

MINUTES

FLORIDA BARBERS' BOARD
BOHEMIAN HOTEL
700 BLOOM STREET
CELEBRATION, FLORIDA 34747

Sunday, July 16, 2017

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
Edwin Stewart
Lionel Rodriguez
Antonett Munchalfen

Board Members Absent

Bill Gilbert
Veronica Wold

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
Rebecca Hayes, Chief Attorney, Office of the General Counsel, DBPR
Angela Williams-Rivera, Assistant General Counsel, Office of the General Counsel, DBPR
Diana Brundage, Court Reporter
Cesar Vazquez
Miguel Jimenez
Pedro Mercedes
Eteban Tejada
Ignasio Gonzales
Francisco Alcantara
Jason Guity

The meeting was opened with a roll call and a quorum was established. The Board excused the absences of Mr. Bill Gilbert and Ms. Veronica Wold from the meeting.

APPROVAL OF MINUTES

The Board approved the minutes from the April 23, 2017, Board meeting.

DISCIPLINARY MATTERS

Informal Hearing

Ms. Angela Williams-Rivera, 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:

- Tightwork Barber and Beauty; Jacksonville; Case No. 2016053655
\$500 fine and \$161.86 costs to be paid within six months
- Robert McCalla; Ft. Lauderdale; Case No. 2016048845

Ms. Williams-Rivera requested that this case be pulled from the agenda

Motion for Waiver of Rights and Final Order

Ms. Williams-Rivera 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:

- Juan Serrano; Lake Worth; Case No. 2016048967
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Shawntel Breaker; Jacksonville; Case No. 2016053821
\$500 fine and \$108.04 costs to be paid within six months
- Big Apple Styles; Dania; Case No. 2016046249
\$1,000 fine and \$262.96 costs to be paid within six months
- Barbaro Magana; Hollywood; Case No. 2016046240
\$500 fine and \$301.28 costs to be paid within six months
- Najee Crawford; Miramar; Case No. 2016047347
\$146.74 costs only
Revocation of license BR3764
- New York Cuts Enterprise and Diony Cruz; Sunrise; Case Nos. 2016055501 & 2016055561
The Board dismissed these cases
- Freestyle Barbers and Isaias Cordero; Port St. Lucie; Case Nos. 2016042091 & 2016038573
\$400 fine and \$339.88 costs to be paid within six months
- Georgia Osborne; Zephyrhills; Case No. 2016048035
The Board dismissed this case
- Cesar Bonilla; Coconut Creek; Case No. 2016047272
\$163.40 costs only
Revocation of license BR4086
- Andre Garrido; Pembroke Pines; Case No. 2016047374
\$113.42 costs only
Revocation of license BR3397
- Richard Santiago; Port Charlotte; Case No. 2016047283
\$65.07 costs only
Revocation of license BR3952
- Revive Salon De Coiffure; Sarasota; Case No. 2016045209
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Roderick Espinoza; Cooper City; Case No. 2016049894
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Misael Sanchez; Miami; Case No. 2016047127
\$86.20 costs only

Revocation of license BR4614

- Luis Agramonte; Miami; Case No. 2016047208
\$103.37 costs only
Revocation of license BR3388
- Reiner Soto; Naples; Case No. 2016048523
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Jorge Museguez; Homestead; Case No. 2016049374
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Hair Trends and Jonathan Vincson; West Palm Beach; Case Nos. 2016048037 & 2016048210
\$500 fine and \$355.66 costs to be paid within six months
Suspension of license BS1081596 for 30 days, and suspension of license BB8894326 for six months
- Bar Boyz Barber Shop; Ft. Lauderdale; Case No. 2016057309
\$500 fine and \$64.19 costs to be paid within six months
- New Era Barbershop; Deerfield Beach; Case No. 2017000798
\$500 fine and \$137.33 costs to be paid within six months
- Barber Shop of Gainesville; Gainesville; Case No. 2016051429
\$1,000 fine and \$205.44 costs to be paid within six months
- Jean Yomson; Ft. Lauderdale; Case No. 2016057682
\$500 fine and \$121.77 costs to be paid within six months

Settlement Stipulation

Ms. Williams-Rivera presented the following cases 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 penalties shown below:

- 44th Street Barber Shop; Oakland Park; Case No. 2016057078
\$500 fine and \$65.23 costs to be paid within six months
- New Era Barbershop III; Wellington; Case No. 2016057346
\$500 fine and \$116.89 costs to be paid within six months
- Churchill's Barber Shop; Miami; Case No. 2016046275
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Ace of Fadez Barbershop; Oakland Park; Case No. 2016057350
\$500 fine and \$79.57 costs to be paid within six months
- Big City Barbershop and Luis Ramirez; Riviera Beach; Case Nos. 2016052053 & 2016053826
\$500 fine and \$372 costs to be paid within six months

Voluntary Relinquishment

- Ralph Gutierrez; Lauderdale Lakes; Case No. 2016047183

\$31.38 costs only
Voluntary relinquishment of license BR4625

- Pedro Mercedes; Hollywood; Case No. 2016049930
Voluntary relinquishment of license BR4319
- Hector Diaz; Coral Springs; Case No. 2016047214
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Samuel Milton; Coral Gables; Case No. 2016047319
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Marcos Santiago; Cutler Bay; Case No. 2016047337
\$106.80 costs only
Voluntary relinquishment of license BR4093
- Esteban Tejada; Hollywood; Case No. 2016048674
\$83.72 costs only
Voluntary relinquishment of license BR4303

Department Attorney Report

Ms. Williams-Rivera informed the Board that as of June 7, 2017, there were 70 open barber cases in the legal section.

APPLICATIONS

Licensure Applications

Initial Review

Ignasio Gonzalez / New York

Mr. Gonzalez was present for the meeting and was sworn in by Ms. Diana Brundage, Court Reporter. After review, Mr. Eddie Stewart moved to approve the application. Mr. Lionel Rodriguez seconded the motion and the motion passed unanimously.

Cesar Vasquez

Mr. Vasquez was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Marat Muradov / NY

Mr. Muradov was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Halil Aydogan / Turkey

Mr. Aydogan was not present for the meeting. After review, Mr. Stewart moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.005, Florida Administrative Code. Vice Chair Michelino Nibaldi seconded the motion and the motion passed unanimously.

Hunter Moody

Mr. Moody was not present for the meeting. After review, Vice Chair Nibaldi moved to approve the application. Ms. Antionett Munchalfen seconded the motion and the motion passed unanimously.

Cristian Frias / Venezuela

Mr. Frias was not present for the meeting. After review, Chair Smith moved to approve the application. Vice Chair Nibaldi seconded the motion and the motion passed unanimously.

Jason Guity

Mr. Guity was present for the meeting and was sworn in by the Court Reporter. After review, Vice Chair Nibaldi moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Francisco Alcantara

Mr. Alcantara was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Ms. Munchalfen seconded the motion and the motion passed unanimously.

Milton Williams

Mr. Williams was not present for the meeting. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Miguel Jimenez

Mr. Jimenez was not present for the meeting. After review, Mr. Stewart moved to approve the application. Vice Chair Nibaldi seconded the motion and the motion passed unanimously.

OTHER BUSINESS

Board Attorney Report

Proposed Fee Reduction

The Board agreed to reduce the following delinquent fees from \$70 to \$25. They agreed that a violation of this rule, or any part of this rule, would not be designated a minor violation. They also agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

- 61G3-20.0105, Florida Administrative Code – Barbershop Delinquent Renewal Fee
- 61G3-20.020, Florida Administrative Code – Delinquent License Fee

Executive Director Report

Financial Report for Period Ending March 2017

Ms. Robyn Barineau, Executive Director, reported that the balance in the Board’s operating account as of March 31, 2017, was over \$2.9 million, and the balance in their unlicensed activity account was over \$310,000 for the same period.

Correspondence

Complaints and Investigative Statistics – July 2016 – May 2017

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 – May 2017

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

Dates and Locations of Future Meetings

October 15, 2017 – Hutchison Island
January 22, 2018 – Destin
April 15, 2018 – Altamonte Springs
July 15, 2018 – Lake Mary

ADJOURNMENT

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