Respondent shop. Based on the complaint, a follow up inspection occurred, and no violations were found. In addition, no medical proof was provided to substantiate that the injury was a result of the service.

Recommendation: Closure.

Decision: Approved

14. Case No.: COS- 2019098841

First License Obtained: 11/27/2013

License Expiration: 11/30/2021

Complaint history: None

This is a consumer complaint alleging that Complainant contracted an infection from receiving services at the Respondent shop. Follow-up inspection resulted in multiple violations. A notice of violation was issued for an expired shop license, responsibilities of owner/manager, and possession of a hazardous substance banned by the FDA (liquid methyl methacrylate). The Respondent stated they purchased the substance from a beauty supply store. Further, the Respondent renewed their shop license online while the investigator was present.

Recommendation: Letter of warning

Decision: Approved

15. Case No.: COS- 2019098701

First License Obtained: 06/30/1997
License Expiration: 02/28/2021
Complaint history: None

This is a consumer complaint alleging unsanitary conditions. Follow-up inspection resulted in a near perfect score, and the inspector did not observe the unsanitary conditions as alleged. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

16. Case No.: COS- 2019098681

17. Case No.: COS- 2019100341

18. Case No.: COS- 2020005371

19. Case No.: COS- 2020008901

First License Obtained: 12/18/2017

License Expiration: 09/01/2020

Complaint history: 2019042881, closed with request for inspection

These complaints are from various consumers alleging improper reporting of school hours and other questionable behavior on part of the Respondent school. Follow-up inspection resulted in various discrepancies with eighteen (18) student files. The inspector requested a follow-up investigation be opened to focus on the missing student files. A follow-up investigation was requested on December 19, 2019 with a focus on the allegations of false hours and other fraudulently activity, as well as the missing student files. The investigator confirmed there are still missing student files, and it appears the Respondent may be selling hours. The complaints were sent to the Respondent for a response to the allegations. The Department has not received a response to the allegations.

Recommendation: Authorize settlement by consent order for the voluntary revocation of Respondent's school license. If no settlement is reached, authorize hearing for revocation.

Decision: Approved

20. Case No.: COS-2019099181

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity and seeking a refund for payment made for Respondent's cosmetology course. Follow-up inspection resulted in the inspector visiting the Respondent at their residence. The Respondent was apologetic stating they were (until recently) enrolled as a student at a cosmetology school when they were forced to withdraw to care for young children. The Respondent has since refunded the Complainant, as well as taken down all advertisements previously on social media. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

21. Case No.: COS-2019099461

First License Obtained: 02/12/2014

License Expiration: 02/29/2020

Complaint history: None

This is a consumer complaint alleging unlicensed activity. Specifically, the Complainant alleges the Respondent is injecting Botox with only an aesthetician license. The Respondent stated she

works under a medical doctor, and it is the medical doctor whom performs the injections. Further, this is a medical board-related issue that is outside the scope of department regulatory jurisdiction.

Recommendation: Closure.

Decision: Approved

22. Case No.: COS-2019099691

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity. The Respondent operates a self-described “on location makeup company” that is based out-of-state. The Respondent’s website advertises that consumers from any state may hire cosmetologists to travel to the consumer’s home or other location to provide cosmetology services. Here, the Complainant entered a contract with the Respondent to provide cosmetology services at a wedding event in Tennessee. However, the Respondent then stated to the Complainant that they are not based in Tennessee but are instead located out-of-state. The Respondent told the Complainant they would travel to the Complainant’s home on the wedding day to provide those services. The Complainant had the understanding that the Respondent would provide licensed Tennessee cosmetologists to provide those services at the wedding. The contract was rescinded due to the misunderstanding, and the Respondent did not ultimately provide any cosmetology services for the Complainant. It is not clear whether the Respondent coordinates for other cosmetologists to provide services in Tennessee or whether the Respondent travels to Tennessee in-person to provide cosmetology services without a proper license. The Respondent is not licensed in Tennessee. No investigation was requested as the Respondent is located out-of-state.

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

Decision: Approved

23. Case No.: COS-2019099651

First License Obtained: 06/19/2019

License Expiration: 06/30/2021

Complaint history: None

This is an anonymous consumer complaint alleging unlicensed activity and unsanitary conditions. Follow-up inspection resulted in a successful score, with no unlicensed activity or unsanitary conditions observed.

Recommendation: Closure.

Decision: Approved

24. Case No.: COS-2019099911

First License Obtained: 03/28/2011

License Expiration: 09/01/2020

Complaint history: 2014002441, close the case for lack of proven disciplinary grounds; 2014002371, close the case for lack of proven disciplinary grounds; 2016045771, closed by Consent Order and payment of \$250.00 civil penalty; 2018082351, closure; 2019002381, closure; 2019035211, closure

This is a complaint from a current student alleging that Respondent school does not provide adequate equipment to students, such as not giving the Complainant their required student kit. Complainant also alleges they requested the Respondent to mail any expected financial aid package refund payment directly to the Complainant; however, the Respondent school did not honor this request and otherwise had the refund payment mailed to the Respondent school to be provided to the Complaint in-person. The Complainant also submitted additional information alleging illegal activity, such as narcotics distribution and theft being prevalent on the campus. No proof was provided to substantiate the alleged. In response to the alleged complaint, the Respondent school noted they held a meeting with the Complainant to discuss the financial aid package, process, and forms signed upon enrollment, as well as confirming that they allow refund payments to be mailed to the students only upon request. However, according to the Respondent, it was determined that the Complainant did not initially request their refund payment to be mailed directly. Further, the Respondent stated that the Complainant appeared satisfied and did not ask additional questions after the meeting to discuss the financial aid package and other concerns. The allegation regarding lack of adequate equipment was not directly addressed in the response. The allegation regarding illegal activity was not directly addressed in the response.

Recommendation: Closure with referral to authorities regarding drug distribution.

Decision: Approved

25. Case No.: COS-2019099931

First License Obtained: 06/18/2018

License Expiration: 09/01/2020

Complaint history: 2019036861, 2019050661, 2019055511, closure

This is a complaint from a former student alleging lack of adequate equipment provided to students, no enrollment agreement was provided to the Complainant, and additional fees being taken that were not in the original enrollment agreement. No proof was provided to substantiate the alleged. Follow-up inspection resulted in a perfect score. The Respondent provided documentation addressing the reasons for the Complainant's expulsion from the program, as well as a police report showing the Complainant being issued a trespass warning to stay away from the Respondent school. The inspector could not substantiate the allegations.

Recommendation: Closure.

Decision: Approved

26. Case No.: COS-2019100171

First License Obtained: 08/16/2018

License Expiration: 08/31/2020

Complaint history: 2018075341, \$1,000 civil penalty assessed via Consent Order – Sent to collection for failure to pay assessed civil penalty

Pursuant to inspection three individuals were found to be providing services in the Respondent shop without a license. The unlicensed individuals left the shop before the inspector could make contact. There was also no manager present. A notice of violation was issued to the Respondent shop.

Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$3,500.00 civil penalty.

Decision: Approved

27. Case No.: COS-2019100351

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a complaint from a consumer alleging unlicensed activity from a residence. Follow-up inspection resulted in the inspector finding no evidence of the residence being used to provide unlicensed cosmetology services. However, the inspector found a manicure table set up. The Respondent stated that they only provide manicure services to friends and family without compensation. The Respondent stated that the Complainant was their ex-husband, and this complaint was motivated by domestic issues. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

28. Case No.: COS-2019101801

First License Obtained: 11/17/2017

License Expiration: 11/30/2021

Complaint history: None

This is a complaint from a consumer alleging the Respondent shop consistently uses the same container of dip powder for every client. Further, the Complainant alleges an infection due to this process. Complainant submitted photos. No medical proof was provided to substantiate that the injury was a result of the service. Follow-up inspection resulted in a perfect score. The inspector discussed the importance of proper sanitation techniques with the Respondent store manager whom advised that they will make sure all employees follow the proper protocol for using dip powder.

Recommendation: Closure.

Decision: Approved

29. Case No.: COS-2019102181

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity, also referred to in 32—COS-2020000341, 33—COS-2020000371, and 34—COS-2020000301. However, the Respondent in this complaint was not at the Respondent shop during the inspection, and a notice of violation was not issued to this Respondent.

Recommendation: Closure, as the Respondent in this complaint was not found by the inspector.

Decision: Approved

30. Case No.: COS-2019102361

First License Obtained: 09/12/2017

License Expiration: 09/30/2021

Complaint history: None

This is an anonymous consumer complaint alleging the Respondent schedules service appointments and charges consumers for those services without providing any services. The Complainant waited an hour for a scheduled appointment, which ended by the Complainant leaving the Respondent shop without receiving services due to the extended wait. Prior to leaving, the Respondent assured the Complainant would not be charged. However, the Complainant was in fact charged for those services, which were not received. The Complainant later disputed the charge with their bank, and the Respondent disputed the claim as a valid charge despite assuring

the Complainant no charges would be made. This is a contract dispute that is outside the scope of department regulatory jurisdiction.

Recommendation: Closure.

Decision: Approved

31. Case No.: COS-2019102831

First License Obtained: 01/05/2017

License Expiration: 01/31/2021

Complaint history: None

This is an anonymous consumer complaint alleging unsanitary conditions. Specifically, alleging that the Respondent used the same brush on multiple customers without cleaning or sanitizing it. Follow-up inspection resulted in a perfect score. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

32. Case No.: COS-2020000341

First License Obtained: 01/08/1999

License Expiration: 01/31/2021

Complaint history: None

This is a consumer complaint alleging unlicensed activity, also referred to in 29—COS-2019102181, 33—COS-2020000371, and 34—COS-2020000301. Follow-up inspection revealed the Respondent was permitting an individual to perform cosmetology services without a license. A notice of violation was issued to the unlicensed individual for unlicensed activity. A notice of violation was also issued to the Respondent shop and the Respondent shop manager for unlicensed activity and responsibilities of owner and manager of a shop. This Respondent is the shop manager.

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

Decision: Approved

33. Case No.: COS-2020000371

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity, also referred to in 32—COS-2019102181, 33—COS-2020000341, and 35—COS-2020000301. Follow-up inspection revealed the Respondent performing cosmetology services without a license. A notice of violation was issued to the Respondent for unlicensed activity. A notice of violation was also issued to the Respondent shop and the Respondent shop manager for unlicensed activity and responsibilities of owner and manager of a shop. This Respondent is the unlicensed individual.

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

Decision: Approved

34. Case No.: COS-2020000301

First License Obtained: 12/23/2016

License Expiration: 12/31/2020

Complaint history: None

This is a consumer complaint alleging unlicensed activity, also referred to in 30—COS-2019102181, 32—COS-2020000341, and 33—COS-2020000371. Follow-up inspection revealed the Respondent performing cosmetology services without a license. A notice of violation was issued to the unlicensed individual for unlicensed activity. A notice of violation was also issued to the Respondent shop and the Respondent shop manager for unlicensed activity and responsibilities of owner and manager of a shop. This Respondent is the shop.

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

Decision: Approved

35. Case No.: COS-2019103121

First License Obtained: 02/29/2000

License Expiration: 09/01/2020

Complaint history: 2011003261, 2011003331, dismissed; 2011007811, close with no further action; 2011031791, close with no action; 2012007401, close with no further action

This is a complaint by a former instructor trainee alleging they were not given access to classes or proper training, as well as alleging the Respondent no longer meets the square footage requirement for a cosmetology school. Further, the Complainant alleges the Respondent school did not submit the Complainant's completed hours, which is subsequently prohibiting the Complainant from completing the testing process. Follow-up inspection resulted in a perfect score, noting that the Respondent school does meet the footage requirement for a cosmetology school. Further, Respondent provided a written statement that the Complainant has indeed completed their instructor trainee program. However, the Complainant's scores are being withheld due to an outstanding debt of \$1,500.00 still owed for the course. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

36. Case No.: COS-2020000961

First License Obtained: 08/29/1995

License Expiration: 08/31/2021

Complaint history: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 37—COS-2020000941. A notice of violation was issued to the Respondent manager. The shop has since renewed their license. This Respondent is the shop manager.

Recommendation: Letter of warning.

Decision: Approved

37. Case No.: COS-2020000941

First License Obtained: 03/11/1996

License Expiration: 09/30/2021

Complaint history: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 36—COS-2020000961. A notice of violation was issued to the Respondent manager. The Respondent shop has since renewed their license. This Respondent is the shop.

Recommendation: Letter of warning.

Decision: Approved

38. Case No.: COS-202000831

First License Obtained: 01/22/1999
License Expiration: 06/30/2020
Complaint history: 2012003541, closed by Consent Order and payment of \$1,000 civil penalty; 2015018171 & 2015020731, closed by Consent Order and payment of \$2,000 civil penalty

This is a consumer complaint alleging unsanitary conditions. Specifically, that the Respondent used the same manicure tools on multiple customers without cleaning or sanitizing it. Further, the Complainant alleges they contracted an infection from receiving services at the Respondent shop. No medical proof was provided to substantiate that the injury was a result of the service. Follow-up inspection revealed multiple issues regarding the Respondent's sanitization protocol. A notice of violation was issued to the Respondent shop for using dirty tools and the foot bath not being properly cleaned. This Respondent is the shop. This is the third violation for unsanitary equipment.

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

Decision: Approved

39. Case No.: COS-2020001101

First License Obtained: 07/05/2019
License Expiration: 06/30/2021
Complaint history: None

This is an anonymous consumer complaint alleging unsanitary conditions. Follow-up inspection revealed multiple unsanitary conditions. The inspector advised the Respondent shop manager of these issues. Upon reinspection the following day, all unsanitary conditions found during the initial inspection had been resolved, and the Respondent shop was issued a near-perfect score. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

40. Case No.: COS-2020001111

First License Obtained: 03/08/2017
License Expiration: 03/31/2021
Complaint history: None

This is a consumer complaint alleging unsanitary conditions. Specifically, alleging that a stylist at the Respondent shop used the same comb on the Complainant that had been used on prior customers without cleaning or sanitizing the comb. The Complainant noted that they advised the stylist about hair being visible on the comb, but the stylist did nothing in response. Follow-up inspection revealed no issues regarding the Respondent shop's sanitization protocol. The particular stylist referenced in the complaint was not working at the time of inspection. The Respondent shop was given a near-perfect inspection score, and the inspector advised the Respondent shop to print and update their posted grade sheet to the most current grade sheet. Further, the inspector also advised that the Respondent shop manager should speak directly with the stylist about the Complainant's issue. The Respondent shop manager agreed to speak with the stylist. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

41. Case No.: COS-2020001551

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity. Specifically, that the Respondent is currently teaching eyelash extension services without the proper licensing, including placing advertisements for these classes on social media. A follow-up inspection was requested. However, the assigned inspector could not locate a physical address for the Respondent to conduct an inspection.

Recommendation: Closure due to unable to locate.

Decision: Approved

42. Case No.: COS-2020002091

First License Obtained: 03/27/2019

License Expiration: 03/31/2021

Complaint history: None

This is a consumer complaint alleging unlicensed activity. Follow-up inspection resulted in a perfect score, with no issues with unlicensed activity as all individuals present in the shop at the time of inspection were properly licensed. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

43. Case No.: COS-2020003451

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity from a residence. Follow-up inspection could not substantiate unlicensed activity, largely due to the Respondent's address listed in the complaint. The inspector visited this address and was advised by someone residing the residence that the Respondent does not reside at this address (a friend of the Respondent owns the resident). A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

44. Case No.: COS-2020003741

First License Obtained: 10/03/2013

License Expiration: 01/31/2021

Complaint history: 2016058721, closure

This is a consumer complaint alleging unlicensed activity. Further, the Complainant alleges receiving minor injuries to the area around their eyes after receiving eyebrow waxing services at the Respondent shop. No medical proof was provided to substantiate that the injury was a result of the service. Follow-up inspection revealed multiple unsanitary conditions. However, the unlicensed activity allegations could not be substantiated. A notice of violation was issued to the shop and the shop manager for hair cuttings not being removed after each customer, responsibilities of owner and manager of shop, as well as valid shop license not displayed. A notice of violation was not issued to this Respondent.

Recommendation: Closure.

Decision: Approved

45. Case No.: COS-2020003771

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

This consumer complaint alleges unlicensed activity from a residence. Follow-up inspection revealed that the Respondent lives out-of-state. Further, according to the inspector, the Complainant has advised their intent to withdraw the complaint altogether. Overall, this complaint is outside the scope of department regulatory jurisdiction as it relates to services provided out-of-state.

Recommendation: Closure.

Decision: Approved

46. Case No.: COS-2020003831

First License Obtained: 02/06/1989
License Expiration: 04/30/2020
Complaint history: None

This is an anonymous consumer complaint alleging unlicensed activity. Follow-up inspection resulted in finding the Respondent performing cosmetology services with an expired cosmetology license. The Respondent admitted to the inspector they were aware their license was currently expired. The Respondent has since renewed their license. A notice of violation was issued to the Respondent shop for persons practicing without a license and shop owner or manager not present. This Respondent is the stylist.

Recommendation: Letter of warning.

Decision: Approve

47. Case No.: COS-2020003431

First License Obtained: 06/12/2019
License Expiration: 06/30/2021
Complaint history: None

This is a consumer complaint alleging that the consumer did not receive the cosmetology services as expected. Specifically, the Complainant expected a *chemical peel*, but was given a less expensive *wrinkle lift*. The Respondent stated that the Complainant paid for a wrinkle lift, not for a more expensive chemical peel. This is a contract dispute among the parties involved that is outside the scope of department regulatory jurisdiction.

Recommendation: Closure.

Decision: Approved

48. Case No.: COS-2019098331

First License Obtained: 05/21/2001
License Expiration: 05/31/2021
Complaint History: None

Pursuant to inspection, the complaint alleges that the Respondent was performing services that were not authorized such as waxing and massage therapy. The Respondent shop is licensed for manicure only. A notice of violation was issued to the Respondent shop and the Respondent shop manager for valid shop license not displayed, for offering or performing services not authorized, and for responsibilities of owner and manager of a shop.

Recommendation: For shop license not displayed—a letter of warning. For offering or performing services not authorized and responsibilities of owner and manager—authorize formal hearing and authorize settlement by consent order with \$1,000.00 civil penalty.

Decision: Approved

49. Case No.: COS-2020000841

First License Obtained: 01/22/1999

License Expiration: 06/30/2020

Complaint History: 2012003541, closed by Consent Order and payment of \$1,000 civil penalty; 2015018171 & 201502731, closed by Consent Order and payment of \$2,000 civil penalty

This is a consumer complaint alleging unsanitary conditions. Specifically, that the Respondent used the same manicure tools on multiple customers without cleaning or sanitizing it. Further, the Complainant alleges that they contracted an infection from receiving services at the Respondent shop. Follow-up inspection revealed multiple issues regarding the Respondent's sanitization protocol. A notice of violation was issued to the Respondent shop for using dirty tools, the foot bath not being properly cleaned, and for responsibilities of owner and manager of a shop. Further, no medical proof was provided to substantiate that the injury was a result of the service. This Respondent is the shop. This is the third violation for unsanitary equipment.

Recommendation: Closure as this is a duplicative complaint with the same NOV. from No. 38.

Decision: Approved

50. Case No.: COS-2020002781

First License Obtained: 05/10/2017

License Expiration: 05/31/2021

Complaint History: None

Pursuant to an inspection, this complaint alleges expired shop license and dirty tools. A notice of violation was issued to the Respondent who is the manager of the shop. The Respondent paid \$500.00 civil penalty but did not send in the signed the Agreed Citation.

Recommendation: Closure with request to Respondent to execute consent order for settlement.

Decision: Approved

51. Case No.: COS-2020003151

First License Obtained: 02/15/2007

License Expiration: 02/28/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 56—COS-2020003171, 52—COS-2020003191, and 118—BAR-2020003101. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop owner, and the notice of violation was issued towards the barber shop license. The cosmetology shop license has since been renewed. The barber shop license is still expired.

Recommendation: Letter of warning.

Decision: Approved

52. Case No.: COS-2020003191

First License Obtained: 02/15/2007
License Expiration: 02/28/2021
Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 51—COS-2020003151, 56—COS-2020003171, and 118—BAR-2020003101. A notice of violation was issued to the Respondent shop and Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop owner, and the notice of violation was issued towards the cosmetology shop license. The cosmetology shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

53. Case No.: COS-2020003351

First License Obtained: 01/12/2001
License Expiration: 01/31/2021
Complaint History: 201601361, closed by Agreed Citation and payment of \$100.00

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in No. 55—COS-2020003311. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop owner. The cosmetology shop license has since been renewed.

Recommendation: Closure as penalty is assessed to the shop in No. 55.

Decision: Approved

54. Case No.: COS-2020002601

First License Obtained: 03/28/2016
License Expiration: 03/31/2020
Complaint History: None

This consumer complaint alleges unlicensed activity. Follow-up inspection revealed no unlicensed activity. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

55. Case No.: COS-2020003311

First License Obtained: 07/31/2015
License Expiration: 06/30/2021
Complaint History: 201601359, closed by Agreed Citation and payment of \$100 civil penalty; closed by Consent Order and payment of \$2,600 civil penalty; 2018040601, closure

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 53—COS-2020003351. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop. The cosmetology shop license has since been renewed.

Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$500.00 civil penalty as this is the second offense.

Decision: Approved

56. Case No.: COS-2020003171

First License Obtained: 06/13/2017

License Expiration: 06/30/2021

Complaint History: None

Pursuant to inspection this complaint alleges an expired shop and responsibilities of owner and manager of shop, also referred to in 51—COS-2020003151, 52—COS-2020003191, and 118—BAR-2020003101. A notice of violation was issued. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop owner, and the notice of violation was issued towards the barber shop license. The cosmetology shop license has since been renewed. The barber shop license is still expired. The Respondent paid the \$100.00 civil penalty, but we are still waiting on signed Agreed Citation.

Recommendation: Closure with request to Respondent to execute consent order for settlement.

Decision: Approved

57. Case No.: COS-2020003841

First License Obtained: 06/18/2018

License Expiration: 05/31/2020

Complaint History: None

Pursuant to inspection, Respondent was found to have moved locations without requesting a change of address from the Board, also referred to in 85—COS-2020013771. Here, the Respondent switched suites located in the same building. The inspector issued only a warning at this time, warning the Respondent that a change of location form must be filed with the Board, or a notice of violation may be issued during a return inspection. A notice of violation was not issued at this time. No other violations were found. The Respondent told the inspector they would submit a change of location form online. However, the Respondent still had not submitted the change of location form as promised when the inspector returned for the follow-up inspection at issue in 85—COS-2020013771.

Recommendation: Letter of instruction.

Decision: Approved

58. Case No.: COS-2020004331

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This is an anonymous consumer complaint alleging unlicensed activity. Follow-up inspection was attempted but the inspector was unable to locate the Respondent. Placing a flag on the Respondent may be warranted in the event allegations of unlicensed activity arise in the future.

Recommendation: Close and flag.

Decision: Approved

59. Case No.: COS-2020005961

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This consumer complaint alleges unlicensed activity, including advertising for cosmetology services on social media. Follow-up inspection was attempted but the inspector was unable to

locate the Respondent. Placing a flag on the Respondent may be warranted in the event allegations of unlicensed activity arise in the future.

Recommendation: Close and flag.

Decision: Approved

60. Case No.: COS-2020006281

First License Obtained: 10/12/2010

License Expiration: 10/31/2020

Complaint History: 2014015781, closed by an Agreed Order and payment of \$2,000 civil penalty and \$200 costs

Pursuant to inspection, this complaint alleges an expired shop license. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. This Respondent is the shop manager. The cosmetology shop license has since been renewed.

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

Decision: Approved

61. Case No.: COS-2020006551

First License Obtained: 05/30/1979

License Expiration: 08/31/2020

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 62—COS-2020006531. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. This Respondent is the shop manager. The cosmetology license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

62. Case No.: COS-2020006531

First License Obtained: 07/07/1981

License Expiration: 10/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 61—COS-2020006551. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. This Respondent is the shop owner/manager. The cosmetology shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

63. Case No.: COS- 2020006411

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This consumer complaint alleges unlicensed activity from a residence, including advertising for services on social media. Follow-up investigation resulted in the investigator speaking with the Respondent, advising them that they may need to register with the Board as a braider and may also

need to obtain a shop license for other services she appears to be offering on social media. The Respondent acknowledged the investigator's advice. No notice of violation was issued.

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

Decision: Approved

64. Case No.: COS-2020007261

First License Obtained: 01/13/2016

License Expiration: 09/01/2019

Complaint history: 2016064021, Closure. contract discloses overage rates; 2016048961, Closure. Contract fully discloses overage rates. Records reflect student's low attendance records resulting in the overage hours and multiple attempts by the school to encourage the student to increase attendance, which would have resulted in a smaller overage; 2017022241; closure; 2017056441, Letter of Warning; 2018052571, closure; 2018068021, Closure

This is a complaint from a former student alleging that the Respondent school failed to submit hours so that the complainant may proceed with exams. Research suggests that the Respondent school closed permanently in 2018.

Recommendation: Closure.

Decision: Approved

65. Case No.: COS- 2020008021

First License Obtained: 04/28/2011

License Expiration: 04/30/2021

Complaint History: 201802369, closed by Agreed Citation and payment of \$100.00 civil penalty

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 67—COS-2020008001, 68—COS-2020008041, and 66—COS-2020008061. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the shop manager. The skin care shop license is still expired. The manicure shop license has since been renewed.

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

Decision: Approved

66. Case No.: COS-2020008061

First License Obtained: 04/28/2011

License Expiration: 04/30/2021

Complaint History: 201802369, closed by Agreed Citation and payment of \$100.00 civil penalty

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 67—COS-2020008001, 65—COS-2020008021, and 68—COS-2020008041. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the shop manager. The skin care shop license is still expired. The manicure shop license has since been renewed.

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

Decision: Approved

67. Case No.: COS-2020008001

First License Obtained: 12/23/2015

License Expiration: 12/31/2019

Complaint History: 201802170, closed by Agreed Citation and payment of \$100.00 civil penalty

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 65—COS-2020008021, 68—COS-2020008041, and 66—COS-2020008061. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the skin care shop. The skin care shop license at issue here is still expired. The manicure shop license has since been renewed.

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

Decision: Approved

68. Case No.: COS-2020008041

First License Obtained: 12/23/2015

License Expiration: 12/31/2021

Complaint History: 201703591, closed by Agreed Citation and payment of \$500.00 civil penalty and Letter of Warning

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 67—COS-2020008001, 65—COS-2020008021, and 66—COS-2020008061. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the skin care shop. The skin care shop license at issue here is still expired. The manicure shop license has since been renewed.

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

Decision: Approved

69. Case No.: COS- 2020008611

First License Obtained: 05/01/2017

License Expiration: 08/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the shop. The cosmetology shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

70. Case No.: COS-2020008811

First License Obtained: 01/25/2013

License Expiration: 03/31/2020

Complaint History: None

This consumer complaint alleges unlicensed activity. Follow-up inspection revealed no unlicensed activity. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

71. Case No.: COS- 2020008421

First License Obtained: 01/16/1997

License Expiration: 09/01/2020

Complaint History: 2010001851, close with no action

This anonymous consumer complaint alleges a money laundering scam involving tuition and hours. Follow-up inspection revealed no violations. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

72. Case No.: COS- 2020009291

First License Obtained: 03/28/2011

License Expiration: 09/01/2020

Complaint History: 2005031451, Dismissed; 2007072001, closed w/ no action; 2008005821, closed w/ no action; 2009005931, closed by Consent Order and payment of \$500 civil penalty; 2009014871, closed w/no action; 2009017981, closed with no action; 201002721, closed with no action; 2010023711, closed with a cease and desist letter; 2010029471, dismissed; 2012009831, closed with a request for an inspection; 2012025221, closed with no action; 2014019121, closed with a Letter of Warning; 2015019931, closed and sent an inspector to evaluate sanitation; 2018043371, closure; 2018078111, closure

This is a complaint from a current student alleging that the Respondent school is improperly withholding financial aid from its students and not providing students with proper equipment needed to complete assigned coursework, also referred to in 82—COS-2020011861. The Respondent stated that the Complainant did not contact school administrators prior to filing this complaint. Further, the Respondent provided documentation to show that a balance is not currently due for the Respondent.

Recommendation: Close.

Decision: Approved

73. Case No.: COS-2020009461

First License Obtained: 11/15/2019

License Expiration: 11/30/2021

Complaint History: None

This consumer complaint alleges the Respondent provided inadequate services, and the Complainant seeks a refund of payment. Seeking a refund for allegedly inadequate services is outside department jurisdiction.

Recommendation: Closure.

Decision: Approved

74. Case No.: COS-2020009661

First License Obtained: 11/15/2019

License Expiration: 11/30/2021

Complaint History: None

This complaint by a former employee alleges that the Respondent shop owner has been using Complainant's cosmetology license number as their own. Follow-up inspection revealed no unlicensed activity. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

75. Case No.: COS-2020009811

First License Obtained: 04/03/2017

License Expiration: 01/31/2021

Complaint History: None

This consumer complaint alleges that the Respondent used an banned substance during the provided services. Follow-up inspection revealed no use of banned substances. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

76. Case No.: COS-2020010941

First License Obtained: 01/02/2019

License Expiration: 01/31/2021

Complaint History: None

This complaint by a former employee alleges that the Respondent engages in fraudulent activity, as well as alleges unsanitary conditions of the Respondent shop. Respondent denied both allegations. As for the allegation regarding fraudulent activity, the Respondent stated it was the Complainant who engaged in fraudulent activity (by creating false memberships to earn a commission). Neither party provided proof to substantiate an allegation of fraudulent activity. As for the allegation regarding unsanitary conditions, the Complainant provided photos of what appeared to be unsanitary workstations. The Respondent denied this, stating they follow proper sanitation protocol.

Recommendation: Closure

Decision: Approved

77. Case No.: COS-2020010431

First License Obtained: 06/16/2017

License Expiration: 06/30/2021

Complaint History: None

This consumer complaint received in February 2020 which alleges rude behavior, unsanitary conditions, and an injury to the skin around the nail due to the Respondent's services. The Respondent denied the allegations. The Respondent also stated that the employee whom provided the services at issue in this complaint no longer works for the Respondent shop. Further, no medical proof was provided to substantiate that the injury was a result of the service.

Recommendation: Closure. Last inspection was on March 3, 2020.

Decision: Approved

78. Case No.: COS-2020011391

First License Obtained: N/A
License Expiration: N/A
Complaint History: None

This consumer complaint alleges that the Respondent was conducting unlicensed activity from her residence, also referred to in 86—COS-2020013471. Respondent is a former cosmetology student whom withdrew from courses prior to completing course requirements for becoming a licensed cosmetologist. Follow-up inspection resulted in the inspectors being unable to locate or make direct contact with the Respondent. Placing a flag on the Respondent may be warranted in the event allegations of unlicensed activity arise in the future.

Recommendation: Close and flag.

Decision: Approved

79. Case No.: COS-2020012261

First License Obtained: 06/23/2017
License Expiration: 04/30/2021
Complaint History: None

This complaint by a former employee alleges unlicensed activity and wrongful termination. Follow-up inspection revealed no illegal activity. A notice of violation was not issued. Further, the wrongful termination allegation is outside department jurisdiction.

Recommendation: Closure.

Decision: Approved

80. Case No.: COS- 2020012161

First License Obtained: 04/26/1999
License Expiration: 04/30/2021
Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 81—COS-2020012141. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop owner/manager. The shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

81. Case No.: COS- 2020012141

First License Obtained: 09/29/2017
License Expiration: 09/30/2021
Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 80—COS-2020012161. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop. The shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

82. Case No.: COS-2020011861

First License Obtained: 03/28/2011
License Expiration: 09/01/2020

Complaint History:

2005031451, Dismissed; 2007072001, closed w/ no action; 2008005821, closed w/ no action; 2009005931, closed by Consent Order and payment of \$500 civil penalty; 2009014871, closed w/no action; 2009017981, closed with no action; 201002721, closed with no action; 2010023711, closed with a cease and desist letter; 2010029471, dismissed; 2012009831, closed with a request for an inspection; 2012025221, closed with no action; 2014019121, closed with a Letter of Warning; 2015019931, closed and sent an inspector to evaluate sanitation; 2018043371, closure; 2018078111, closure

This is a complaint from a current student alleging that the Respondent school is improperly withholding financial aid from its students and not providing students with proper equipment needed to complete assigned coursework, also referred to in 72—COS-2020009291. The Respondent stated that the Complainant did not contact school administrators prior to filing this complaint. Further, the Respondent provided documentation to show that a balance is not currently due for the Respondent.

Recommendation: Close.

Decision: Approved

83. Case No.: COS-2020012871

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This is a consumer complaint alleging the Respondent is a cosmetology student operating an unlicensed cosmetology shop from their residence. Respondent stated that the Complainant is an ex-spouse whom filed the complaint in retribution for court ordered child support. The Respondent is a former cosmetology student forced to withdraw due to a medical condition, also providing the inspector with supporting documentation which included an enrollment agreement and a list of those whom she has provided services to (all of whom appear to be family and close friends). Respondent also stated that they only provide services for family and close friends without charge. Further, the inspector was not able to contact the Complainant for further information, despite numerous attempts through both phone calls and text messages.

Recommendation: Closure.

Decision: Approved

84. Case No.: COS- 2020013281

First License Obtained: 09/11/2002

License Expiration: 10/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop. The shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

85. Case No.: COS-2020013771

First License Obtained: 06/18/2018
License Expiration: 05/31/2020
Complaint History: None

Pursuant to inspection, Respondent was found to have moved locations without requesting a change of address from the Board, also referred to in 57—COS-2020003841. Here, the Respondent switched suites located in the same building. During the initial inspection referred to in 57—COS-2020003841, the inspector issued only a warning, warning the Respondent that a change of location form must be filed with the Board, or a notice of violation may be issued during a return inspection. No other violations were found. The Respondent told the inspector that they would submit a change of location form online. However, the Respondent still had not submitted the change of location form as promised when the inspector returned for the follow-up inspection at issue here. At this time, a notice of violation was issued to the Respondent shop. No other violations were found.

Recommendation: Letter of instruction.

Decision: Approved

86. Case No.: COS-2020013471

First License Obtained: 12/08/2006
License Expiration: 09/01/2020
Complaint History: 2007054751, Dismissed; 2007064711, closed with a letter of warning; 2009018991 closed with no further action; 2009020141, closed with no action; 2009022401 closed with no action; 2010009261, closed with no action; 2010016101, closed with no action; 2012016541 closed by consent order and \$500 civil penalty 2016067441, closed; 2017015651, closure; 2017066681, closure

This complaint from a former student alleges discrimination, also referred to in 78—COS-2020011391. Complainant is a former cosmetology student whom withdrew from courses prior to completing course requirements for becoming a licensed cosmetologist. The Respondent denies the allegation, stating that the Complainant was involved in an altercation at the Respondent school which led to the Complainant's suspension, then ultimately the Complainant's withdraw from courses on their own accord. The Respondent provided documentation to support their position. Follow-up inspection resulted in the inspectors being unable to locate or make direct contact with the Complainant.

Recommendation: Closure.

Decision: Approved

87. Case No.: COS-2020014421

First License Obtained: 03/08/2012
License Expiration: 03/31/2016
Complaint History: None

Pursuant to inspection, this complaint alleges an expired individual license and shop owner or manager not present, also referred to in 88—COS-2020014231. A notice of violation was issued to the Respondent shop and the Respondent as an individual for practicing with an expired license. The Respondent shop's license was not expired at the time of inspection and is still current. This

Respondent is the individual practicing with an expired license. The Respondent individual's license at issue here is still expired.

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

Decision: Approved

88. Case No.: COS-2020014231

First License Obtained: 04/13/2015

License Expiration: 03/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired license and shop owner or manager not present, also referred to in 87—COS-2020014421. A notice of violation was issued to the Respondent shop and the Respondent as an individual for practicing with an expired license. The Respondent shop's license was not expired at the time of inspection and is still current. This Respondent is the shop. The Respondent individual's license is still expired.

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

Decision: Approved

89 Case No.: COS-2020013991

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This is a consumer complaint alleging the Respondent is a cosmetology student operating an unlicensed cosmetology shop from their residence without a license, including advertising for services on social media. Respondent stated that they are a cosmetology student providing services, however, they only provide services for family and close friends and without charge. Follow-up inspection revealed that no person with the name of the Respondent lives at the residence listed in the complaint. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

90 Case No.: COS-2020015131

First License Obtained: 10/24/1989

License Expiration: 10/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 91—COS-2020015101. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the shop manager. The cosmetology shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

91 Case No.: COS-2020015101

First License Obtained: 05/24/2007

License Expiration: 05/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, also referred to in 90—COS-2020015131. A notice of violation was issued to the Respondent shop and the Respondent shop manager for expired shop license and for responsibilities of owner/manager. Here, the Respondent is the shop. The cosmetology shop license has since been renewed.

Recommendation: Letter of warning.

Decision: Approved

92 Case No.: COS-2020015031

First License Obtained: 05/23/2013

License Expiration: 04/30/2021

Complaint History: None

This is a consumer complaint alleging that Complainant contracted an infection from receiving services at the Respondent shop. The Respondent stated that prior to providing services they advised the Complainant that there appeared to be an issue with Complainant's eye. The Complainant denied having an eye issue and chose to move forward with services which were completed in full. Follow-up inspection revealed proper sanitation procedure and no violation was found. A notice of violation was not issued. Further, no medical proof was provided to substantiate that the injury was a result of the service.

Recommendation: Closure.

Decision: Approved

93 Case No.: COS-2020015431

First License Obtained: 09/23/2005

License Expiration: 09/30/2021

Complaint History: None

This is a consumer complaint alleging improperly done coloring services which damaged the Complainant's hair. The Respondent denies the allegations, stating that the Complainant used a home chemical coloring on their own hair prior to their appointment with the Respondent which likely accelerated any damage that may have occurred.

Recommendation: Closure.

Decision: Approved

94 Case No.: COS- 2020015911

First License Obtained: 01/03/2008

License Expiration: 01/31/2022

Complaint History: None

This consumer complaint alleges that the Respondent was conducting unlicensed activity from their residence. Follow-up inspection revealed no unlicensed activity being conducted at the address listed in the complaint. The Respondent produced a copy of their current cosmetology license and stated only the Respondent and their spouse reside at the residence, with no services of any kind being performed there. Further, the Respondent stated they are aware that a license is required to operate a shop out of their residence.

Recommendation: Closure.

Decision: Approved

95 Case No.: COS- 2020015801

First License Obtained: 04/03/2017

License Expiration: 04/30/2021

Complaint History: None

This anonymous consumer complaint alleges unlicensed activity and unsanitary conditions. Follow-up inspection revealed no unlicensed activity, and that the Respondent shop possessed all equipment required to properly run the shop and utilized proper sterilization materials and procedure. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

96 Case No.: COS-2020015871

First License Obtained: 03/10/2020

License Expiration: 02/28/2022

Complaint History: None

This anonymous consumer complaint alleges unlicensed activity. Follow-up inspection revealed no unlicensed activity. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

97 Case No.: COS-2020016191

First License Obtained: 07/03/2018

License Expiration: 07/31/2020

Complaint History: None

This consumer complaint alleges unlicensed activity, including advertising for microblading services on social media. Follow-up inspection resulted in the Respondent producing their tattoo artist license issued by the Tennessee Department of Health. Here, the Respondent is licensed to perform microblading as a licensed tattoo artist under Tenn. Code Ann. § 62-38-204 which puts this complaint outside the jurisdiction of the Board.

Recommendation: Closure.

Decision: Approved

98 Case No.: COS-2020016271

First License Obtained: 12/10/1999

License Expiration: 01/31/2021

Complaint History: 200502422, closed by Consent Order and payment of \$300.00 civil penalty; 200502272, closed by Consent Order and payment of \$300.00 civil penalty; 2010019351, closed by Consent Order and payment of \$1,000 civil penalty; 2011025511, closed by Consent Order and payment of \$3,000 civil penalty; 2018045371, close and flag for re-inspection

This is a consumer complaint alleging unsanitary conditions. Further, the Complainant alleges they suffered an injury from receiving services at the Respondent shop. Follow-up inspection revealed only minor issues with sanitation. A notice of violation was not issued. Further, no medical proof was provided to substantiate that the injury was a result of the service.

Recommendation: Closure.

Decision: Approved

99 Case No.: COS-2020016281

First License Obtained: 06/08/2004

License Expiration: 03/31/2021
Complaint History: 201702342, closed by Agreed Citation and payment of \$100.00 civil penalty

This consumer complaint alleges illegal activity regarding “fake purses” being sold and unsanitary conditions. Follow-up inspection revealed no illegal activity, and that the Respondent shop possessed all equipment required to properly run the shop and utilized proper sterilization materials and procedure. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

100 Case No.: COS-2020016421

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This anonymous consumer complaint alleges unlicensed activity, including advertising on social media. Follow-up investigation resulted in the inspectors being unable to locate or make direct contact with the Respondent. Placing a flag on the Respondent may be warranted in the event allegations of unlicensed activity arise in the future.

Recommendation: Close and flag.

Decision: Approved

101 Case No.: COS-2020016451

First License Obtained: N/A

License Expiration: N/A

Complaint History: None

This is a consumer complaint alleging unlicensed activity. Further, the Complainant alleges they contracted an infection from receiving services at the Respondent shop. Follow-up investigation resulted in the inspectors being unable to locate or make direct contact with the Respondent. Further, no medical proof was provided to substantiate that the injury was a result of the service. Placing a flag on the Respondent may be warranted in the event allegations of unlicensed activity arise in the future.

Recommendation: Close and flag.

Decision: Approved

102 Case No.: COS-2020016631

First License Obtained: 01/28/2019

License Expiration: 01/31/2021

Complaint History: None

This administrative complaint alleges that the Respondent has not contacted a field inspector for annual inspection as required under Tenn. Code Ann. § 62-4-118(i). The only contact made with the Respondent was when the Respondent left a voicemail message for the field inspector in response to receiving the initial notice to contact the field inspector for annual inspection. Despite numerous attempts to return the Respondent’s phone call, the inspector was not able to contact the Respondent to schedule an inspection time or date. A final notice was sent to the Respondent on January 27, 2020.

Recommendation: Letter of instruction to cooperate with inspector within 30 days. Failure to cooperate will result in authorization for formal hearing with request for suspension of license.

Decision: Approved

103 Case No.: COS-2020017711

First License Obtained: 03/26/2008

License Expiration: 03/31/2022

Complaint History: None

Pursuant to inspection, this complaint alleges an expired shop license, valid individual license not displayed, inspection sheet not displayed, and responsibilities of owner and manager of shop. A notice of violation for each offense was issued to the Respondent shop and the Respondent shop manager. This Respondent is the shop manager whose license was not expired at the time of inspection and is still current. The cosmetology shop license has since been renewed. Further, the Respondent requested leniency stating that this inspection occurred just prior to the pandemic as the shop was under immense pressure to close which created some disarray in the shop environment at the time.

Recommendation: Letter of warning.

Decision: Approved

104 Case No.: COS-2020017011

First License Obtained: 12/23/2015

License Expiration: 12/31/2021

Complaint History: 201703591, closed by Agreed Citation and payment of \$500.00 civil penalty and Letter of Warning

This is a consumer complaint alleges unsanitary conditions and an unsatisfactory pedicure service. Follow-up inspection revealed that the shop dusty in places and the floors could use some attention, but overall the shop was satisfactory, according to the inspector. A notice of violation was not issued.

Recommendation: Closure

Decision: Approved

105 Case No.: COS-2020019701

First License Obtained: 08/04/2017

License Expiration: 07/31/2021

Complaint History: None

Pursuant to inspection, this complaint alleges unlicensed activity also referred to in 106—COS-2020022901. A notice of violation was issued to the Respondent shop and the Respondent shop owner. The individual who was practicing without a license does not live in the state of Tennessee. This Respondent is the shop. The Respondent disputes the NOV stating that the unlicensed person was a potential employee and was demonstrating skills at no charge and is not employed at the salon.

Recommendation: Letter of warning.

Decision: Approved

106 Case No.: COS-2020022901

First License Obtained: 11/01/2002

License Expiration: 10/31/2020

Complaint History: None

Pursuant to inspection, this complaint alleges unlicensed activity also referred to in 105—COS-2020019701. A notice of violation was issued to the Respondent shop and the Respondent shop

owner. The individual practicing without a license does not live in the state of Tennessee. This Respondent is the shop owner. The Respondent disputes the NOV stating that the unlicensed person was a potential employee and was demonstrating skills at no charge and is not employed at the salon.

Recommendation: Letter of warning.

Decision: Approved

107 Case No.: COS-2020025221

First License Obtained: 04/16/2004

License Expiration: 04/30/2020

Complaint History: None

This consumer complaint alleges that the Respondent shop remained open for business after the close-contact businesses were required to close in order to mitigate the spread of COVID-19. This complaint stems from a social media post which appears to show the Respondent advertising for services during the timeframe when close-contact businesses were ordered to remain closed. The Respondent stated that this social media post was made during the timeframe when closure was optional and was mistakenly not removed from Complainant's social media when closure was required. Further, the Complainant contacted the Board requesting to withdraw their complaint.

Recommendation: Closure due to complainant seeking to withdraw the complaint.

Decision: Approved

108 Case No.: COS-2020035921

First License Obtained: 03/06/2014

License Expiration: 08/31/2021

Complaint History: 2017070731, closure

This is a consumer complaint alleges that the Respondent shop continued to offer facial treatments and fillers during the COVID-19 pandemic. The Complainant submitted a written statement stating that she never submitted such complaint and that all the claims in the complaint are fraudulent, and that someone has falsely used her identity to submit the complaint.

Recommendation: Closure

Decision: Approved

BARBER CASES

109 Case No.: BAR-2019094561

First License Obtained: 12/30/2014

License Expiration: 12/29/2020

Complaint history: None

This is a complaint from a former student alleging the Respondent school did not issue a correct tuition refund after the Complainant's withdrawal from the program. The Respondent school denies the allegation and provided supporting documentation. According to the Respondent school, the Complainant owes a balance which must be paid prior to the Complainant's completed hours being released. Further, this is a contract dispute among the parties involved that is outside the scope of department regulatory jurisdiction.

Recommendation: Closure.

Decision: Approved

110 Case No.: BAR-2019095531

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This is a consumer complaint alleging unlicensed activity. Specifically, the complaint alleges the Respondent shop lacks any signage with contact information or hours of operation and otherwise appears to be operating a shop without a license. Follow-up inspection resulted in the inspector having a conversation with the Respondent shop owner. According to the Respondent, this shop is not currently in business, and is currently being renovated from a beauty salon into a barber shop. The Respondent further advised they are currently seeking approval from the state Health Department and will apply with the Cosmetology and Barber Board after earning approval. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

111 Case No.: BAR-2019095821

First License Obtained: 07/07/2011

License Expiration: 03/31/2020

Complaint history: 20130038361, dismissed; 2017038031, closed by Consent Order and payment of \$1,000 civil penalty

This is a complaint from a former student alleging improper conduct by the Respondent school. Specifically, the Complainant alleges the Respondent school attempted to force the Complainant to sign a form they did not want to sign. According to the Respondent, the form that the Complainant was asked to sign is a standard form from the U.S. Department of Education. The form requires an institution, such as the Respondent school, to obtain authorization from a student before any Title IV funds can be provided to the student to pay for any charges other than tuition, fees, room, and board. Here, the Complainant was required to sign the form if they wanted the funds to pay for those other charges. Without the Complainant's signature on the form, the Complainant would be required to pay out-of-pocket for textbooks, clinic supplies, and student kit. The Respondent has attempted, but has not been able to contact the Complainant to explain the form and its purpose. Further, the Respondent stated that the Complainant has failed to show for classes or meetings scheduled.

Recommendation: Closure.

Decision: Approved

112 Case No.: BAR-2019099431

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

Pursuant to inspection this is a complaint alleging unlicensed activity. The inspector entered the shop to find the Respondent shop open to the public without a license. A notice of violation was issued to the Respondent shop.

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

Decision: Approved

113 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 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

114 Case No.: BAR-2019101941

First License Obtained: 10/11/2017

License Expiration: 09/30/2021

Complaint history: None

This a complaint by a former employee of the Respondent shop alleging unsanitary conditions. Follow-up inspection resulted in a perfect score. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

115 Case No.: BAR-2019102231

First License Obtained: 06/28/2004

License Expiration: 06/30/2020

Complaint history: None

This is a consumer complaint alleging unlicensed activity, also referred to in 112—BAR-2019100431, 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 manager.

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

Decision: Approved

116 Case No.: BAR-2019102261

First License Obtained: 01/23/2020

License Expiration: 01/31/2022

Complaint history: None

This is a consumer complaint alleging unlicensed activity, also referred to in 112—BAR-2019100431, 115—BAR-2019102231, 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 one of the unlicensed individuals.

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

Decision: Approved

117 Case No.: BAR-2020001051

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

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. This Respondent is one of the unlicensed individuals.

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

Decision: Approved

118 Case No.: BAR-2020002051

First License Obtained: 01/26/2018

License Expiration: 01/31/2020

Complaint history: None

This is an anonymous consumer complaint alleging unlicensed activity, unsanitary conditions, as well as unprofessional behavior in the form of foul language being used in the presence of children. Follow-up inspection resulted in a perfect score, and the inspector did not observe unlicensed activity, unsanitary conditions, nor unprofessional behavior as alleged.

Recommendation: Closure.

Decision: Approved

119 Case No.: BAR-2020003101

First License Obtained: 06/13/2017

License Expiration: 06/30/2019

Complaint History: None

Pursuant to inspection this complaint alleges an expired shop and responsibilities of owner and manager of shop, also referred to in 51—COS-2020003151, 56—COS-2020003171, and 52—COS-2020003191. A notice of violation was issued to the Respondent shop and the Respondent shop owner for expired shop license and for responsibilities of owner/manager. This Respondent is the shop, and the notice of violation was issued towards the barber shop license. The cosmetology shop license has since been renewed. The barber shop license is still expired.

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

Decision: Approved

120 Case No.: BAR-2020004321

First License Obtained: 11/17/2000

License Expiration: 11/30/2020

Complaint History: None

This consumer complaint alleges unlicensed activity, including advertising for cosmetology services on social media. Specifically, the Complainant alleges that the Respondent allows their minor age child to provide unlicensed services from the Respondent shop, as well as from their residence. The inspector contacted the Respondent to discuss the allegations in the complaint, as well as to conduct an annual inspection. The Respondent stated that they have a child whom provides services to their friends (also minors) on occasion, but the Respondent stated that the child was not allowed to charge for those services nor to post anything on social media regarding prices or services. Further, the Respondent stated that if their child was charging for services or posting on social media, then they will address that issue, and it will not happen again. The inspector advised the Respondent that the child will need to be licensed in order to provide those services, and if services were being provided out of the residence, then a shop license will be required for that facility. The Respondent stated that they understood, and that there would not be another issue with this matter.

Recommendation: Closure.

Decision: Approved

121 Case No.: BAR-2020004981

First License Obtained: N/A

License Expiration: N/A

**Complaint History: 2020003081, closed by Consent Order and \$1,000
civil penalty to be paid via payment plan**

This consumer complaint alleges unlicensed activity. During the follow-up inspection the inspectors were unable to locate the Respondent shop from the information provided by Complainant.

Recommendation: Closure.

Decision: Approved

122 Case No.: BAR-2020008231

First License Obtained: 04/28/2008

License Expiration: 12/19/2020

Complaint History: 2013007941, dismissed

Pursuant to inspection, this complaint alleges that the Respondent school is allowing apprenticeship students to work in the shop without maintaining proper logbooks. The Respondent denied the allegations. Further, the Respondent stated that each apprentice is given a logbook, nametag, and is informed of the Tennessee barber laws. The Respondent also provided supporting documentation including photos of a logbook and name tag as examples to demonstrate that these items are provided to each apprentice).

Recommendation: Closure.

Decision: Letter of Instruction.

123 Case No.: BAR-2020009931

First License Obtained: N/A
License Expiration: N/A
Complaint History: None

Pursuant to inspection, this complaint alleges an unlicensed activity, also referred to in 124—BAR-2020009901. A notice of violation was issued to the unlicensed individual for practicing without a license.

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

Decision: Approved

124 Case No.: BAR-2020009901

First License Obtained: 11/28/2018
License Expiration: 11/30/2020
Complaint History: None

Pursuant to inspection, this complaint alleges an unlicensed activity, also referred to in 123—BAR-2020009931. A notice of violation was issued to the Respondent shop for shop owner or manager not present and for a person practicing without a license.

Recommendation: Authorize formal hearing. Authorize settlement by consent order with \$1,500.00 civil penalty.

Decision: Approved

125 Case No.: BAR-2020009751

First License Obtained: N/A
License Expiration: N/A
Complaint History: None

This consumer complaint alleges unlicensed activity. Follow-up inspection revealed no unlicensed activity and resulted in a perfect score. A notice of violation was not issued.

Recommendation: Closure.

Decision: Approved

126 Case No.: BAR-2020018441

First License Obtained: 08/12/2014
License Expiration: 08/31/2020
Complaint History: 2016026211, closed by Consent Order and payment of \$50.00 civil penalty

Pursuant to inspection, a notice of violation was issued to the Respondent shop for no shop manager present and for a person practicing with an expired license. The person's individual's license has been renewed on the same day of the inspection. The owner submitted a written statement stating he was present in the shop during the inspection.

Recommendation: Letter of warning.

Decision: Approved

REPRESENTS

127 Case No.: COS-2018039401

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

This matter was previously presented to the Board at its October 1, 2018 meeting as follows: Pursuant to inspection, this salon was found to be operating without a license. The owner was found in the shop providing services without a license as same had expired in 2013 and appears to have been altered to appear to be current.

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

Decision: *Approved.*

Update: Board records indicate that the shop is now closed and no longer in business.

New Recommendation: Closure

Decision: Approved

128 Case No.: BAR-2018042231

First License Obtained: 10/02/2006

License Expiration: 09/30/2018

Complaint history: 2013007441, closed by Amended Consent Order and payment of \$500.00 civil penalty; 2016006361, closed by Consent Order and payment of \$125.00 civil penalty

This matter was previously presented to the Board at its November 5, 2018 meeting as follows: Pursuant to an inspection on June 25, 2018, the Respondent's barber shop was allowing an individual to provide barbering services to a client with an altered expiration date of the individual's posted master barber license which had been expired since August 31, 2013. Additionally, no licensed shop manager was present in the shop.

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

Decision: *Approved.*

Update: Board records indicate that the shop is now closed and no longer is business.

New Recommendation: Closure

Decision: Approved

129 Case No.: BAR-2018034871

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

130 Case No.: BAR-2018036601

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

These matters were previously presented to the Board at its October 1, 2018 meeting as follows: These complaints are filed on behalf of the shop and the owner. Pursuant to inspection, the shop was found to be open and providing services through its owner who is also unlicensed.

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

Decision: *Approved.*

Update: Board records indicate that the shop is now closed and no longer in business. No additional complaints have been received against the shop or the owner.

New Recommendation: Closure

Decision: Approved

131 Case No.: BAR-2018048491

First License Obtained: 12/31/2019
License Expiration: 12/31/2021
Complaint history: 201706094, closed by Agreed Citation and payment of \$1,000 civil penalty

132 Case No.: BAR-2018051111

First License Obtained: N/A
License Expiration: N/A
Complaint history: 201706097, closed by Agreed Citation and payment of \$1,000 civil penalty

These matters were previously presented to the Board at its November 5, 2018 meeting as follows:
This is a consumer complaint alleging unlicensed activity. Based on the complaint, an inspection was performed and found that both the shop and the owner to be operating and providing barbering services without having valid a shop license and a valid master barber license.

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

Decision: Approved.

Update: Board records indicate that the shop is now closed and no longer in business, and the Respondent shop's owner has been now a licensed master barber. No additional complaints have been received against the shop or the owner.

New Recommendation: Closure

Decision: Approved

133 Case No.: COS-2018062051

First License Obtained: 04/19/2006
License Expiration: 04/30/2018
Complaint history: None

This matter was previously presented to the Board at its December 10, 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: Board records indicate that the shop is now closed and no longer in business.

New Recommendation: Closure

Decision: Approved

134. Case No.: BAR- 2018074881

First License Obtained: 05/25/2010
License Expiration: 05/31/2016
Complaint history: 2014012641, closed with request for inspection;
2016914651, closed by an Amended Consent Order and payment of \$3,000 civil penalty

This matter was previously presented to the Board at its January 28, 2019 meeting as follows:
Pursuant to inspection, the shop license was found to be expired and one individual was found to be providing services without a license. No manager was present at the time of inspection.

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

Decision: *Approved*

Update: Board records indicate that the shop is now closed and no longer in business.

New Recommendation: Closure

Decision: Approved

135. Case No.: COS-2019037801

First License Obtained: 07/28/2009

License Expiration: 08/31/2018

Complaint history: None

This matter was previously presented to the Board at its August 5, 2019 meeting as follows: *This shop has failed to contact the board regarding scheduling an inspection and the shop license is expired.*

Recommendation: *Authorize formal hearing. Authorize settlement by consent order with \$100.00 civil penalty and agree to schedule inspection.*

Decision: *Approved*

Update: Board records indicate that the shop is now closed and no longer in business.

New Recommendation: Closure

Decision: Approved

136. Case No.: BAR-2018079551

First License Obtained: 03/29/2011

License Expiration: 03/28/2018

Complaint history: 2012016351, close and flag; 2014002001, dismissed; 2014016451 & 2016024761, closed by an Agreed Order

payment plan for a civil penalty of \$2,000 and \$200.00 filing costs – Respondent failed to comply with the terms of the Agreed Order by failing to timely remit the payments as required by the Order. As a result, Respondent’s school license was suspended on July 17, 2017 and subsequently was revoked on January 11, 2018. Subsequent to the revocation of the Respondent’s school license, on February 9, 2018 the Respondent remitted the remaining balance of civil penalty and costs in full.

137. Case No.: BAR-2018079661

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 complaint was opened administratively due to the Respondent submitting hours for students after the time that the school’s license was revoked. Specifically, the school’s license was revoked in January 2018. The school submitted hours for students during the months of February, April, May, and June 2018. The total number of students enrolled during this time based on the reports totals ten students based on the reports submitted.*

Recommendation: *Authorize formal hearing before the Board. Authorize settlement by consent order with \$10,000.00 civil penalty based on number of students enrolled after January 2018.*

Decision: *Approved*

Update: Board records indicate that the Respondent’s school has been closed for business and the school’s owner has moved out of state.

New Recommendation: Closure

Decision: Approved

138. Case No.: COS-2018067431

First License Obtained: 10/17/2007
License Expiration: 09/01/2019
Complaint history: 2008016261, close with a Letter of Warning;
2009025801, closed with no further action;
2009020041, close with no action

This matter was previously presented to the Board at its January 28, 2019 meeting as follows: *This is a student complaint alleging that the student was wrongly dismissed from the school for violations of the social media policy. The school initially demanded payment of the full tuition due to the length of time that the student had been enrolled in the program. The student has retained an attorney.*

Recommendation: Litigation monitoring

Decision: Approved

Update: Respondent denies any wrongdoing and the Complainant failed to provide proof of a violation. The civil matter between the Respondent and the Complainant was settled in July 2019.

New Recommendation: Closure

Decision: Approved

139. Case No.: COS-2019050841

First License Obtained: 05/16/2017
License Expiration: 05/31/2021
Complaint history: None

This matter was previously presented to the Board at its October 7, 2019 meeting as follows: *Pursuant to inspection, the inspector found one person practicing without a license and no shop manager was present.*

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

Decision: Approved

Update: Board records indicate that the shop is now closed and no longer in business.

New Recommendation: Closure

Decision: Approved

140. Case No.: COS-2019085131

First License Obtained: 06/29/2018
License Expiration: 06/30/2020
Complaint history: 2019031561, Letter of Warning

This matter was previously presented to the Board at its February 3, 2020 meeting as follows: *Pursuant to inspection, this complaint alleges a shop owner or manager was not present during inspection. The inspector attached multiple photos to substantiate the allegation. A notice of violation was issued to the Respondent shop.*

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

Decision: Approved

Update: Board records indicate that the shop is now closed and no longer in business.

New Recommendation: Closure

Decision: Approved

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

NEW BUSINESS:

Impact of COVID19:

Virtual or Distance Education was presented as an option to schools teaching cosmetology and barbering disciplines around March 17th as a result of Executive Order No. 15. Schools were sent an email letting them know to continue teaching if they had the ability to use virtual or distance learning, so students were not set back. This same option was made available to the approved CE providers. Instructors unable to complete CE due to COVID19 concerns or stay at home Orders were given until the end of 2020 to meet the requirement. Most approved CE providers have changed their sessions to be virtual.

PSI exams were also impacted by COVID19 and all sites closed for several weeks between March 20th and the middle of May. Currently sites are open for both theory and practical exams, but there is a backlog until everyone gets caught up. PSI has a virtual theory exam option already tested and ready to roll out. All programs under the Regulatory Boards that test with PSI have stated an interest in letting this virtual proctoring of written exams be made available for each industry. The roll out date is still three to six months out.

MOTION made by Judy McAllister and seconded by Janie Ross for approval of virtual testing with PSI when available. Motion carried unanimously.

Additional Questions:

Motion to adjourn

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