

MINUTES

FLORIDA BARBERS' BOARD
EMBASSY SUITES ORLANDO NORTH
225 SHORECREST DRIVE
ALTAMONTE SPRINGS, FL 32701

Sunday, April 15, 2018

The Florida Barbers' Board meeting was called to order at approximately 9:00 a.m., by Ms. Monica Smith, Chair.

Board Members Present

Monica Smith, Chair
Michelino Nibaldi, Vice Chair
Paul Whitfield
Veronica Wold
Antonett Munchalfen
Bill Gilbert
Lionel Rodriguez

Board Members Absent

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Marlene Stern, Assistant Attorney General, Office of the Attorney General
Anthony Coniglio, Assistant General Counsel, Office of the General Counsel, DBPR
Crystal Stephens, Chief Attorney, Office of the General Counsel, DBPR
Heather Howard, Court Reporter
Johan Rodriguez
Marcelo Prado
Roxanne Paduani
Yusniel Hernandez
Haili Aydogan
Jose Bernabe
Adonis Ramos
Bryan Harris
Jeffrey Giraldo
Sean Price
Christian Barquet
Jorge Munduy

The meeting was opened with a roll call and a quorum was established.

APPROVAL OF MINUTES

The Board approved the minutes from the January 21, 2018, Board meeting.

DISCIPLINARY MATTERS

Informal Hearing

Mr. Anthony Coniglio, Assistant General Counsel, presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and adopts them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

- Jorge Monduy; Miami; Case No. 2017039677
\$78.94 costs only; Revocation of license BR5269, the three year time period to reapply for licensure was waived
- Cesar De Rosa; Miami; Case No. 2017037284
\$89.57 costs only; Revocation of license BR4739

Motion for Waiver of Rights and Final Order

Mr. Coniglio presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, the Respondents failed to respond within 21 days thereby waiving their right to elect a hearing in this matter, that the Board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

- Platinum Barbershop and Jean Bolivar; Boynton Beach; Case Nos. 2017033448 & 2017041336
\$500 fine and \$281.44 costs to be paid within 30 days
All outstanding fines and costs must be paid in full within 30 days; Suspension of license BS1082509 and BB8898422 for 12 months (6 months deferred); re-inspection within six months
- Luis Cabrera; Miami; Case No. 2017036382
\$121.77 costs only; Revocation of license BB8898356
- Wilbur Luis Ramirez; Miami; Case No. 2017041028
\$13.55 costs only; Revocation of license BR4330
- Emmanuel Corcino; West Palm Beach; Case No. 2017041656
\$500 fine and \$116.23 costs to be paid within six months
- Marcelo Prado; Miami; Case No. 2017039710
\$88.75 costs only; Revocation of license BR3758
- Ernesto Martinez; Homestead; Case No. 2017039680
\$57.44 costs only; Revocation of license BR4332
- Fredy Melendez; Key West; Case No. 2017039679
\$103.05 costs only; Revocation of license BR5092
- Born2fade; Lake Worth; Case No. 2017045601
\$500 fine and \$160.01 costs to be paid within six months
- Yariel Rosabal; Miami; Case No. 2017039519
\$88.75 costs only; Revocation of license BR5104
- Bladerunners Barbershop; Orlando; Case No. 2016044327
\$500 fine and \$493.86 costs to be paid within six months

- Sport Barber Shop; Lake Worth; Case No. 2017038839
\$1,050 fine and \$138.90 costs to be paid within 30 days
All outstanding fines and costs must be paid in full within 30 days; Suspension of license BS1083232 for 12 months (6 months deferred); successful re-inspection within six months
- Dreamchasers Barbershop; Lake Worth; Case No. 2017049128
\$500 fine and \$137.33 costs to be paid within 30 days
All outstanding fines and costs must be paid in full within 30 days; Suspension of license BS1082892 for 12 months (6 months deferred); successful re-inspection within six months
- Omar Medley; Miami; Case No. 2017045222
\$56.29 costs only; Revocation of license BR3899
- El Patio Barbershop; Clermont; Case No. 2017024962
\$1,000 fine and \$536.18 costs to be paid within 30 days
All outstanding fines and costs must be paid in full within 30 days; Suspension of license BS1080724 for 12 months (6 months deferred); successful re-inspection within six months
- Gabriel Carvantes; Floral City; Case No. 2017036496
\$56.29 costs only; Revocation of license BR4325
- Yusniel Hernandez; Miami; Case No. 2017039683
\$85.23 costs only; Revocation of license BR5205

Settlement Stipulation

Mr. Coniglio presented the following case for consideration by the Board. The Board moved to adopt the Stipulation of the parties as the Board's final action in this matter and incorporate it and all of its terms into a Final Order and imposed the penalty shown below:

- 1 Love Barber Shop and Denis Saint Louis; Port St. Lucie; Case Nos. 2017038847 & 2017041601
\$500 fine and \$309.99 costs to be paid within six months
- Over Look and Adelson Jules-Saint; Port St. Lucie; Case Nos. 2017018445 & 2017019340
\$600 fine and \$369.77 costs to be paid within six months
- Natural Beauty & Barber Salon; Sunrise; Case No. 2017050648
\$500 fine and \$88.01 costs to be paid within six months

Voluntary Relinquishment

- Enrique Ramos; Homestead; Case No. 2017039714
\$57.44 costs only; Voluntary relinquishment of license BR5065
- Johan Rodriguez Melo; Miami; Case No. 2017039516
\$13.55 costs only; Voluntary relinquishment of license BR4935
- Enelbys Fernandez; Miami; Case No. 2017037620
\$50.94 costs only; Voluntary relinquishment of license BR4258
- Rafael Habeych; Cutler Bay; Case No. 2017039486
\$100.04 costs only; Voluntary relinquishment of license BR8900074
- Alain Millan; Hialeah; Case No. 2017039525
\$78.94 costs only; Voluntary relinquishment of license BR4716

- Reidel Mejias; Miami; Case No. 2017039527
\$13.55 costs only; Voluntary relinquishment of license BR5244
- Oscar Napoles Zaldivar; Miami; Case No. 2017041031
\$13.55 costs only; Voluntary relinquishment of license BR4598
- Wilson Yardel Crespo; Miami; Case No. 2017036517
\$73.12 costs only; Voluntary relinquishment of license BR4530
- Luis Abreu; Cutler Bay; Case No. 2017035624
\$89.94 costs only; Voluntary relinquishment of license BR5048
- Elisandra Rodriguez; Miami; Case No. 2017039708
\$85.23 costs only; Voluntary relinquishment of license BR4845

Department Attorney Report

Mr. Coniglio informed the Board that as of March 5, 2018, there were 172 open barber cases in the legal section.

APPLICATIONS

Licensure Applications

Informal Hearing

Sean Price

Mr. Price was present for the meeting and was sworn in by Ms. Heather Howard, Court Reporter. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the January 21, 2018, Board meeting, based on the noted criminal history. After review, the Board moved to overturn the denial and approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation.

Halil Aydogan / Turkey

Mr. Aydogan was present for the meeting and was sworn in by the Court Reporter. Ms. Barineau informed the Board that the application was denied at the January 21, 2018, Board meeting, because the application failed to demonstrate that the applicant met the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.005, Florida Administrative Code. After review, the Board moved to approve the application.

Initial Review

Roxanne Paduani

Ms. Paduani was present for the meeting and was sworn in by the Court Reporter. After review, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

Christian Barquet

Mr. Barquet was present for the meeting and was sworn in by the Court Reporter. After review, the Board moved to approve the application with the following contingency: all fines and costs must be paid to the Department prior to licensure.

Jeffrey Giraldo

Mr. Giraldo was not present for the meeting. After review, the Board moved to approve the application.

Brittany Bourque / New Jersey

Ms. Bourque was not present for the meeting. After review, the Board moved to deny the application as the application fails to demonstrate that he meets the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.005, Florida Administrative Code.

Hermes Ramos

Mr. Ramos was not present for the meeting. After review, the Board moved to approve the application.

Flerido Rivera

Mr. Rivera was not present for the meeting. After review, the Board moved to approve the application.

Francis Paula

Mr. Paula was not present for the meeting. After review, the Board moved to approve the application with the following contingency: all fines and costs must be paid to the Department prior to licensure.

Michael Nardo

Mr. Nardo was present for the meeting. After review, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation.

Miguel Arguellas Mass

Mr. Mass was not present for the meeting. After review, the Board moved to approve the application.

OTHER BUSINESS

Executive Director Report

Financial Report for Period Ending December 2017

Ms. Barineau reported that the balance in the Board's operating account as of December 31, 2017, was over \$2.6 million, and the balance in their unlicensed activity account was over \$305,000 for the same period.

Correspondence

Complaints and Investigative Statistics – July 2017 – February 2018

Ms. Barineau informed the Board that the Complaints and Investigative Statistics Report was included in the agenda for informational purposes.

Barber Examination Summary – January 2017 – February 2018

Ms. Barineau informed the Board that the Barber Examination Summary was included in the agenda for informational purposes.

Dates and Locations of Future Meetings

- July 15, 2018 – Lake Mary
- October 7, 2018 – Daytona Beach
- January 13, 2019 – Destin
- April 7, 2019 – Fernandina Beach

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:30 a.m.