

MINUTES

FLORIDA BARBERS' BOARD
CASA MONICA HOTEL - 95 CORDOVA STREET
ST. AUGUSTINE, FLORIDA 32084

Monday, August 12, 2013

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

Board Members Present

Herman White, Chair
Thomas Vaughn, Vice Chair
Edwin Stewart
Bill Gilbert
Andrew Raines
Julie Rivera

Board Members Absent

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation, (DBPR)
Julie Rowland, Government Analyst, DBPR
Erica White, Assistant General Counsel, Office of the General Counsel (OGC), DBPR
John Villafrate, Assistant General Counsel, OGC, DBPR
Marlene Stern, Assistant Attorney General, Office of the Attorney General
Elaine Danese, Court Reporter
Frank Chouquet
Honglian Gerbitz
Kelvin Bean
Dominique Shavo
Roger Charlton
Guy Terzuoli
Joshua Morrison
Sidney DePina
Nicholas Ariza
Edward Willoughby Jr.
Calvin Dixon Jr.
Sandra Torres

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

APPROVAL OF MINUTES

Mr. Edwin Stewart moved to accept the minutes from the May 6, 2013, Board meeting. Mr. Bill Gilbert seconded the motion and the motion passed unanimously.

DISCIPLINARY MATTERS

Informal Hearing

Ms. Erica White, 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 the law of the Board and imposed the penalties shown below:

Felix Aviles Aquino; Orlando; Case No. 2012.003079

Mr. Aquino was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$137.74, plus revocation of barber license BB8894919. Mr. Andrew Raines seconded the motion and the motion passed unanimously.

Quisqueya Barber Salon and Multiservice and Gaston Jean Baptiste; Port St. Lucie; Case Nos. 2011.030180 and 2011.040969

The Respondents were not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$230.86, to be paid over a period of six months, with the first payment of \$230.86 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barbershop license BS1080098 and barber license BB8889854. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the barbershop license and barber license will be suspended. Vice Chair Tommy Vaughn seconded the motion and the motion passed unanimously.

Kelvin Antonio Bean; West Palm Beach; Case No. 2012.005101

Mr. Bean was present for the meeting and was sworn in by Ms. Elaine Danese, Court Reporter. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$160.44, to be paid over a period of six months, with the first payment of \$160.44 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barber license BR357. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barber license will be suspended. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Jose L. Morales; Sebring; Case No. 2012.009642

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$428.93, plus revocation of barber license BB8895028. Mr. Raines seconded the motion and the motion passed unanimously.

New Tampa Cuts and Fades, LLC; Tampa; Case No. 2011.019768

The Respondent was not present for the meeting. Mr. Stewart moved that the Board impose a fine of \$400 and costs of \$303.52, to be paid over a period of six months, with the first payment of \$303.52 due within 30 days of the final order and five monthly payments of \$80 each, plus six months stayed suspension against barbershop license BS1078956. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license will be suspended. Ms. Rivera seconded the motion and the motion passed unanimously.

The Original Kings of Barbering; Pensacola; Case No. 2011.060162

Mr. Edward Willoby, Jr. and Mr. Kalvin Dixon, Jr. were present for the meeting and were sworn in by the Court Reporter. Mr. Stewart recused himself from voting on this matter. Mr. Raines moved that the board dismiss the case as it has been resolved. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Outstanding Hair Studio Barbershop; Riviera Beach; Case No. 2012.005098

Mr. Bean was present for the meeting and was sworn in by the Court Reporter. Mr. Gilbert moved that the Board impose costs of \$111.43 only. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Guillermo J. Perez; Tamarac; Case No. 2012.027282

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$265.32, plus revocation of barber license BB8894677. Ms. Rivera seconded the motion and the motion passed unanimously.

Luis Fernando Rodriguez; Naples; Case No. 2012.022981

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$388.36, plus revocation of barber license BB8895144. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Noel Taveras; Pembroke Pines; Case No. 2012.027155

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$1,000 and costs of \$40.05, plus revocation of barber license BB8894439. Ms. Rivera seconded the motion and the motion passed unanimously.

Nicholas A. Ariza; Hialeah; Case No. 2012.002572

Mr. Nicholas Ariza was present for the meeting and was sworn in by the Court Reporter. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$282.58, plus revocation of barber license BB8894893. Mr. Raines seconded the motion and the motion passed unanimously.

Sandra Torres; Orlando; Case No. 2012.026797

Ms. Sandra Torres was present for the meeting and was sworn in by the Court Reporter. The Board tabled this matter for the November 2013 meeting.

Motion for Waiver of Rights and Final Order

Ms. White 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 the law of the Board and imposed the penalties shown below:

Juan G. Albino; Orlando; Case No. 2012.001953

The Respondent was not present for the meeting. Mr. Raines moved that the Board impose a fine of \$500 and costs of \$145.98, plus revocation of barber license BB8894898. Ms. Rivera seconded the motion and the motion passed unanimously.

Virgilio Alvarado; Orlando; Case No. 2012.001957

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$155.75, plus revocation of barber license BB8894800. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Luis J. Gonzalez Colon; Lakeland; Case No. 2012.007683

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$225.78, plus revocation of barber license BB8895285. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Osbel Guevara; Cape Coral; Case No. 2012.008206

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$79.16, plus revocation of barber license BB8894881. Ms. Rivera seconded the motion and the motion passed unanimously.

Edwin Jaquez; Oviedo; Case No. 2012.009506

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$70.23, plus revocation of barber license BB8895044. Ms. Rivera seconded the motion and the motion passed unanimously.

Miguel J. Arguelles; Kissimmee; Case No. 2012.002568

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$169.91, plus revocation of barber license BB8894921. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Antonio Arias; Orlando; Case No. 2012.002570

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$136.28, plus revocation of barber license BB8895179. Mr. Raines seconded the motion and the motion passed unanimously.

Manuel Arroyo Jr.; Orlando; Case No. 2012.002603

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$196.85, plus revocation of barber license BB8895077. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Ricardo Montes; Orlando; Case No. 2012.009616

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$149.53, plus revocation of barber license BB8894861. Ms. Rivera seconded the motion and the motion passed unanimously.

Bryce Lombardi; Winter Haven; Case No. 2012.009344

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$267.67, plus revocation of barber license BB8894748. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Rafael Clemente; Homestead; Case No. 2012.007160

The Respondent was not present for the meeting. Mr. Raines moved that the Board impose a fine of \$500 and costs of \$298.27, plus revocation of barber license BB8894822. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Wideline Borgella; Orlando; Case No. 2012.007137

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$170.66, plus revocation of barber license BB8895658. Mr. Gilbert seconded the motion and the motion passed unanimously.

Miguel A. Baez Ramos; St. Cloud; Case No. 2012.022558

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$308.49, plus revocation of barber license BB8894543. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Luis De Jesus; Longwood; Case No. 2012.008000

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$186.35, plus revocation of barber license BB8895135. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Angel Belen Mendez; Titusville; Case No. 2012.009296

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$388.00, plus revocation of barber license BB8894930. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Jose Mendez; Miramar; Case No. 2012.009852

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$310.66, plus revocation of barber license BB8895615. Ms. Rivera seconded the motion and the motion passed unanimously.

Ronly Pardo; Naples; Case No. 2012.000351

The Respondent was not present for the meeting. Mr. Raines moved that the Board impose a fine of \$500 and costs of \$335.85, plus revocation of barber license BB8895108. Mr. Gilbert seconded the motion and the motion passed unanimously.

Albert Arce; Miramar; Case No. 2012.002565

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$416.63, plus revocation of barber license BB8895225. Ms. Rivera seconded the motion and the motion passed unanimously.

James E. Lebron; Avon Park; Case No. 2012.009339

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$555.66, plus revocation of barber license BB8895514. Ms. Rivera seconded the motion and the motion passed unanimously.

Lauze Cammock; Margate; Case No. 2012.000298

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$338.48, plus revocation of barber license BB8895141. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Santiago Castro; Kissimmee; Case No. 2012.007145

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$129.17, plus revocation of barber license BB8895248. Ms. Rivera seconded the motion and the motion passed unanimously.

Mario Pecina; Wimauma; Case No. 2012.027331

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$299.72, plus revocation of barber license BB8894742. Ms. Rivera seconded the motion and the motion passed unanimously.

Michael Rivera; Winter Haven; Case No. 2012.022927

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$173.52, plus revocation of barber license BB8894935. Ms. Rivera seconded the motion and the motion passed unanimously.

Yolina Luis; Immokalee; Case No. 2012.009350

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$280.92, plus revocation of barber license BB8895078. Ms. Rivera seconded the motion and the motion passed unanimously.

Miguel Angel Cuevas Diego; Bonita Springs; Case No. 2012.008240

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$392.90, plus revocation of barber license BB8895059. Ms. Rivera seconded the motion and the motion passed unanimously.

Kenneth Osorio; Deltona; Case No. 2012.027386

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$213.43, plus revocation of barber license BB8895541. Mr. Gilbert seconded the motion and the motion passed unanimously.

Luis Melendez; Bonita Springs; Case No. 2012.009283

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$352.90, plus revocation of barber license BB8894958. Ms. Rivera seconded the motion and the motion passed unanimously.

Roberto C. Ramos; Tampa; Case No. 2012.022561

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$163.57, plus revocation of barber license BB8894920. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Pedro J. Ruiz; Orlando; Case No. 2012.030842

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$1,500 and costs of \$234.31, plus revocation of barber license BB8891252. Mr. Raines seconded the motion and the motion passed unanimously.

Michel Igarza; Altamonte Springs; Case No. 2012.009497

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$205.51, plus revocation of barber license BB8894731. Ms. Rivera seconded the motion and the motion passed unanimously.

Jose Gonzalez; Orlando; Case No. 2012.008187

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$130.98, plus revocation of barber license BB8894860. Ms. Rivera seconded the motion and the motion passed unanimously.

Antwon Taylor; Orlando; Case No. 2012.027154

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$221.59, plus revocation of barber license BB8894939. Ms. Rivera seconded the motion and the motion passed unanimously.

Settlement Stipulation

National Barbershop Association Inc.; Miami; Case No. 2011.053861

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board 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 impose a fine of \$500 and costs of \$99.98, to be paid over a period of six months, with the first payment of \$99.98 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barbershop license BS1078297. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license will be suspended. Ms. Rivera seconded the motion and the motion passed unanimously.

Derrick Wiggins; Lake Worth; Case No. 2012.026779

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board 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 impose a fine of \$500 and costs of \$114.09, to be paid over a period of six months, with the first payment of \$99.98 due within 30 days of the final order and five monthly payments of \$100 each, plus suspension against barber license BB8894849, until Respondent satisfies the following provisions: complete a minimum of 1,200 hours of training at a barber school, submit a new license application and application fee to the Department, take and pass the barber examination, all within 36 months. Ms. Rivera seconded the motion and the motion passed unanimously.

Voluntary Relinquishment

Angel D. Arroyo; Orlando; Case No. 2012.002601

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board accept the voluntary relinquishment of barber license BB8894942 as resolution of this case. Respondent agreed to never reapply for licensure as a barber in the State of Florida. Ms. Rivera seconded the motion and the motion passed unanimously.

Sidney Depina; Kissimmee; Case No. 2012.007666

Ms. Sidney Depina was present for the meeting and was sworn in by the Court Reporter. Mr. Stewart moved that the Board accept the voluntary relinquishment of barber license BB8895126 as resolution of this case. Respondent agreed to never reapply for licensure as a barber in the State of Florida. Ms. Rivera seconded the motion and the motion passed unanimously.

Ralph Diaz; Orlando; Case No. 2012.007635

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board accept the voluntary relinquishment of barber license BB8894814 as resolution of this case. Ms. Rivera seconded the motion and the motion passed unanimously.

Jose Ortega; Kissimmee; Case No. 2012.009838

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board accept the voluntary relinquishment of barber license BB8894831 as resolution of this case. Respondent agreed to never reapply for licensure as a barber in the State of Florida. Ms. Rivera seconded the motion and the motion passed unanimously.

Michael L. Reyes; Case No. 2012.022569

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board accept the voluntary relinquishment of barber license BB8894743 as resolution of this case. Respondent agreed to never reapply for licensure as a barber in the State of Florida. Ms. Rivera seconded the motion and the motion passed unanimously.

Jose Raul Cruz Moreira; West Palm Beach; Case No. 2012.009645

The Respondent was not present for the meeting. Ms. Julie Rivera moved that the Board accept voluntary relinquishment of barber license BB8894946 as resolution of this case. Respondent agreed to never reapply for licensure as a barber in the State of Florida. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Department Attorney Report

Ms. White informed the Board that as of July 17, 2013, there were 445 open barber cases in the legal section. Ms. White also introduced Mr. John Villafrate, Assistant General Counsel, as the new prosecutor for the Florida Barbers' Board.

APPLICATIONS

Initial Review

Ahmad Hassan / Puerto Rico

Mr. Hassan was not present for the meeting. After review, Mr. Raines moved to deny the application based on discrepancies in the documentation provided. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Guy Terzuoli / France

Mr. Guy Terzuoli and Mr. Roger Charleston were present for the meeting and were sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Joshua G. Morrison

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

Niv Katzav

Mr. Katzav was not present for the meeting. After review, Ms. Rivera moved to deny the application based on discrepancies in the documentation provided. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Isdrey Crespo Napoles

Mr. Napoles was not present for the meeting. After review, Ms. Rivera moved to deny the application based on discrepancies in the documentation provided. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Franck Chouquet / France

Mr. Chouquet was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Ms. Rivera seconded the motion and the motion passed with Mr. Gilbert voting against the motion.

Dominique D. Shavo

Mr. Shavo was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Ms. Rivera seconded the motion and the motion passed unanimously.

Honglian Gerbitz / China

Ms. Honglian Gerbitz and Mr. Howard Gerbitz were present for the meeting and were sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Ms. Rivera seconded the motion and the motion passed unanimously.

Truc Van Nguyen / Vietnam

Mr. Nguyen was not present for the meeting. After review, Mr. Raines moved to deny the application based on discrepancies in the documentation provided. Ms. Rivera seconded the motion and the motion passed unanimously.

Jose Sanchez

Mr. Sanchez was not present for the meeting. After review, Mr. Raines moved to deny the application based on discrepancies in the documentation provided. Ms. Rivera seconded the motion and the motion passed unanimously.

Kevin Grant / Haiti

Mr. Grant was not present for the meeting. After review, Mr. Raines moved to deny the application based on discrepancies in the documentation provided. Ms. Rivera seconded the motion and the motion passed unanimously.

Luis Armondo Rivera

Mr. Rivera was not present for the meeting. After review, Mr. Gilbert moved to approve the application. Ms. Rivera seconded the motion and the motion passed unanimously.

Wilson Tejeda / Israel

Mr. Tejeda was not present for the meeting. After review, Vice Chair Vaughn moved to deny the application based on discrepancies in the documentation provided. Mr. Gilbert seconded the motion and the motion passed unanimously.

Clifford Jermaine Pray

Mr. Pray was not present for the meeting. After review, Mr. Gilbert moved to deny the application because the applicant failed to demonstrate he successfully completed 1,200 hours of barber training at a barbering school. Ms. Rivera seconded the motion and the motion passed unanimously.

McKenzie Joseph

Mr. Joseph was not present for the meeting. After review, Mr. Gilbert moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Dixon Paul Danner

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

David Duran

Mr. Duran was not present for the meeting. After review, Ms. Rivera moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Mr. Gilbert seconded the motion and the motion passed unanimously.

Jonathan Cardona

Mr. Cardona was not present for the meeting. After review, Mr. Raines moved to deny the application based on the noted criminal history. Ms. Rivera seconded the motion and the motion passed unanimously.

Craig Alan Renfrow

Mr. Renfrow was not present for the meeting. After review, Mr. Raines moved to deny the application based on the noted criminal history. Ms. Rivera seconded the motion and the motion passed unanimously.

Gregory Maurice Thomas

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

OTHER BUSINESS

Board Attorney Report

The Board approved the following rule amendments and agreed that there would be no negative impact on small business nor would there likely be an increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

Rule 61G3-16.007, Florida Administrative Code – Examination for Restricted Licensure

~~(1) The examination for restricted licensure to practice barbering shall consist of a written exam. Applicants for a restricted license to practice barbering must achieve a passing grade on the examination to be eligible for a restricted license to practice barbering.~~

~~(2) (1) The examination for restricted licensure shall cover the laws and rules which govern the practice of barbering in Florida.~~

~~(3) (2) The score necessary to achieve a passing grade on the written portion of the restricted licensure examination shall be no less than seventy-five (75) percent out of one hundred (100) percent on the examination. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be rounded down to the next whole number.~~

Rule 61G3-16.008, Florida Administrative Code – Manner of Application

~~(1) Every person desiring to be examined for either full or restricted licensure as a barber shall apply to the Department in writing upon forms prepared and furnished by the Department and pay an examination fee as required by Rule 61G3-20.002, F.A.C.~~

~~(1) The applicant must present with the application two (2) 2" x 2" photographs taken within the past twelve (12) months and evidence of completion of barber training as defined in Chapter 476, F.S.~~

~~(2) Qualified outside testing vendor shall notify applicants of their eligibility for a written examination within five (5) working days after receipt of Board notification of the applicant's eligibility.~~

~~(3) (2) Applicants for an unrestricted license who have completed one thousand (1,000) actual school hours or more but less than one thousand two hundred (1,200) actual school hours are required to have the school or program attended certify on that portion of the application so designated that said applicant has completed the stated number of hours, the required services as established by Rule 61G3-16.001, F.A.C., and is competent to sit for the licensure examination.~~

Rule 61G3-20.002, Florida Administrative Code – Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees

(1) The application fee for licensure by means of endorsement or examination and reexamination for barbers shall be as follows:

Method of Licensure:

Application Fee:

(a) Endorsement

The application fee for licensure by endorsement shall be one

hundred and fifty dollars (\$150.00). All fees shall be payable to the Department.

(b) Examination and Reexamination

The application fee for both the examination and reexamination. One hundred, fifty dollars and zero cents (\$150.00).

(2) The application fee for licensure by means of examination and reexamination for restricted barbers shall be as follows:

Method of Licensure:

Application Fee:

(a) Examination and Reexamination

The application fee for both the examination and reexamination for the written portion shall be one hundred fifty dollars and zero cents (\$150.00).

(3) Applicants for licensure as a barber or restricted barber shall pay both the original licensure fee set forth in Rule 61G3-20.014, F.A.C., and the applicable part of the examination or reexamination application fee specified in subsections (1) and (2) above.

(a) All fees payable to the Department shall be paid at the time the applicant submits his or her application for licensure by endorsement, examination or reexamination.

(b) All parts of the examination or reexamination application fee payable to a qualified outside testing vendor shall be paid to that service upon notification that the applicant's application for licensure by examination or reexamination has been approved.

~~(c) In the event that a qualified outside testing vendor is not used for examination or reexamination, all fees shall be paid to the Department.~~

Rule 61G3-25.004, Florida Administrative Code – Inactive Status; Reactivation

(1) Any licensee may elect at the time of license renewal to place the license into inactive status by filing with the Department a completed application for inactive status and by paying the inactive status fee.

(2) An inactive status licensee may change to active status at any time provided the licensee pays the reactivation fee, and if the request to change licensure status is made at any time other than at the beginning of a licensure cycle, pays the additional processing fee. ~~However, a licensee whose license has been in inactive status for more than two consecutive biennial licensure cycles shall be required to submit a statement providing that the licensee has read within the last thirty (30) days and is familiar with the laws and rules for the practice of barbering in the State of Florida before the licensee can be placed into active status.~~

~~(3) Any inactive licensee who elects active status is not eligible to elect to return to inactive status until the next licensure renewal period.~~

~~(4) (3)~~ A barber may not work with an inactive or delinquent license.

Rule 61G3-25.005, Florida Administrative Code – Delinquent Status

~~(1) The failure of any licensee to elect active or inactive status before the license expires shall cause the license to become delinquent.~~

~~(2) (1)~~ The delinquent status licensee must affirmatively apply for active or inactive status during the licensure cycle in which the licensee becomes delinquent. The failure by the delinquent status licensee to cause the license to become active or inactive before the expiration of the licensure cycle in which the license became delinquent shall render the license null and void without further action by either the Board or Department.

~~(3) (2)~~ The delinquent status licensee who applies for active or inactive status shall:

(a) file with the Department a completed application for either active or inactive status; and

(b) pay to the Board either the active status or inactive status fee, the delinquency fee, and, if the request to change licensure status is made at any time other than at the beginning of a licensure cycle, pays the additional processing fee.

Rule 61G3-25.006, Florida Administrative Code – Notice to Department of Mailing and Email Address and place of Practice of Licensee

(1) It shall be the duty of each licensee to provide written notification to the Department of the

licensee's current mailing and e-mailing addresses and place of practice. For purposes of this rule, "place of practice" means the address of the physical location where the licensee practices barbering. "Current mailing address" shall mean the address at which the United States Postal Service delivers mail to the licensee.

(2) Any time that the current mailing or e-mailing address or place of practice of any licensee changes, written notification of the change shall be provided to the Department within ninety (90) days of the change. Written notice should be sent to the following address: Florida Barbers' Board, Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0769.

(3) It shall be a violation of this rule for a licensee to fail to notify the Department within ninety (90) days of a change of mailing or e-mailing address or place of practice. ~~It shall not be a violation of this rule to fail to advise the department of a change of one's place of practice within ninety (90) days.~~

Executive Director Report

Financial Report ending March 31, 2013

Ms. Robyn Barineau, Executive Director, reported that the balance in the Board's operating account on March 31, 2013, was over \$1.5 million and the balance in their unlicensed activity account was over \$300,000 for the same period.

Regulation Report

Complaints and Investigative Statistics Report – July 2012 – May 2013

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

Education and Testing Report

Barber Examination Summary – January 2013 – June 2013

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

Elections

The Board unanimously reelected Mr. Herman White, Chair, and Mr. Thomas Vaughn, Vice Chair, of the Florida Barbers' Board.

Dates and Locations of Future Meetings

November 3-4, 2013 – Jacksonville
February 17, 2014 – Gainesville
May 5, 2014 – Fernandina Beach
August 4, 2014 – Pensacola
November 3, 2014 – Orlando

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 2:30 p.m.