

**FLORIDA BOARD OF COSMETOLOGY
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
THE CASA MONICA HOTEL
95 CORDOVA STREET
ST. AUGUSTINE, FLORIDA 32084
904.827.1888**

Tuesday, April 27, 2010 – 9 a.m.

The Board of Cosmetology meeting was called to order at approximately 9:10 a.m., by Ms. Myra Jowers, Chair.

Board Members Present

Myra Jowers, Chair
Monica Smith
Crystal Lackey
Ginny Fincel, Vice Chair
Laurel Ritenbaugh
Rosabel Ramos

Board Members Absent

None

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Jaime Liang, Assistant Attorney General, Office of the Attorney General (OAG)
Jason White, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Katharine Dodson, Administrative Assistant, DBPR

Interested Parties Present

Lisa Beauchamp, Court Reporter
Va S. Thi
Duong Tran
Paul Natter

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

Disciplinary Matters

Informal Hearings

Regarding Case No. 2009.021566 against Va S. Thi of Boca Raton, Mr. Jason White informed the board that the Respondent had elected an informal hearing in the matter. Mr. Thi and Mr. Duong Tran, translator, were present for the meeting and were sworn in by the Court Reporter. Mr. White presented the department's case in this matter and suggested assessing a fine of \$500 and costs of \$67.54. Ms. Laurel Ritenbaugh moved that the board find the Respondent was 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 impose costs of \$67.54 only. Ms. Monica Smith seconded the motion and the motion passed unanimously.

Mr. White presented the following cases for consideration by the board. Vice Chair Ginny Fincel moved that the Respondent was properly served with the Administrative Complaint and elected to not dispute the alleged facts, that there is competent and substantial evidence in the investigative file to support the allegations, that the Respondent committed the offenses

outlined in the Administrative Complaint, and that the board impose a penalty on the Respondent as shown below:

- Loretta Boyce; Stuart
Case No. 2008.053021
\$500 fine and \$134.06 costs
- Elegance Day Spa; West Palm Beach
Case No. 2009.025846
\$600 fine and \$106.22 costs
- Tikisha Monrez Gobourne; Sarasota
Case No. 2008.009066
\$500 fine and \$93.56 costs
- Douglas Lopez; Royal Palm Beach
Case No. 2009.018685
\$500 fine and \$115.85 costs
Six month stayed suspension
Re-inspection in six months
- Theresa McCollum; West Palm Beach
Case No. 2009.027482
\$600 fine and \$106.22 costs
Six month stayed suspension
Re-inspection in six months
- Nail Shop; Pinellas Park
Case No. 2008.053529
\$500 fine and \$93.97 costs and \$195 lab fee
- Tam Minh Nguyen; Santa Rosa Beach
Case No. 2009.018941
\$69.51 costs
Revocation of license FS 875102

Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Motions for Waiver of Rights and Final Order

Regarding Case No. 2009.014343 against Paul Natter of Miami, Mr. White presented the department's case and suggested imposing a fine of \$500 and costs of \$181.78. Mr. Natter was present for the meeting and was sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent 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 impose a fine of \$500 and costs of \$181.78 to be paid over a period of six months, with the first payment of \$281.78 due within 30 days of the final order and five monthly payments of \$100 each. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Regarding Case No. 2009.017846 against Nails Ave Salon of Tampa, Mr. White presented the department's case and suggested imposing a fine of \$500 and costs of \$197.98. The

Respondent was not present for the meeting. Vice Chair Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent 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 impose a fine of \$500 and costs of \$197.98, plus revocation of the Respondent's cosmetology salon license CE 9975559. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Unless otherwise stated, by appropriate motion the board found that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in this matter, the board accepts the allegations as stated in the Administrative Complaint and adopted them as findings of the fact and conclusions of the law of the board, and imposed the penalties shown below:

- Beyond Glamour, d/b/a Radiant Expressions; Wesley Chapel
Case No. 2009.032901
\$500 fine and \$122.08 costs
- Bodycut Fitness Center; Miami
Case No. 2009.032609
\$700 fine and \$92.03 costs
Six month stayed suspension
Re-inspection in six months
- Mary Sanovia Butler; Ft. Lauderdale
Case No. 2007.064829
\$500 fine and \$84.81 costs
Revocation of license HB 2675
- D&D Nails; Orlando
Case No. 2008.006045
\$500 fine and \$289.82 costs
- Exodus Unisex Salon; Palm Bay
Case No. 2009.018401
\$1,000 fine and \$131.49 costs
Six month stayed suspension
Re-inspection in six months
- Quyen Thi Ha & Nail Art; Vero Beach
Case Nos. 2009.011835 & 2008.061775
\$150 fine and \$127.39 costs
- Bianca Johnson; Pompano Beach
Case No. 2007.064914
\$500 fine and \$116.43 costs
Revocation of license HB 2547
- Robert L. Johnson; Palmetto
Case No. 2008.053966

\$500 fine and \$79.81 costs

- Loan Thi Le; West Palm Beach
Case No. 2009.011174
\$250 fine and \$222.91 costs
- Lee Nails; Blountstown
Case No. 2009.028073
\$500 fine and \$143.73 costs
- Montamene Lorvens; Miami
Case No. 2009.032635
\$500 fine and \$63.83 costs
Six month stayed suspension
- Sharonda Laveta McNair; Ft. Lauderdale
Case No. 2007.064830
\$500 fine and \$124.33 costs
Revocation of license HB 2716
- Motherland Hair, d/b/a Boly Sall; St. Petersburg
Case No. 2009.021403
\$1,00 fine and \$108.04 costs
Six month stayed suspension
Re-inspection in six months
- Nuestro Salon Latino; Orlando
Case No. 2009.032608
\$2,150 fine and \$121.67 costs
Six month stayed suspension
Re-inspection in six months
- Regal Nails; Ft. Pierce
Case No. 2009.023898
\$500 fine and \$100.22 costs
- Christine Jann Richards; Miramar
Case No. 2007.064870
\$500 fine and \$132.24 costs
Revocation of license HB 3196
- Studio Jer'Mel; Jacksonville
Case No. 2009.034772
\$500 fine and \$230.14 costs
- Loretta Timmons; Palm City
Case No. 2007.042362
\$500 fine and \$114.94 costs
- Alexis Torres; Lake Worth
Case No. 2009.004800
\$1,500 fine and \$65.52 costs
Six month stayed suspension

- Tu Thanh Tran; Jensen Beach
Case No. 2009.011702
\$200 fine and \$109.04 costs
- Alicia Trice; West Palm Beach
Case No. 2009.021172
\$500 fine and \$107.25 costs
Six month stayed suspension
- Upscale Barbershop Lounge Salon; Orlando
Case No. 2009.012056
\$500 fine and \$136.83 costs
Six month stayed suspension
Re-inspection in six months
- Unique Styles Hair Salon; West Palm Beach
Case No. 2009.002704
\$550 fine and \$117.80 costs
- Fay C. Villoch; Miramar
Case No. 2007.064916
\$500 fine and \$84.81 costs
Revocation of license HB 2626
- Kathleen Walkin; Miami
Case No. 2009.032677
\$500 fine and \$85.63 costs
Six month stayed suspension
- Stacey R. Williams; Jacksonville
Case No. 2008.067795
\$500 fine and \$70.63 costs

Settlement Stipulations

Unless otherwise stated, by appropriate motion the board found the Respondent to have committed the offenses as alleged in the Administrative Complaint and adopted the Stipulation of the parties as the board's final action regarding a penalty to be imposed on the Respondent as follows:

- Andy Xuan Nguyen; Royal Palm Beach
Case No. 2009.01841
\$250 fine and \$229.44 costs
- Rose Nails and Cong Van Vo; Royal Palm Beach
Case Nos. 2009.025804 and 2009.027474
\$250 fine and \$229.44 costs
Six month stayed suspension
Re-inspection in six months
- Elvershon Eldrake Williams, Sr.; Jacksonville

Case No. 2009.034774
\$500 fine and \$47.95 costs

Ms. Crystal Lackey 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. Ms. Smith seconded the motion and the motion passed unanimously.

Department Attorney Report

Mr. White informed the board that as of March 25, 2010, there were 370 open cosmetology cases in the legal section.

Board Member Comments

There were no board member comments.

Chair Comments

There were no comments from the chair.

Dates and Locations of Future Meetings

July 19-20, 2010 – Orlando
October 25-26, 2010 – Gainesville

Adjournment

There being no further business, the meeting was adjourned at approximately 10:45 a.m.