



**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 17, 2024, at 9:00 a.m. in person in the Training Room of the 11th floor, and via Teams.

The Meeting was called to order by Chairman Ron Gillihan.

Ron Gillihan, Board Chairman welcomed everyone to the Board meeting. He explained that a member of the public may provide comments as they relate to the agenda. This opportunity is added at the end under new business.

Roxana Gumucio, Executive Director, called roll. The following members participated: Perry Baldwin, Anita Charlton, Ron Gillihan, Monica Lemons, Judy McAllister, David McElreath, Jeffery Moran, Becky Russell, Ryan Timmons, and Tamika Turner.

Not available: Layne Petty and Amy Tanksley.

Others participating: Roxana Gumucio, Executive Director, Joe Wharton, Attorney for the Board, and Jon Lillard, Director.

MINUTES-

Minutes for the April 2024 board meetings were submitted for changes and/or approval.

Motion made by David McElreath and seconded by Monica Lemons to approve the April 2024 minutes. The motion carried unanimously.

PRESENTED BEFORE THE BOARD-

Kingsport Academy of Hair Design – Change of Ownership

Ms. Angela Braan participated to answer questions for the board. The school is located in Kingsport. This school has been licensed barber school since 2000. The application, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by David McElreath and seconded by Jeffrey Moran to approve the new school pending changes as outlined and an inspection by a field inspector. The motion carried unanimously.

Aspire Barber and Beauty Academy – New Cosmetology School

Mr. Mike Franklin participated to answer questions for the board. Aspire is licensed as a barber school since March 2023. The school is located in Cookeville. The application, floor plan, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by David McElreath and seconded by Jeffrey Moran to approve the new school pending an inspection by a field inspector. The motion carried unanimously.

LEGAL REPORT- STAFF ATTORNEY

The State Board of Cosmetology and Barber Examiners met to review the allegations of 130 complaints and make recommendations to the Board.

COSMETOLOGY CASES

1. COS- 2023048151

First License Obtained: 04/24/2000

License Expiration: 04/30/2026

Complaint history: 2021073011, closed with Letter of Warning

This 9-22-23 annual inspection revealed an individual practicing on an expired license (expiration 7-31-23). A Notice of Violation was issued. Respondent salon owner states all persons working at the shop are just “renters” but did not provide the employee’s suite/shop license in support.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

Decision: Approved.

2. COS- 2023065511

First License Obtained: 04/08/2019

License Expiration: 03/31/2025

Complaint history: 2019095681, closure; 202201114, closed with Letter of Warning; 2023061541, closure

This 12-27-23 consumer complaint alleges unprofessional conduct, a negligent service, and unlicensed activity (with pictures of a female in support). Respondent states the complainant (name provided) is not a customer of the shop; they did not provide a response regarding the alleged unprofessional conduct. Negligence actions are outside the scope of the Board's authority. An inspection conducted on 12-13-23 found no evidence of unlicensed activity.

Recommendation: Letter of warning (unprofessional conduct – not providing a response.)

Decision: Approved.

3. COS-2024001821

First License Obtained: 01/18/2019

License Expiration: 06/30/2025

Complaint history: None

This 1-9-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed an expired shop license (expiration 6-30-23) and the owner/manager not present during the operation of the shop. A Notice of Violation was issued. The shop license was renewed through 6-30-25.

Recommendation: Letter of warning (expired shop license). Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.

Decision: Approved.

4. COS-2024003811

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 1-22-24 competitor complaint alleges unlicensed activity with alleged social media in support. Respondent states that she is a lash technician (extensions) only.

Recommendation: Letter of warning (individual/shop license) and flag.

Decision: Approved.

5. COS-2024006911

First License Obtained: 06/28/2005

License Expiration: 06/30/2025

Complaint history: 2015013801, closed with Consent Order and payment of \$500.00 civil penalty

This 1-23-24 annual inspection revealed an unlicensed individual practicing on a client. A Notice of Violation was issued. This Respondent is the designated manager cited for failure of responsibilities.

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

Decision: Approved.

6. COS-2024007081

First License Obtained: 12/15/2016

License Expiration: 12/31/2022

Complaint history: 2022008751, closed with Letter of Warning

This 1-24-24 annual inspection revealed an expired shop license (expiration 12-31-22) and the owner/manager not present during the operation of the shop. A Notice of Violation was issued. The shop license remains expired. This is Respondent's second offense for both violations.

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

Decision: Approved.

7. COS- 2024005331

First License Obtained: 04/19/2023

License Expiration: 04/30/2025

Complaint history: 2023041211, closure.

This 1-31-24 anonymous complaint alleges unlicensed activity with alleged social media in support. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

8. COS- 2024005521

First License Obtained: 03/18/2024

License Expiration: 03/31/2026

Complaint history: None

This 2-1-24 consumer complaint alleges unlicensed activity with alleged social media in support. Inspection revealed a hair braider only. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

9. COS- 2024018011

First License Obtained: 03/31/2016

License Expiration: 03/31/2024

Complaint History: 2017070141, closure with request for inspection; 2018079361, closure; 2020081671, closed by Consent Order and payment of \$100.00 civil penalty; 2021024861, closed by Consent Order and payment of \$500.00 civil penalty and \$200.00 filing costs

This 2-1-24 anonymous consumer complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed an unlicensed individual practicing in the shop as well as licensed not displayed/name tags not being worn.

Recommendation: Letter of warning (license display/name tags). Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

Decision: Approved.

10. COS- 2024005771

First License Obtained: 02/14/2024

License Expiration: 02/28/2026

Complaint history: None

This 2-2-24 anonymous consumer complaint alleges unlicensed after-hours activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

11. COS- 2024008081

First License Obtained: 02/27/1991

License Expiration: 08/31/2024

Complaint history: None

This 2-2-24 shop inspection revealed an expired shop license (expiration 1-31-24). This Respondent is the owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

Recommendation: Closure.

Decision: Approved.

12. COS- 2024008591

First License Obtained: 07/01/2015

License Expiration: 07/31/2025

Complaint history: None

This 2-2-24 annual inspection revealed Respondent working on a customer with an expired license (expiration 7-31-23). A Notice of Violation was issued. The license has been renewed through 7-31-25.

Recommendation: Letter of warning (expired individual license).

Decision: Approved.

13. COS- 2024005901

First License Obtained: 04/14/2023

License Expiration: 04/30/2025

Complaint history: None

This 2-5-24 consumer complaint alleges unlicensed activity. An inspection was conducted on 2-16-24 resulting in no violations.

Recommendation: Closure.

Decision: Approved.

14. COS- 2024009851

First License Obtained: 02/15/2024

License Expiration: 02/28/2026

Complaint history: None

This 2-8-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence of unlicensed activity. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

15. COS- 2024010711**First License Obtained:** 03/08/2018**License Expiration:** 03/31/2026**Complaint history:** None

This 2-9-24 annual shop inspection revealed Respondent was practicing on an expired individual license (expiration 3-31-22). A Notice of Violation was issued. The license was renewed through 3-31-26.

Recommendation: Letter of warning (expired individual license).**Decision:** Approved.**16. COS- 2024007481****First License Obtained:** 01/11/2016**License Expiration:** 01/31/2026**Complaint history:** None

This 2-12-24 anonymous complaint alleges expired license activity. Inspector went to address listed in the complaint and the shop suite was never open for inspection. Inspector called the telephone number listed in the complaint and was unable to make contact. A Notice of Violation was not issued. The above license indicates it is current through 1-31-26.

Recommendation: Closure (no evidence).**Decision:** Approved.**17. COS- 2024007511****First License Obtained:** 12/12/2012**License Expiration:** 10/31/2024**Complaint history:** None

This 2-12-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.**Decision:** Approved.**18. COS- 2024007521****First License Obtained:** N/A**License Expiration:** N/A**Complaint history:** None

This 2-12-24 consumer complaint alleges unlicensed activity (lash technician) with alleged social media in support. Inspector went to address listed in the complaint and was unable to make contact with the Respondent. A Notice of Violation was not issued.

Recommendation: Closure.**Decision:** Approved.**19. COS- 2024008691****First License Obtained:** 08/15/2002**License Expiration:** 08/31/2024**Complaint history:** None

This 2-13-24 annual inspection revealed an expired shop license (expiration 11-30-22). A Notice of Violation was issued. This Respondent is the designated manager cited for failure of responsibilities.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

Decision: Approved.

20. COS- 2024012131

First License Obtained: 11/15/2021

License Expiration: 11/30/2025

Complaint history: None

This 2-14-24 annual inspection revealed an expired shop license (September 2023). A Notice of Violation was issued. This Respondent is the designated manager cited for failure of responsibilities. Respondent provided a previous e-mail chain requesting the owner to update the expired shop license.

Recommendation: Letter of warning (expired shop license).

Decision: Approved.

21. COS-2024004911

First License Obtained: 07/04/2018

License Expiration: 07/31/2024

Complaint history: None

This 1-28-24 employee complaint alleges unsanitary conditions. An inspection on 2-14-24 revealed multiple sanitary violations and the owner/ manager not present during the operation of the shop that was addressed in a previous file and letter of warning/consent order. This would be a duplicate penalty against the shop and its owner for the same inspection.

Recommendation: Closure.

Decision: Approved.

22. COS-2024005111

First License Obtained: 07/04/2018

License Expiration: 07/31/2024

Complaint history: None

Please see fact pattern for Item #21 above. This appears to be a duplicate complaint.

Recommendation: Closure.

Decision: Approved.

23. COS- 2024009961

First License Obtained: 04/30/2019

License Expiration: 04/30/2023

Complaint history: None

This 2-16-24 anonymous complaint alleges an unlicensed home shop. Research showed an expired individual license (expiration 4-30-23) and a lapsed hair braider registration.

Respondent did not provide a response to the allegation.

Recommendation: Letter of warning (expired license/registration/shop license) and re-inspect for current licensure (individual license/hair braider registration/home shop license).

Decision: Approved.

24. COS- 2024010251

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 2-18-24 anonymous consumer complaint alleges unlicensed activity from an unlicensed apartment and unsanitary conditions. Respondent did not provide a response to the complaint.

Recommendation: Letter of warning (individual/shop licensure and unprofessional conduct – not providing a response) and flag.

Decision: Approved.

25. COS-2024012591

First License Obtained: 10/15/2018

License Expiration: 07/31/2025

Complaint history: None

This 2-20-24 annual inspection revealed an expired shop license (expiration 7-31-23). A Notice of Violation was issued. This license has been renewed through 7-31-25.

Recommendation: Letter of warning (expired shop license).

Decision: Approved.

26. COS- 2024022461

First License Obtained: 10/06/2023

License Expiration: 10/31/2025

Complaint history: 2023056141, closure

This 2-20-24 anonymous employee complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

27. COS- 2024022491

First License Obtained: 10/21/2021

License Expiration: 10/31/2025

Complaint history: None

This 2-20-24 anonymous employee complaint alleges unlicensed activity. Inspection revealed an individual practicing on a customer with an expired individual license (expiration 11-30-23). A Notice of Violation was issued.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

Decision: Approved.

28. COS- 2024022511

29. First License Obtained: 03/24/2023

License Expiration: 03/31/2025

Complaint history: None

This 2-20-24 anonymous employee complaint alleges unlicensed activity. When inspector came into the shop, multiple people ran out the back door and an appropriate Notice of Violation could not be performed.

Recommendation: Close and re-inspect.

Decision: Approved.

30. COS- 2024022571

First License Obtained: 08/05/1999

License Expiration: 04/30/2025

Complaint history: 2010001261, closed by Consent Order and payment of \$1,000 civil penalty; 2012015601, closed by Consent Order and payment of \$750.00 civil penalty; 2017048841, closure; 2018001171, closure

This 2-20-24 anonymous employee complaint alleges unlicensed activity. When inspector came into the shop, several people ran out the back door, and those that remained were defiant in properly identifying themselves; thus, an appropriate Notice of Violation could not be performed.

Recommendation: Letter of warning (unprofessional conduct) and re-inspect for individual licenses.

Decision: Approved.

31. COS- 2024022531

First License Obtained: 04/18/2023

License Expiration: 05/31/2025

Complaint history: None

This 2-20-24 anonymous employee complaint alleges unlicensed activity. Inspection revealed the owner/manager not present during the operation of the shop. A Notice of Violation was issued.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.

Decision: Approved.

32. COS- 2024022551

First License Obtained: 09/12/2023

License Expiration: 08/31/2025

Complaint history: None

This 2-20-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

33. COS- 2024010531

First License Obtained: 09/12/2023
License Expiration: 08/31/2025
Complaint history: None

This 2-21-24 consumer complaint alleges unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

34. COS- 2024011521

First License Obtained: 10/20/2022
License Expiration: 10/31/2024
Complaint history: None

This 2-23-24 anonymous consumer complaint alleges an unsanitary condition. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

35. COS- 2024011341

First License Obtained: 12/02/2021
License Expiration: 09/01/2024
Complaint history: 2022027821, closure; 2023025551, closure; 2023041661, closure

This 2-23-24 student complaint alleges unprofessional conduct on the instructor staff of the school. Respondent provided an appropriate response regarding the issues of unprofessional conduct.

Recommendation: Closure.

Decision: Approved.

36. COS- 2024015191

First License Obtained: 04/20/2022
License Expiration: 04/30/2026
Complaint history: 2023023111, closure; 2023032281, closure; 2023040261, Closure

This 2-23-24 annual inspection revealed an unlicensed individual practicing cosmetology in this shop. A Notice of Violation was issued.

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

Decision: Approved.

37. COS- 2024015211

First License Obtained: 02/06/2020
License Expiration: 02/28/2026
Complaint history: 202201481, closed with an Agreed Citation and \$500.00 civil penalty

Please see the fact pattern for Item #35 above. This Respondent is the owner/manager cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

Recommendation: Closure.

Decision: Approved.

38. COS- 2024015231

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

Please see the fact pattern for Item #35pa above. This Respondent is the unlicensed individual performing cosmetology services in the shop.

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

Decision: Approved.

39. COS- 2024011571

First License Obtained: 01/14/2010

License Expiration: 01/31/2026

Complaint history: None

This 2-24-24 anonymous complaint alleges expired individual license activity from an unlicensed home shop with alleged social media in support. Inspection revealed a licensed cosmetologist operating from an unlicensed home. A Notice of Violation was issued.

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

Decision: Approved.

40. COS- 2024015751

First License Obtained: 07/04/2018

License Expiration: 07/31/2024

Complaint history: None

This 2-26-24 inspection revealed no owner or manager present during the operation of the shop. A Notice of Violation was issued. This is the Respondent's second offense for no owner or manager present during the operation of the shop; the first offense is currently an outstanding consent order.

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

Decision: Approved.

41. COS- 2024015481

First License Obtained: 03/03/2023

License Expiration: 03/31/2025

Complaint history: 202306481, closed with an Agreed Citation and payment of \$1,500.00 civil penalty

This 2-27-24 anonymous consumer complaint alleges unlicensed activity with alleged social media in support. This matter was previously closed with a similar complaint that included payment by agreed citation.

Recommendation: Closure (duplicate complaint).

Decision: Approved.

42. COS- 2024012021

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 2-27-24 anonymous consumer complaint alleges unlicensed individual activity from an unlicensed home. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

43. COS- 2024012091

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 2-27-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

44. COS- 2024015801

First License Obtained: 08/09/2005

License Expiration: 07/31/2009

Complaint history: None

This 2-29-24 Attorney General – Consumer Affairs Division referral alleges unprofessional conduct and unsanitary conditions as well as dissatisfaction with a service and requests a refund. Inspection revealed no evidence to substantiate the complaint and Respondent had issued complainant a refund. A Notice of Violation was not issued.

Recommendation: Letter of instruction (unprofessional conduct).

Decision: Approved.

45. COS- 2024013261

First License Obtained: 06/15/2021

License Expiration: 06/30/2025

Complaint history: None

This 3-2-24 consumer complaint alleges a pricing dispute regarding a service with alleged social media pricing in support. The Respondent acknowledges that they needed to update their online menu to reflect current market standards and operational costs. Pricing disputes are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

46. COS- 2024013271

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-2-24 consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

47. COS- 2024013351

First License Obtained: 07/21/2020

License Expiration: 06/30/2024

Complaint history: 2023028851, closure

This 3-2-24 consumer complaint alleges unlicensed activity. Inspection revealed a shop going through remodeling in order to get inspected for an eventual shop license. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

48. COS- 2024013221

First License Obtained: 07/12/2021

License Expiration: 07/31/2025

Complaint history: None

This 3-2-24 consumer complaint alleges unlicensed instructor activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

49. COS- 2024013251

First License Obtained: 08/08/2014

License Expiration: 02/28/2025

Complaint history: None

Please see fact pattern for Item #47 above. This Respondent is the school owner where the alleged unlicensed instructor worked.

Recommendation: Closure.

Decision: Approved.

50. COS- 2024013371

First License Obtained: 02/19/2020

License Expiration: 02/28/2026

Complaint history: 2020094011, closure; 2021044901, closure; 2022041671, closure; 2023031611, closed by Consent Order and

payment of \$2,500 civil penalty; 2024000051, closure

This 3-3-24 consumer complaint alleges a negligent service. Inspection revealed a shop out of business and undergoing renovations. A Notice of Violation was not issued. Negligence actions are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

51. COS- 2024013421

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-4-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

52. COS- 2024013471

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-4-24 consumer complaint alleges unlicensed activity with alleged social media in support. Inspection revealed the employee was no longer employed by the shop and the social media would be taken down. A Notice of Violation was not issued.

Recommendation: Letter of warning (individual license).

Decision: Approved.

53. COS- 2024017571

First License Obtained: 01/02/2020

License Expiration: 01/31/2026

Complaint history: None

This 3-5-24 inspection revealed an inspection sheet not displayed. The Respondent was previously given a verbal warning regarding same. A Notice of Violation was issued.

Recommendation: Letter of warning (inspection sheet not displayed).

Decision: Approved.

54. COS- 2024017061

First License Obtained: 10/18/2018

License Expiration: 10/31/2024

Complaint history: 202100337, closed with an Agreed Citation and payment of \$100.00 civil penalty

This 3-6-24 annual inspection revealed no owner/manager present during the operation of the shop. A Notice of Violation was issued.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.

Decision: Approved.

55. COS- 2024014321

First License Obtained:

01/05/2006

License Expiration:

09/01/2024

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; 2019094811,
closure; 2022046261, closure; 2022045461, closure;
2023014541, closure**

This 3-7-24 anonymous complaint alleges unlicensed instructor activity and lashing out at the students. Respondent states the alleged unlicensed instructor is licensed but did not address the allegation of unprofessional conduct (lashing out at students).

Recommendation: **Letter of instruction (unprofessional conduct regarding lashing out at students).**

Decision: **Approved.**

56. COS- 2024014371

First License Obtained:

03/22/2021

License Expiration:

03/31/2025

Complaint history:

None

This 3-7-24 neighbor complaint alleges unlicensed activity and unsanitary conditions from an unlicensed home shop with alleged social media in support. Inspection revealed a registered hair braider. A Notice of Violation was not issued.

Recommendation: **Closure.**

Decision: **Approved.**

57. COS- 2024014781

First License Obtained:

07/19/2023

License Expiration:

07/31/2025

Complaint history:

None

This 3-8-24 consumer complaint alleging Respondent could not perform a service at the designated time and requests a refund of the service deposit with social media in support (that states there is a non-refundable deposit required for booking). Nonetheless, the money was refunded (documented) and the matter resolved.

Recommendation: **Closure.**

Decision: **Approved.**

58. COS- 2024014401

First License Obtained:

05/20/2022

License Expiration:

05/31/2024

Complaint history: None

This 3-8-24 consumer complaint alleges unsanitary conditions in a shop but provided no shop address. A request for address verification was sent to the complainant and not returned.

Recommendation: Closure.

Decision: Approved.

59. COS- 2024014811

First License Obtained: 01/05/2006

License Expiration: 09/01/2024

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; 2019094811, closure; 2022046261, closure; 2022045461, closure; 2023014541, closure

This 3-8-24 student complaint alleges multiple instances of unprofessional conduct against an instructor of the school. Respondent school states the unprofessional conduct was investigated, resulting in the instructor resigning from the school.

Recommendation: Closure.

Decision: Approved.

60. COS- 2024014821

First License Obtained: 01/05/2006

License Expiration: 09/01/2024

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; 2019094811, closure; 2022046261, closure; 2022045461, closure; 2023014541, closure

Please see the fact pattern for Item #58 above. This appears to be a duplicate complaint from another student.

Recommendation: Closure.

Decision: Approved.

61. COS- 2024014841

First License Obtained: 05/12/2022

License Expiration: 05/31/2024

Complaint history: None

This 3-9-24 consumer complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

62. COS- 2024014871

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-10-24 consumer complaint alleges unlicensed activity with alleged social media in support. Inspection revealed shop operation in a salon but Respondent was not working that day; inspector contacted Respondent, who admitted to having an out-of-state license and hung up on the inspector. A Notice of Violation was not issued under these circumstances.

Recommendation: Letter of warning (individual license/unprofessional conduct) and re-inspect for appropriate Tennessee individual/shop licensure (if a suite setting).

Decision: Approved.

63. COS-2024015101

First License Obtained: 10/11/2023

License Expiration: 09/01/2024

Complaint history: None

This 3-11-24 former instructor complaint alleges unprofessional conduct. Respondent provided a general denial regarding the unprofessional conduct but did not provide a specific response regarding the allegation of the Respondent's unprofessional conduct (screaming at instructors and/or students).

Recommendation: Letter of warning (unprofessional conduct).

Decision: Approved.

64. COS-2024015271

First License Obtained: 10/11/2023

License Expiration: 09/01/2024

Complaint history: None

This 3-12-24 anonymous student complaint alleges there is not a nail instructor or aesthetics instructor at the school. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

65. COS- 2024015171

First License Obtained: 05/03/2022

License Expiration: 04/30/2026

Complaint history: None

This 3-12-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

66. COS-2024015121

First License Obtained: 08/14/2023

License Expiration: 07/31/2025

Complaint history: 202304735 and 202304635, closed with an Agreed Citation and payment of \$1,000 civil penalty

This 3-12-24 competitor complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

67. COS-2024015281

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-12-24 consumer complaint alleges unlicensed activity from an out-of-state Respondent with alleged social media in support. Complaint does not provide a Tennessee address for inspection. Out-of-state Respondent did not provide a response.

Recommendation: Closure (no address).

Decision: Approved.

68. COS-2024015371

First License Obtained: 10/11/2023

License Expiration: 09/01/2024

Complaint history: None

This 3-12-24 anonymous student complaint alleges:

1. They are working on clinic clients prior to the required 250 hours;
2. Instructors' children are using school supplies;
3. They are not receiving a proper amount of theory hours;
4. They are not receiving proper time for lunch;
5. They are not receiving proper training on haircuts;
6. They are not being supervised in the student clinic;
7. Instructor is having inappropriate conversations with students;
8. Instructor is exhibiting unprofessional conduct with students (with specificity).

The Respondent states the following:

1. The student only needs 200 hours to be on the clinic floor;
2. Children are no longer playing with school supplies/mannequins;
3. Students have a theory class every day, should the student choose to come to it;

4. Students, on occasion, have had to miss a traditional lunch time to work on the clinic floor and are allowed to take a lunch thereafter
5. The student did receive proper training on haircuts as they were performing haircuts on clients on the clinic floor.
6. The student was always supervised while on the clinic floor to check and correct any haircut.
7. The inappropriate conversations are not true.
8. The unprofessional conduct is not true.

The Respondent further states the school is under new management and students have been transferred out due to conduct issues; the anonymous complainant is a former student who is reporting false information to the state board in retaliation.

Recommendation: Closure.

Decision: Approved.

69. COS- 2024018631

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-13-24 Attorney General – Consumer Affairs Division referral alleges unlicensed activity. Inspection of shop location could not be performed since there was an entrance lock with a keypad.

Recommendation: Closure (no evidence).

Decision: Approved.

70. COS- 2024015701

First License Obtained: 06/10/2021

License Expiration: 06/30/2025

Complaint history: None

This 3-14-24 anonymous consumer complaint alleges unlicensed activity and unsanitary conditions with alleged pictures in support. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

71. COS- 2024015851

First License Obtained: 08/27/2013

License Expiration: 09/01/2024

Complaint history: None

This 3-14-24 anonymous clinic client complaint alleges a negligent service from a student (with alleged pictures in support), requesting a refund, and unprofessional conduct (with specificity) from the student. Respondent states they offered to correct the service which was refused by the complainant. The unprofessional conduct was not able to be verified but the student body was educated on professional conduct while on the clinic floor.

Recommendation: Closure.

Decision: **Approved.**

72. COS- 2024015691

First License Obtained:

03/15/1994

License Expiration:

09/01/2024

Complaint history:

9635, dismissed; 2002090111, complaint withdrawn; 2002090181, complaint withdrawn; 2002099451, dismissed; 2002104271, dismissed; 2006017181, dismissed; 2009025451, closed with no action; 2012000121, closed with no action; 2013016311; close the case for lack of disciplinary grounds with the option to re-open the matter if new, relevant information arises; 2013025241, close the case for lack of disciplinary grounds with the option to re-open the matter if new, relevant information arises; 2017077941, closure; 2018039331, closure with request for inspection; 2023027541, closed with Letter of Warning; 2023043731, closure

This 3-14-24 former student complaint alleges the following:

1. Ceiling tiles that need to be replaced/exposed wiring/duct-taped equipment (with pictures in support) in the Respondent school.
2. The school wanted to students to report they were self-employed to improve Respondent school's graduation numbers and misuse funds.
3. Student kits are not being provided.
4. Discrimination (with specificity).

Inspection of the school revealed no evidence of the items listed in #1. A Notice of Violation was not issued.

Recommendation: **Letter of warning (unprofessional conduct – not responding to all allegations).**

Decision: **Approved.**

73. COS- 2024015981

First License Obtained:

03/26/2014

License Expiration:

09/01/2024

Complaint history:

2014005651, closed with Letter of Caution; 2018008001, closure; 2023063441; 2023063501, closure and refer the complainant to local law enforcement; 2023065101, closure

This 3-15-24 anonymous student complaint alleges new teacher is not teaching the curriculum or preparing students for the state board exam. The Respondent states they met with the student and addressed her concerns regarding the time frame of how and when the state board will be covered.

Recommendation: **Closure.**

Decision: **Approved.**

74. COS-2024015911

First License Obtained: 10/11/2023

License Expiration: 09/01/2024

Complaint history: None

This 3-15-24 former student complaint alleges:

1. There were not adequate amount of books and kits.
2. There was inadequate supervision of the junior instructor.
3. When the junior instructor was terminated, there was no guidance on the curriculum.
4. When the student requested to un-enroll, they were met with hostility and not allowed a refund.

The Respondent states the following:

1. The kits were on back order and not needed until the student reached 100 hours.
2. The junior instructor was terminated.
3. When the junior instructor was terminated, two other instructors came in and filled the teaching void.
4. The former student was not allowed to continue in the school when they chose not to be a student, and refunds are not allowed for the month's payment when the student chooses to leave the school.

Refunds are outside the scope of the Board's authority. Contractual matters (tuition for education) are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

75. COS- 2024016351

First License Obtained: 11/20/2020

License Expiration: 12/31/2024

Complaint history: None

This 3-18-24 former employee complaint alleges an employee/independent contractor tax issue and a dog in the shop. Inspection did not reveal a dog in the shop. A Notice of Violation was not issued. Tax issues are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

76. COS- 2024017911

First License Obtained: 12/13/2012

License Expiration: 07/31/2025

Complaint history: None

This 3-18-24 annual inspection revealed an expired shop license (expiration 7-31-23). A Notice of Violation was issued. The shop license has since been renewed through 7-31-25.

Recommendation: Letter of warning (expired shop license).

Decision: Approved.

77. COS-2024016511

First License Obtained: 10/19/2023
License Expiration: 10/31/2025
Complaint history: None

This 3-19-24 consumer complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed an individual practicing on an expired license and no evidence of unsanitary conditions. A Notice of Violation was not issued.

Recommendation: Letter of warning (expired individual license).

Decision: Approved.

78. COS-2024017981

First License Obtained: 08/29/2017
License Expiration: 09/30/2024
Complaint history: None

This 3-19-24 Attorney General – Consumer Affairs Division referral alleges Respondent did not honor a gift card. Respondent states the gift card was good for 12 months and was not redeemed during that time.

Recommendation: Closure.

Decision: Approved.

79. COS-2024016671

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

This 3-20-24 anonymous competitor complaint alleges unlicensed activity from an unlicensed apartment. Respondent has not yet provided a response to the complaint.

Recommendation: Send out for inspection of individual/home licensure.

Decision: Approved.

80. COS- 2024016691

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

Please see fact pattern for Item #78 above. This appears to be a duplicate complaint with attached social media in Spanish.

Recommendation: Closure.

Decision: Approved.

81. COS-2024016551

First License Obtained: 04/04/2018
License Expiration: 11/30/2024
Complaint history: None

This 3-20-24 consumer complaint alleges a negligent service with an alleged picture in support. Negligence actions are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

82. COS-2024016681**First License Obtained:** 03/01/2023**License Expiration:** 02/28/2025**Complaint history:** None

This 3-20-24 administrative complaint alleges the Respondent moved and did not apply for a new location and get inspected. Respondent stated they submitted their change of location form the previous December (with attachments) and had not heard back. The application was resubmitted.

Recommendation: Closure.**Decision:** Approved.**83. COS-2024018371****First License Obtained:** 10/05/2023**License Expiration:** 10/31/2025**Complaint history:** None

This 3-20-24 competitor complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.**Decision:** Approved.**84. COS- 2024018981****First License Obtained:** 09/23/2022**License Expiration:** 09/30/2024**Complaint history:** None

This 3-20-24 inspection revealed an inspection sheet not displayed. The Respondent designated manager was previously given a verbal warning regarding same. A Notice of Violation was issued. A Letter of warning was sent regarding the inspection sheet not being displayed.

Recommendation: Closure.**Decision:** Approved.**85. COS-2024016841****First License Obtained:** 06/01/2021**License Expiration:** 06/30/2025**Complaint history:** COS-2024008611, 2024008751, 2024008761, 2024008771, 2024008791, 2024008801, 2024008811, 2024008881, 2024008961, 2024008841, 2024008851, 2024008861, 2024008891, 2024008911, 2024008921, 2024008931, 2024008941, 2024008951, 2024008971, 2024008981, 2024009001, 2024009001, 2024009031, 2024009051, 2024009061, 2024009081, 2024009091, 2024009101, 2024009111, 2024009121, 2024009131, 2024009141, 2024009161, 2024009171, 2024009181, 2024009191, 2024009201, 2024009211, 2024009231, 2024009241, 2024009251, 2024009261, 2024009271, 2024009281, 2024009291, 2024009301, 2024009311, 2024009321, 2024009331, 2024009341, 2024009351, 2024009361, 2024009371, 2024009381, 2024009391, 2024009401, 2024009411, 2024009431, 2024009441, 2024009451, 2024009461, 2024009471, 2024009481, 2024009501, 2024009531, 2024009541, 2024009551, 2024009571, 2024009581, 2024009601, 2024009611, 2024009631, 2024009641, 2024009691, 2024009711, 2024009721, 2024009731, 2024009771, 2024009781, 2024009801, 2024009821,

2024009861, 2024009871, 2024009881, 2024009951, 2024010011, 2024010021, 2024010031, 2024010041, 2024010061, 2024010141, 2024010151, 2024011791, 2024010181, 2024010201, 2024010211, 2024010231, 2024010311, 2024008741, 2024008491, closure

This 3-21-24 out-of-state complainant alleges Respondent is still operating an unlicensed home-based shop with alleged social media in support; the complainant has contacted local law enforcement. This Respondent already has a pending complaint with the Board regarding the unlicensed shop and other allegations; the Respondent has retained an attorney to represent them in this matter. Litigation counsel sent a copy of the complaint to the Respondent's attorney to inform the Respondent they need to cease operating the unlicensed home shop (and advertising for same) or apply for a shop license. The Respondent has applied for a shop license.

Recommendation: Closure.

Decision: Approved.

86. COS-2024017101

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-22-24 consumer complaint alleges theft of a service deposit from an unlicensed individual and plans to take the matter to court to recover the money. Criminal matters are outside the scope of the Board's authority.

Recommendation: Inspect Respondent's address for individual licensure/home shop licensure.

Decision: Approved.

87. COS- 2024017231

First License Obtained: 12/23/2020

License Expiration: 12/31/2024

Complaint history: 2021009541, closure

This 3-23-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

88. COS- 2024017301

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 3-24-24 consumer complaint alleges MMA use in the shop. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

89. COS- 2024018081

First License Obtained: 04/21/2011

License Expiration: 03/31/2025

Complaint history: 2016000991, closed by Consent Order and payment of \$50.00 civil penalty for this complaint; 20217023991, closed by Consent Order and payment of \$100.00 civil penalty

This 3-26-24 competitor complaint alleges the re-using of paraffin wax and unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

90. COS- 2024017931

First License Obtained: 02/02/2018

License Expiration: 09/01/2024

Complaint history: 2019024071, closure, 202103321, Letter of Instruction; 2022025421, closure; 2023040801, closure with re-inspection

This 3-26-24 anonymous student complaint alleges Respondent school is not keeping an adequate teacher/student ratio on the clinic floor, not enough staff in the school, and not receiving their student checks on time. Inspection revealed compliant student/teacher ratios. A Notice of Violation was not issued. Student checks are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

91. COS- 2024018131

First License Obtained: 03/26/2014

License Expiration: 09/01/2024

Complaint history: 2014005651, closed with Letter of Caution; 2018008001, closure; 2023063441; 2023063501, closure and refer the complainant to local law enforcement; 2023065101, closure

This 3-26-24 student complaint alleges unprofessional conduct by the Respondent school. Respondent did not provide a response to the allegation.

Recommendation: Letter of warning (unprofessional conduct – not providing a response).

Decision: Approved.

92. COS-2024020041

First License Obtained: 10/05/2023

License Expiration: 10/31/2025

Complaint history: None

This 3-27-24 competitor complaint appears to be a duplicate to the 3-20-24 complaint filed in Item #82 above.

Recommendation: Closure.

Decision: Approved.

93. COS- 2024018831

First License Obtained: 07/28/2003

License Expiration: 07/31/2025

Complaint history: 20150216141, closed with Consent Order and payment of \$500.00 civil penalty; 2018050121, closed with Consent Order and payment of \$1,000.00 civil penalty

This 3-28-24 consumer complaint alleges a negligent service and unprofessional conduct. The Respondent did not provide a response. Negligence actions are outside the scope of the Board's authority.

Recommendation: Letter of warning (unprofessional conduct – not providing a response.)

Decision: Approved.

94. COS- 2024019031

First License Obtained: 06/07/2019

License Expiration: 06/30/2025

Complaint history: None

This 4-1-24 consumer complaint alleges a negligent service. Respondent states they provided complainant with a refund. Negligence actions are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

95. COS- 2024019121

First License Obtained: 03/30/2022

License Expiration: 03/31/2026

Complaint history: None

This 4-2-24 anonymous consumer complaint alleges working on customers while intoxicated. Respondent states she was not intoxicated but could have been a negative reaction to medications she is currently taking. Respondent stands ready to test for intoxication at any time.

Recommendation: Closure.

Decision: Approved.

96. COS- 2024020331

First License Obtained: 12/07/2006

License Expiration: 02/28/2025

Complaint history: None

This 4-2-24 Attorney General – Consumer Affairs Division referral alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

97. COS- 2024019431

First License Obtained: 03/14/2022

License Expiration: 03/31/2026
Complaint history: 202401896, closed with Letter of Warning

This 4-3-24 employee complaint alleges she was forced by the Respondent salon to take an assessed civil monetary penalty for failure of responsibilities as the designated manager when they were not the designated manager. Complainant requests that any mention of responsibility for an inspection occurring on 3-20-24 be stricken from her file with the Board.

Recommendation: Closure.

Decision: Approved.

98. COS- 2024019541

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 4-3-24 consumer complaint alleges unlicensed activity with alleged social media in support. Inspection revealed an unopen shop awaiting inspection and licensure. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

99. COS- 2024019611

First License Obtained: 02/25/2021

License Expiration: 01/31/2025

Complaint history: None

This 4-4-24 anonymous complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed three (3) unlicensed individuals practicing on customers in the shop. A Notice of Violation was issued.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$3,000.00.

Decision: Approved.

100. COS- 2024023191

First License Obtained: 04/26/2021

License Expiration: 04/30/2025

Complaint history: 2022041511, closed by Agreed Citation and payment of \$2,500 civil penalty

Please see fact pattern for Item #98 above. This Respondent is the designated manager cited for failure of responsibilities.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$3,000.00.

Decision: Approved.

101. COS- 2024019671

First License Obtained: 10/28/2011

License Expiration: 09/01/2024

Complaint History: 2017038071, closure; 2018062611, closure;

**2022005811, closure; 2022020451, closure;
2022045471, closure, 2022045481, closure**

This 4-4-24 competitor complaint alleges unlicensed instructor activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

102. COS- 2024021381

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This 4-5-24 reinspection revealed an unlicensed shop (new owner). A Notice of Violation was issued.

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

Decision: Approved.

103. COS- 2024022751

First License Obtained: 10/19/2022

License Expiration: 10/31/2024

Complaint history: None

This 4-5-24 annual inspection revealed no owner/manager present, no shop sign visible from the street, and a master barber performing services outside of the cosmetology shop license. A Notice of Violation was issued and a letter of warning was sent regarding the shop sign not being visible from the street. Respondent owner states she was not at the shop as she was delivering a baby.

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

Decision: Approved.

104. COS- 2024015681

First License Obtained: 03/04/2013

License Expiration: 03/31/2025

Complaint history: None

This 4-8-24 anonymous complaint alleges this licensed cosmetologist did not go to school in the United States. Respondent states they graduated from a cosmetology school in Florida and applied for reciprocity in Tennessee which was reviewed and approved by the board.

Recommendation: Closure.

Decision: Approved.

105. COS- 2024020071

First License Obtained: 08/23/2023

License Expiration: 08/31/2025

Complaint history: None

This 4-8-24 anonymous consumer complaint alleges unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

106. COS- 2024020401

First License Obtained: 06/17/2022

License Expiration: 04/30/2026

Complaint history: 2024007061, closure

This 4-9-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

107. COS- 2024021031

First License Obtained: 01/31/2023

License Expiration: 01/31/2025

Complaint history: None

This 4-11-24 administrative complaint alleges fraud in the procurement of a Tennessee license through reciprocity; the underlying North Carolina license was fraudulently obtained.

Recommendation: Authorize formal hearing for revocation. Authorize settlement by consent order for voluntary revocation of Tennessee cosmetology license.

Decision: Approved.

108. COS- 2024021131

First License Obtained: 12/13/2023

License Expiration: 10/31/2025

Complaint history: None

This 4-11-24 competitor complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

109. COS- 2024020981

First License Obtained: 10/09/2020

License Expiration: 09/30/2024

Complaint history: None

This 4-11-24 competitor complaint alleges unsanitary conditions and performing services outside of its license. A recent inspection performed one week prior revealed no evidence of unsanitary conditions or performing outside services. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

110. COS- 2024021341

First License Obtained: 06/17/2022

License Expiration: 04/30/2026
Complaint history: 2024007061, closure

This 4-11-24 consumer complaint appears to be a duplicate complaint to Item #105 above.

Recommendation: Closure.

Decision: Approved.

111. COS- 2024021461

First License Obtained: 04/13/2018

License Expiration: 03/31/2026

Complaint History: 2019089651, closure with request for inspection;
202006461, closure; 2023001881, closure

This 4-12-24 consumer complaint alleges unsanitary conditions and a negligent service.

Inspection revealed some minor sanitary infractions that did not result in the issuance of a Notice of Violation. Negligence actions are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Approved.

112. COS- 2024021701

First License Obtained: 09/22/2023

License Expiration: 09/30/2025

Complaint history: None

This 4-13-24 consumer complaint alleges unprofessional conduct regarding partially performing a service that was fully paid for in advance after multiple attempted appointments (with screenshots in support). Respondent acknowledges the partial service had to be rescheduled several times due to illness and showed documentation of a partial refund to the complainant.

Recommendation: Closure.

Decision: Approved.

113. COS- 2024022651

First License Obtained: 12/31/1998

License Expiration: 04/30/2025

Complaint history: None

This 4-17-24 husband complaint alleges wife fraudulently procured a Tennessee cosmetology license without fully providing a previous criminal record out of another state. Respondent wife states she is currently in a divorce proceeding with husband where salon is located in husband's commercial building, which is a contentious part of the divorce proceeding; Respondent wife was of the impression that only crimes of hate/violence/theft only needed to be disclosed to the Board. Respondent wife states the third DWI classified wife as a felon in the other state with no prior criminal history; the probation has been transferred to Tennessee and there is full compliance with the probation by the Respondent.

Recommendation: Closure.

Decision: Approved.

BARBER CASES

114. BAR- 2023048831

First License Obtained: 12/30/2014

License Expiration: 12/29/2024

Complaint history: 2019094561, closure; 2022043801, closure

This 10-1-23 former student complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

115. BAR- 2024006631

First License Obtained: 04/20/1989

License Expiration: 09/30/2025

Complaint history: None

This 1-23-24 inspection revealed an expired shop license (expiration 3-31-19). A Notice of Violation was issued. This Respondent is the designated manager cited for failure of responsibilities.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

Decision: Approved.

116. BAR- 2024007051

First License Obtained: 12/15/2016

License Expiration: 12/31/2022

Complaint history: None

This 1-24-24 annual inspection revealed an expired shop license (expiration 12-31-22) and the owner/manager not present during the operation of the shop. A Notice of Violation was issued. The shop license remains expired.

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

Decision: Approved.

117. BAR- 2024007891

First License Obtained: 11/16/2017

License Expiration: 05/31/2026

Complaint history: None

This 2-14-24 former employee complaint alleges unprofessional conduct. The Respondent states the complainant also engaged in unprofessional conduct. The Respondent never addressed the allegation of their own unprofessional conduct.

Recommendation: Letter of warning (unprofessional conduct – not providing a response to specific allegation).

Decision: Approved.

118. BAR- 2024010161

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

This 2-16-24 former tenant complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed no unsanitary conditions and an operation that is applying for a dual license. There were no customers at the time of inspection. A Notice of violation was not issued.

Recommendation: Closure.

Decision: Approved.

119. BAR- 2024012101

First License Obtained: 04/18/2024
License Expiration: 03/31/2026
Complaint history: None

This 2-27-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed an expired shop license (expiration 10-31-23). A Notice of Violation was issued. The shop license has been renewed through 3-31-26.

Recommendation: Letter of warning (expired shop license).

Decision: Approved.

120. BAR- 2024012721

First License Obtained: 12/20/2023
License Expiration: 12/31/2025
Complaint history: Closure

This 2-29-24 consumer complaint alleges unlicensed activity with alleged social media in support. Inspection revealed the individual with the social media was in the shop but not performing services on a customer; he sweeps and helps out around the shop. A Notice of Violation was not issued.

Recommendation: Letter of warning (individual license).

Decision: Approved.

121. BAR- 2024013131

First License Obtained: 10/01/2019
License Expiration: 10/31/2025
Complaint history: None

This 3-1-24 competitor complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

122. BAR- 2024013171

First License Obtained: 10/01/2019
License Expiration: 10/31/2025
Complaint history: None

Please see fact pattern for Item #120 above. This appears to be a duplicate complaint.

Recommendation: Closure.

Decision: **Approved.**

123. BAR- 2024013981

First License Obtained: **06/28/2012**

License Expiration: **06/27/2024**

Complaint history: **None**

This 3-6-24 former student complaint alleges there is no licensed instructor for the course offered to them and the owner inappropriately touched the former student, leading the student to transfer from the school. Complainant requests a refund of her remaining tuition grant funding balance. Respondent owner provided a copy of his instructor's license and denies the allegation of inappropriate touching and the school rules (documentation provided) state grant money will not be refunded to the student. Contractual matters/refunds are outside the scope of the Board's authority. Criminal matters (alleged inappropriate touching) are outside the scope of the Board's authority.

Recommendation: **Refer the complainant to local law enforcement and close the file.**

Decision: **Approved.**

124. BAR- 2024015361

First License Obtained: **03/06/2018**

License Expiration: **03/31/2026**

Complaint history: **None**

This 3-12-24 anonymous consumer complaint alleges unlicensed activity and drug trafficking. Local law enforcement has been contacted regarding the alleged drug trafficking. Inspection revealed no evidence to substantiate the complaint of unlicensed activity. A Notice of Violation was not issued.

Recommendation: **Closure.**

Decision: **Approved.**

125. BAR- 2024016901

First License Obtained: **04/07/2017**

License Expiration: **04/06/2025**

Complaint history: **2019079901, closure with re-inspection; 2021061311, closed with Letter of Warning**

This 3-21-24 former barber instructor complaint alleges fraud as the Respondent school is giving away hours to students for time not performed or instructed. Respondent provides a general denial of the allegation and states the complainant is misrepresenting themselves to the board.

Recommendation: **Send an inspector to look at all student files for the past academic year and get electronic mail/telephone numbers of the students so litigation counsel can contact the students/investigate the allegation of fraud (if students were "given" their hours for work not performed/hours not instructed in the full curriculum).**

Decision: **Approved.**

126. BAR- 2024017711

First License Obtained: 06/28/2012
License Expiration: 06/27/2024
Complaint history: None

This 3-25-24 former student complaint alleges they were not permitted to transfer from the school (since they were not receiving a proper education) and witnessed the inappropriate touching of another student as alleged in Item #122 above. Respondent denies the inappropriate touching and states the Respondent threatened Respondent's life if Respondent did not sign the transfer papers. Complainant denies the threatening of the Respondent's life for not signing the transfer papers. Contractual matters/refunds are outside the scope of the Board's authority. Criminal matters (alleged inappropriate touching) are outside the scope of the Board's authority.

Recommendation: Refer the complainant to local law enforcement and close the file.

Decision: Approved.

127. COS- 2024018911

First License Obtained: 07/26/2023
License Expiration: 07/31/2025
Complaint history: None

This 3-30-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

Recommendation: Closure.

Decision: Approved.

128. BAR- 2024021021

First License Obtained: 12/30/2014
License Expiration: 12/29/2024
Complaint history: 2019094561, closure; 2022043801, closure

This 4-11-24 consumer complaint alleges a negligent service and unprofessional conduct of the owner (rudeness) and a student (harassing text messages) regarding a child's haircut in the student clinic. Respondent states they are a teaching facility and the students do the best they can performing services; the text messages were not from a faculty member or a student of the school. Negligence actions are outside the scope of the Board's authority.

Recommendation: Letter of instruction (unprofessional conduct).

Decision: Approved.

RE-PRESENTS

129. COS- 2023056701

First License Obtained: 07/04/2018
License Expiration: 07/31/2024
Complaint history: None

This matter was previously presented to the Board at its February 5, 2024 meeting as follows:
This 10-31-23 annual inspection revealed three (3) unlicensed individuals practicing on customers and the owner/manager not present during the operation of the shop. A Notice of Violation was issued.

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

Decision: Approved.

Update: Respondent provided copy of one of the hair braider's certificate of completion and Tennessee Drivers' License (for verification).

Recommendation: Authorize formal hearing. Authorize settlement by consent order for the reduced civil penalty of \$2,500.00.

Decision: Approved.

130. BAR- 2023053871

First License Obtained: N/A

License Expiration: N/A

Complaint history: None

This matter was previously presented to the Board at its February 5, 2024 meeting as follows: Please see fact pattern for Item #63 above. This Respondent is the individual cited for being unlicensed.

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

Decision: Approved.

Update: This Respondent provided a Venezuelan ID to the inspector, which did not provide any substantial information to locate his whereabouts in the area. Further, a physical address/telephone number could not be obtained on this individual in CLEAR. Thus, service will be an issue at a hearing.

Recommendation: Close and flag.

Decision: Approved.

131. COS- 2024001851

First License Obtained: 12/19/2016

License Expiration: 09/01/2024

Complaint history: 2017070461, closure; 2019055641, closure; 2019067251, closure; 2021044571, closure; 2022022581, closure; 2023026801, closure

This matter was previously presented to the Board at its April 1, 2024 meeting as follows: This 1-9-24 student complaint alleges Respondent school has provided complainant's personal information to a third-party who may want to harm the complainant. The local law enforcement entity has been contacted by the complainant. Respondent states they do not have FERPA information in the student's file and that the personal information was obtained through a third-party not associated with the school or its staff. Potential criminal matters are outside the scope of the Board's authority.

Recommendation: Closure.

Decision: Send a letter to Respondent's owner to clarify the statement that they do not have FERPA information in the student's file when the student's file is supposed to contain the student's FERPA information.

Update: Respondent states they require FERPA for any release of student information; they do not have a signed FERPA on file for the student. Thus, they would not have released the student's telephone number or any information to any other person. Further, in the student's screenshots of text messages with the person who had the student's number, the person states complainant's telephone number was procured from a co-worker at a bank where the complainant used to be employed.

Recommendation: Closure.

Decision: Approved.

Motion made by David McElreath and seconded by Monica Lemons to approve the legal report recommendations as amended. The motion carried unanimously.

Attorney for the Board, Joe Wharton presented draft rules which will be part of a rulemaking hearing at a later board meeting. Members agreed to the rules as presented.

Motion made by Monica Lemons and seconded by Ryan Timmons to hold rulemaking hearing at and proceed with the rules. The motion carried unanimously.

APPLICATIONS FOR EXAMINATION-

Felony Applicants:

Applications for examination for: Ashley Kroese, Devere Smith, Patrick Von Thurmond and Donielle Watkins. The applicant is currently incarcerated or have a felony. The request to take the Tennessee examination was submitted for the board's approval along with 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 for Ashley Kroese, Devere Smith and Donielle Watkins. The Board approved a three year Agreed Order for Patrick Von Thurmon.

Motion made by David McElreath and seconded by Judy McCallister to approve applications for examination with a signed Agreed Order. The motion carried unanimously.

MISCELLANEOUS REQUESTS –

Request for Waivers, Reconsiderations and Extensions:

Request to waive the need to retest pursuant to rule 0440-01-.10 which states an applicant must apply for and pay for the original license within six (6) months after passing the examination. The Board may, for good cause, waive this requirement. The board previously authorized the Director to approve these extensions past the six months but for only up to a year and for good cause. Ms. Dusty Gleeson provided documents regarding a medical issue but was explained she was misinformed. She passed the instructor practical exam on December 2, 2022.

MOTION made by Judy McCallister and seconded by David McElreath to approve the request. The motion carried unanimously.

Request made by Ms. Adara Harden to waive the required exams pursuant Tenn. Code Ann § 62-4-117 (d), which states that an expired cosmetologist shall pass the examination and pay the specified license fee. Ms. Harden presented a letter explaining her unique personal situation.

MOTION made by Tamika Turner and seconded by Judy McCallister to approve the request to waive exam. The motion carried unanimously.

Request made by Ms. Gloria Jean Smith to waive the required exams pursuant Tenn. Code Ann § 62-3-129 (c), which states that a master barber with an expired license for more than three years shall pass the examination and pay the specified license fee. She also requested waiver of the required exam pursuant Tenn. Code Ann § 62-4-117 (d), which states that an expired aesthetician shall pass the examination and pay the specified license fee. Ms. Smith presented a letter explaining her unique personal situation.

MOTION made by David McElreath and seconded by Judy McCallister to approve. The motion was defeated unanimously by entire Board.

Request to waive the need to retest pursuant to Tenn. Code Ann § 62-3-124 (b), which states that a barber instructor may for good cause be granted up to one additional year to complete their 16 hours of continued education. The Board may, for good cause such as medical hardship or death in the immediate family, approve such an extension. Ms. Bridgette Maynord emailed explaining health issues with her newborn keeping her from completing the requirement prior to her expiration date.

MOTION made by Monica Lemons and seconded by Perry Baldwin to approve the request. The motion carried unanimously.

DIRECTOR'S REPORT:

The financial information as of April 2024 reflects a surplus of \$119 for fiscal year 23-24 leaving the reserve surplus balance at \$1,222.592. The board discussed raising fees.

The proposed 2025 meeting dates were presented.

Judy McCallister motioned to accept the proposed 2025 meeting dates and seconded by Perry Baldwin. The motion passed unanimously.

NEW BUSINESS:

Director Gumucio asked if anyone in the public, participating in person or remotely using Teams, had comments as they relate to the agenda. There were no comments provided.

Additional Questions:**Motion to adjourn:**

Meeting adjourned at 11:00 a.m.

MOTION to adjourn made by David McElreath and seconded by Judy McCallister to adjourn the meeting. The motion carried unanimously.