



## BOARD MEETING MINUTES

### ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES

April 17, 2015 AT 9:00 AM  
1721 East Broadway  
Tempe, Arizona 85282-1611

### **ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION**

The Board may go into ~~an~~ Executive Session for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3).

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

### **PLEDGE OF ALLEGIANCE**

Chairman Gary Begley called the Arizona State Board of Cosmetology Board Meeting to order at 9:00 a.m.

### **CALL TO ORDER AND ROLL CALL**

Gary Begley  
Karla Clodfelter - Absent  
Jessica M Stall-Rainbow  
Joe Verdugo  
Tammy L Acton  
Melissa C Porter  
Martha P Ramsey

## BOARD BUSINESS

1. Approval of Regular Board Minutes of March 20, 2015.  
MOTION by Joe Verdugo to approve minutes as written. MOTION SECONDED by Tammy Acton. MOTION CARRIED.
2. Declaration of Conflict of Interest.

Gary Begley declared for 88975 under Step 2. B.1.

Melissa Porter declared for 89197/89198 under Step 2. B. 45.

3. Discussion, Consideration and Possible Action on Cindy Vong and La Vie LLC, Appellants vs. Donna Aune, Arizona Court of Appeals.

**The Board may vote to go into “Executive Session” for the purpose of discussion and consideration of pending litigation pursuant to A.R.S. §38-431.03 (A) (4).**

- Court of Appeals, Division One, Case No. 1 CA-CV 13-0423 Decision in Favor of the Board Dated May 27, 2014
- Petition for Review and Response Filed in Arizona Supreme Court
- Arizona Supreme Court Decision in Favor of the Board Dated November 6, 2014
- Petition for Writ of Certiorari filed by Cindy Vong in the United States Supreme Court February 4, 2015.

Assistant Attorney General Bridget Harrington reported that we have not heard from the United States Supreme Court as to whether or not they will hear this case.

4. Discussion, Consideration and Possible Action on Proposed Legislation.

**Senate Bill 1320** Make Up Artists; A.R.S. §32-506, Exemption

### **Board Proposed Legislation HB2120:**

- A.R.S. §32-503 (C) (1) Requirements for Executive Director Position . Eliminate Licensing Requirements
- A.R.S. §32-507 (A) (3) (4) (8) Fees . Increase Fees and Doubling the Cap.
- A.R.S. §32-517 (A) and A.R.S. §32-535 Personal License Renewal . 2-Year Renewal for Personal and Instructor Licenses.

Executive Director Donna Aune reported that Senate Bill 1320 passed and was signed by the Governor and will take effect on July 3, 2015.

Executive Director Donna Aune also reported on Board Proposed Legislation HB2120 regarding the requirements for Executive Director Position and Personal

License Renewal 2-Year Renewal for Personal and Instructor Licenses both passed and were signed by the Governor which will also take effect on July 3, 2015.

**Additional Proposed Legislation Related to the Board:**

5. Discussion, Consideration and Possible Action on Public Service Announcement/Education Regarding Using Licensed Cosmetologists, Aestheticians and Nail Technologists.

Chairman Gary Begley stated he had worked with a company Smart Fam. They are an internet magazine and internet television station which have a lot of experience in this, and has expressed an interest in working with us and would be happy to do so. They can provide examples of what their company has to offer.

6. Discussion, Consideration and Possible Action on Special Investigation Report Regarding the Arizona State Board of Cosmetology by the Arizona Attorney General's Office.

**The Board may vote to go into "Executive Session" for the purpose of obtaining legal advice from the Board's Attorney pursuant to A.R.S. §38-431.03 (A) (3).**

9:20 a.m. MOTION by Tammy Acton to go into Executive Session for legal advice on Item #6 and for personnel questions on Item #7. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

7. Discussion, Consideration and Possible Action on Performance Review of Executive Director.

**The Board may vote to go into "Executive Session" pursuant to A.R.S. §38-431.03 (A) (1) for the purpose of "Discussion or Consideration of Employment, Assignment, Appointment, Promotion, Demotion, Dismissal, Salaries, Disciplining or Resignation of a Public Officer, Appointee or Employee of any Public Body, except that, with the exception of Salary Discussions, an Officer, Appointee or Employee may demand that the Discussion or Consideration occur at a Public Meeting.+**

- Letter of Commendation

9:55 Returned to Open Session.

MOTION by Tammy Acton to receive training from Assistant Attorney General Bridget Harrington regarding their roles as Board Members at the June 19, 2015, Board Meeting. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

8. Report on National Interstate Council (NIC) and Professional Credential Services (PCS) School Exam Overview to be held on June 1, 2015, at Embassy Suites Phoenix-Scottsdale in Phoenix, AZ.

Executive Director Donna Aune stated that the certification of examiners will be on Saturday and Sunday, Theresa and she will attend, Board Members are unable to attend. Monday June 1, 2015, will be the School Exam Overview, the Board Members are welcome to attend, however it is not required.

9. Cosmetology Students on Field Trip.
  - Questions and answers regarding Board authority and process

Students from Ddmage Beauty College were in attendance.

## **EXECUTIVE DIRECTOR'S REPORT**

1. Report and Discussion on Nanci Kerns Retirement and Position approximately 20 years as a Deputy Director and Board Investigator.

Executive Director Donna Aune reported that her Deputy Director Nanci Kerns has retired and we wish her well and all the happiness in the world.

2. Welcome and Introduction to Takejah Lambert, new Board Inspector.

Executive Director Donna Aune introduced to the Board Members our new Board Inspector Takejah Lambert, we welcome her she's wonderful and we are excited to have her here.

4. Summary of Current Events.

## **CONSENT AGENDA**

The Consent Agenda items may be considered for approval as a single action unless a Board Member or any other interested party wishes to remove the item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1, 2 & 3 pursuant to A.R.S. §38-431.03 (A) (2).

### **STEP 1: COMPLAINT REVIEW**

#### **A. Recommend Application Denials**

89283

Cindy Fernandez

*(Deny & accept w/\$250 negotiation terms; working prior to licensure)*

**MOTION by Joe Verdugo to deny and accept with negotiation terms. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.**

**B. Recommend Dismissals**

**MOTION by Tammy Acton to accept staff recommendations for all those listed below under Step 1 B & C. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.**

88431	Maple Beauty Shop, Unlicensed Arizona Grand Retirement	<i>(Establishment no longer in business)</i>
88432	Camelback Inn Beauty Salon #C323 Marriott Corp., Owner Todd Clist, President	<i>(No evidence to support allegations)</i>
88855	Annie's Fashion Nails #M14728 Annie Diem Huong Truong #10326740, Owner	<i>(No evidence to support allegations)</i>
89060	Steiner Institute of Esthetics #S23 Steiner Education Group, Owner Leonard Fluxman, CEO Jennifer K. Sevan #70227772, Director	<i>(No evidence to support allegations)</i>
89106	Estetica Unisex La Fayette #C5717 Maribel Magulod #19714836, Owner	<i>(No evidence to support allegations)</i>
89115	Ulta Salon Cosmetic Fragrance #C17579 Ulta Salon Cosmetics Fragrance Inc., Owner Stacy Presley Ponessa #11300474	<i>(Customer satisfaction)</i>
89171	Tierra Darby, Unlicensed	<i>(Refer to proper authorities)</i>
89187	Le Hair #SCOS16779 Kyrene Castro #10225249, Owner/Manager Erica Arrendono #11201581, Licensee	<i>(Customer satisfaction)</i>
89200/89201	9 Pretty Nails & Spa #SNT16747 & SAES17136 9 Pretty Nails & Spa LLC, Owner	<i>(No evidence to support allegations)</i>
89202	Jillian Olmsted #11200143	<i>(No evidence to support allegations)</i>

**C. Recommend Letter of Concern**

**See Motion Above.**

89251	Bellissime DeKarla Salon #SCOS22655 Karla A Clifton #19401419, Owner/Manager	<i>(Delinquent establishment license)</i>
89252	Occasions Hair and Nail Salon #SCOS23237 Arlene E Martinez #10800441, Co-Owner/Manager Barbara M Mendez #17516446, Co-Owner/Manager	<i>(Delinquent establishment &amp; delinquent personal license)</i>
89253	All About Hair Etc #SCOS22909 Maria J Lopez #19100477, Owner/Manager	<i>(Delinquent personal license)</i>
89288	European Nails & Spa #SNT16629 Don D Tran #10000259, Co-Owner/Manager Mindy Pham #50800653 & 31200540, Co-Owner/Manager	<i>(1/5 with sanitation violations &amp; personal license display)</i>
89289	Apache Wells Beauty & Barber Salon Inc #SCOS429 Apache Wells Beauty & Barber Salon Inc, Owner Denise R Brenner #19401329, President/Director	<i>(Delinquent personal license)</i>
89291/89292	Venus Nails & Spa in Mesa #SNT17556 & SAES18276 Venus Nails & Spa in Mesa LLC, Owner Phillip Tong #50501368, Member/Manager Mien T Nguyen #50600925, Member	<i>(1/4 with sanitation violations &amp; delinquent establishment licenses)</i>

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89341	A Graceful Touch of Beauty Hair Salon & Spa #SCOS19093 Grace G Rico # <del>9</del> 90330048 & 16910017, Owner/Manager	<i>(Delinquent personal license)</i>
89342	Eclips Cuts Salon Incorporated #SCOS21363 Eclips Cuts Salon Incorporated, Owner Rosamaria Duarte-Cocoa, President/Director Julieta Mungary, Vice-President/Manager	<i>(1/6 sanitation violations &amp; del. personal licenses)</i>
89343	Stars Beauty & Boutique #SCOS22506 Alba Felix Durazo #10600093, Owner/Manager	<i>(Delinquent establishment license)</i>

**D. Recommend Informal Interview or Negotiation Terms**

**MOTION by Tammy Acton to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.**

1. 88692 & Kool Nails #M17736 *(closed)*  
Vu Huynh #51100243, Former Owner  
Dismiss due to salon being closed, see motion above.  
89350/89351 Kool Nails #~~9~~ SNT17969 & SAES18893  
Lily Dung Ngo, New Owner  
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
2. 88959 Nail Time & Wax #A17433  
Nail Time LLC, Owner  
Ky Nguyen #50331266, Member  
Duc M Hoang #50100299, Member  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
3. 89057/89095 Super Touch Nails #~~9~~ M16994 & A17446  
Jensen Ta #51100364, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
4. 89061 Nailcensity Spa #M17689  
Sang Ngo, Owner  
Thanh Vuong N. Ngo #50700680, Manager  
Tam Thanh Thi Nguyen #51200145, Licensee  
Dismiss due to no evidence to support allegations, see motion above.
5. 89075 Phoenix Nails and Spa #M16451  
Ha Luong #50300115, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
6. 89110 Mandy M Samford #10200584  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
7. 89141 Gino of Switzerland #C11869  
Pia Stoppa #58500027, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

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8. 89143 Lois LV Nails #M14704  
John P Ho #50401370, Owner  
Vi Tuong Nguyen #50401360 & 30500090  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner John P. Ho to attend the Infection Protection/Law Review class given by the Board, see motion above.
9. 89148 Natalie B Burke #10123700  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
10. 89149 Nails Club #M17542  
Nails Club LLC, Owner  
James Tran, Member  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
11. 89168 Polish Me Pretty Nail Bar #M17681  
Polish Me Pretty Salon & Spa LLC, Owner  
Minh Vo #50501582 & 31400098, Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
12. 89175 Hello Gorgeous! Salon and Spa LLC #C24098  
Jennifer Krug #10901908, Member  
Dismiss due to no violation found, see motion above.
13. 89184/89185 Legacy Nails & Spa Salon #SNT14608 & SAES14560  
Legacy Nails & Spa Inc., Owner  
Nhan Le #10100204, Director/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
14. 89186 Brandi K Day #50123555  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
15. 89204/89214 Michelle+Huoc Thi Le #50500151 & 30500070  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
16. 89206 Do My Nails #SNT17067  
Do My Nails LLC, Owner  
Long T Nguyen #50400328, Member  
Joan Nguyen #51000589, Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
17. 89244/89230 ISV Nail Forum LLC #SNT17935 & SAES18838  
ISV Nail Forum LLC, Owner  
Ian Tea, Member  
Sovann Oun #51300053, Member  
Pau Lan Vong #51200210, Licensee  
Sreylen Defiormonte #31300033

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Offer a consent agreement to assess \$1,250.00 civil penalty and Board costs, for Member Ian Tea and Member Sovann Oun to attend the Infection Protection/Law Review class given by the Board, see motion above.

18. 89246 Vernelou Terry #10701292, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
19. 89247/89248 Kelly D Nails-Spa #SNT17902 & SAES18799  
Kiem Tram #50200031 & 30600912, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
20. 89249 Salon Serenity #SCOS20964  
Gwenevere McCullough #10500354, Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
21. 89250 Peace Love Hair #SCOS23996  
Tracy J Ford #19500093, Co-Owner/Manager  
Jennifer Yee #19817003, Co-Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
22. 89284 & Annamarie Cruz #11200218, Co-Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.  
89285/89286 Virginia Cruz-Medina #90800015 & 18801019, Co-Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
23. 89287 Jessica M Alvarez Armenta #11102335, Licensee  
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
24. 89293 & Salon on Central #SCOS21909  
Eloise Edgar, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.  
89294 Loren Lucero #58201447, Licensee
25. 89332 Icon Hair Architecture #SCOS19370  
Gorgeous LLC, Owner  
Radhika Barcus #10600706, Member  
James Barcus, Member  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
26. 89333 Divas Hair Salon #SCOS20421  
Martha Rosa Vasquez #10801293, Owner  
Offer a consent agreement to assess \$750.00 civil penalty and Board costs and 2-years probation, see motion above.



MOTION by Joe Verdugo to move that for case 89076 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.R.S. § 32-544 / A.A.C. R4-10-107 (B) Delinquent Establishment License  
A.R.S. § 32-543.1 / A.A.C. R4-10-113 (A) (1) Required Establishment License Display  
A.A.C. R4-10-111 (A) Advertising Differently  
A.A.C. R4-10-111 (F) Posting out Services Not Regulated by the Board  
A.A.C. R4-10-403 (C) (2) Salon Requirements & Minimum Equipment  
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

**STAFF REPORTED NO HISTORY**

MOTION by Joe Verdugo to move that for case 89076 to impose the following discipline and to maintain Consent Agreement terms previously offered to Licensee. MOTION SECONDED by Tammy Acton. MOTION VOTED DOWN.

MOTION by Tammy Acton to move that for case 89076 to impose the following discipline and to maintain Consent Agreement terms previously offered to Licensee. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

4. 87737/88481 Alina Gifford #10900051 **10:00 a.m.**  
**No Show; to formal hearing**

5. 88740 Posh Hair and Spa #C23910 **10:00 a.m.**  
Posh Hair and Spa LLC, Owner  
Debbie Lee Ivens, Member  
**NEGOTIATED \$250**

6. 88777 Christina A Smith #10124372 **10:00 a.m.**  
Christina Smith appeared was sworn in and stated that the two previous salons she worked at closed down and she needed to find a place to work immediately. She stated she was aware she needed an establishment license it took a while to get that going. She stated that she now has an establishment license and stopped working after Amber came in and did not return to work until she received her license. Inspector Amber Moore testified that the establishment was unlicensed and Christina Smith had a leather pouch in a soiled drawer and hair on the station.

MOTION by Tammy Acton to move that for case no. 88777 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (C)(E)(2)(R)(5) Infection Control/Safety Standards  
A.R.S. § 32-574 (A)(5)(8) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon licensed & operate a salon or school without being licensed.

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

**STAFF REPORTED NO HISTORY**

MOTION by Tammy Acton to move that for case no. 88777 to impose the following discipline to Issue a Letter of Concern for working in an unlicensed establishment. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

7. 88831/88832 Model Nails by Phuong #~~CS~~ SNT17879 & SAES18759 **10:00 a.m.**  
Model Nails by Phuong LLC, Owner  
Phuong Khanh Mangus #~~CS~~ 50400347 & 31200760, Manager  
Du Van Huynh #51300501, Licensee  
**NEGOTIATED \$250**

8. 88852 Alicia Nicole Zillner #11400953 **10:00 a.m.**

**NEGOTIATED \$500/PAID**

9. 88878 & Laurie Evans #30800717 **10:00 a.m.**  
**NEGOTIATED \$50**  
89144 & Deborah Jeska #30500633  
**NEGOTIATED \$50**  
89145 & Ashli Thielbar #30601095  
**NEGOTIATED \$50**  
89146 Pamela Springer #39500035  
**NEGOTIATED \$50**
10. 89316/89317 Huyen Pham #~~5~~ 50300020 & 31300104, Former Member **10:00 a.m.**  
Huyen Pham appeared was sworn in and stated the she did notify the Board of ownership change on Monday December 1, 2014. She came into the office with the new owner and filled out a new application. Staff verified when application was received.  
MOTION by Tammy Acton to move that for case no~~5~~. 89316 & 89317 all alleged violations cited in the Investigation Report have not been shown and therefore should be dismissed. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.  
89241/89242 My Thi Tran #~~5~~ 51100622 & 31200651, New Owner  
**NEGOTIATED TO ATTEND BOARD CLASS**
11. 88956 & Happy Feet Nails & Spa LLC #M15748 **10:00 a.m.**  
Happy Feet Nails & Spa LLC, Owner  
**NEGOTIATED \$250/\$35 RESTITUTION**  
89321 & Lien Tran, Member/Manager  
**NEGOTIATED TO ATTEND BOARD CLASS**  
89322 & Linh Nguyen Member/Manager  
**NEGOTIATED TO ATTEND BOARD CLASS**  
89323 %Danny+Ngoc M Pham #50501086, Licensee  
**NEGOTIATED TO ATTEND BOARD CLASS**
12. 88998 Maricopa Skill Center Cosmetology Program #S55 **10:00 a.m.**  
Maricopa County Community College District, Owner  
Gayla M Burnett #90700051, Director  
Lisa K Hemming #90100009, Program Manager  
89006 Maricopa Skill Center Cosmetology Program #S55  
Maricopa County Community College District, Owner  
Gayla M Burnett #90700051, Director  
Lisa K Hemming #90100009, Program Manager  
Rochelle Lederman #90500043, Instructor  
89025 Maricopa Skill Center Cosmetology Program #S55  
Maricopa County Community College District, Owner  
Gayla M Burnett #90700051, Director  
Lisa K Hemming #90100009, Program Manager  
**CONTINUED**
13. 89027/89028 J L Nails #M17008 & A17459 **10:00 a.m.**  
Yen Phi Le #~~5~~ 50300197 & 31300451, Member/Manager  
**No Show; to formal hearing**
14. 89078 KT Nails #SNT17281 **10:00 a.m.**  
Vy Trang Thuy Le #~~5~~ 50331475 & 30900020, Owner/Manager  
**NEGOTIATED \$250**

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|-----|------------------------|--|-------------------|
| 15. | 89081/89082            | Instyle Nails and Spa #SNT17891 & SAES18786<br>Huy X Le #59600706, Owner/Manager<br><b>NEGOTIATED \$250/PAID</b>   | <b>10:00 a.m.</b> |
| 16. | 89084                  | Vanity Nail Bar #M17693<br>S & C Management LLC, Owner<br>Cindy+Alejandra Fernandez, Member/Manager<br>Susan Fernandez, Member/Manager<br><b>NEGOTIATED \$500</b>  | <b>10:00 a.m.</b> |
| 17. | 89085/89086 &<br>89324 | LenaLuxury Nails #M14789 & A14728<br><b>NEGOTIATED \$250</b><br>Jenny N Le #10000630, Owner<br><b>NEGOTIATED TO ATTEND BOARD CLASS</b>   | <b>10:00 a.m.</b> |
| 18. | 88956                  | Nail-Tique LLC #C22035<br>Nail-Tique LLC, Owner<br>Rhonda I Erdmann #58500034, Member/Manager<br>Jeff Thompson #18428690, Member/Manager<br>Dena L Loos #18124865, Member/Manager<br><b>NEGOTIATED \$500</b>   | <b>10:00 a.m.</b> |
| 19. | 89093                  | Hung Hminh Nguyen #50600570, Owner<br><b>NEGOTIATED \$750/6-Month Probation/1<sup>st</sup> Payment Submitted</b>   | <b>10:00 a.m.</b> |
| 20. | 89097                  | Salon Kismet LLC #C19948<br>Salon Kismet LLC, Owner<br>Dina Firnstahl #19100632, Member<br>Margaret Kerley #19401171, Member<br>Dina Firnstahl and Margaret Kerley appeared were sworn in and stated that the day of the inspection a Monday the salon was not open, they were unaware of the two individuals that were in the salon at the time, a nail tech and a stylist. The stylist had taken a client on that day due to an emergency. The Saturday prior the work station were left clean and everyone left in a hurry as it was over the holiday season. The cleaning lady comes in on Sunday or Monday when the salon is closed. Inspector Amber Moore testified that the large wet disinfectant was not large enough for complete immersion and was contaminated, nine out of ten licensees were found with sanitation violations at their stations and two licensees with soiled individual wet disinfectant.<br>MOTION by Tammy Acton to move that for case 89097 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Melissa Porter.<br>MOTION CARRIED.<br><b>SUBSTANTIATED VIOLATIONS</b><br>A.R.S. § 32-541 (B) / A.A.C. R4-10-112 (A)(4. a. & c.)(B)(C)(E)(7) Infection Control/Safety Standards<br>A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications<br><b>HISTORY</b><br>83924 . 12/16/2011 . Letter of Concern . Delinquent Personal License<br>87215 . 10/08/2013 . Letter of Concern - Delinquent Personal License<br>MOTION by Tammy Acton to move that for case 89097 to impose the following discipline and to maintain Consent Agreement terms previously offered to Licensee.<br>MOTION SECONDED by Melissa Porter. MOTION CARRIED. | <b>10:00 a.m.</b> |
| 21. | 89098 &<br>89338/89339 | Cherry the Salon Inc #C17878<br>Cherry the Salon Inc, Owner<br>Leslie D Lammers #59100345 & 39700066, President/Manager  | <b>10:00 a.m.</b> |

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**No Show; to formal hearing**

22. 89099 Beyond Waycool the Hair Experience #C17449 **10:00 a.m.**  
Waycool Hair Exp Inc, Owner  
Christy M Schiedemeyer #18124575, President/Manager  
**NEGOTIATED \$250/PAID**
23. 89100/89101 Centre Pointe Nail & Spa #C M17019 & A17473 **10:00 a.m.**  
Phong Nguyen, Owner  
Huyen Chi Ho Le #C 50500087 & 31200480, Manager  
**NEGOTIATED \$250**
24. 89102/89103 & TiffanyC Spa Nails #C M17914 & A18812 **10:00 a.m.**  
Phat T Loi, Owner  
**NEGOTIATED \$750**  
89325 Linh Loi #C 50331301 & 31100357, Manager  
**NEGOTIATED TO ATTEND BOARD CLASS**
25. 89104 RochelleC Salon & Spa #C12969 **10:00 a.m.**  
Grey Inc, Owner  
Grey K Toy Jr, President/CEO  
Rochelle Quema #19200882, Vice-President/Manager  
**NEGOTIATED \$250**
26. 89108 Karrma Salon and Day Spa #C17298 **10:00 a.m.**  
Thuy Karr #30400358, Owner  
**NEGOTIATED \$500/PAID**
27. 89109 Roschelle Murillo #11300317 **10:00 a.m.**  
Roschelle Murillo appeared was sworn in and stated she bought for salon in June and dealt with a broker and was told that an inspection would be done and we would do all of the paper work and switch the license over to me, so I was waiting for that. I got a notice on a closed day that someone was there, I went to see when they wanted to come back in, they said we did not have a license. I went and filled out the application and paid all fees, closed the salon down for 2-weeks until I received the license.  
MOTION by Tammy Acton to move that for case no. 89109 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.  
**SUBSTANTIATED VIOLATIONS**  
A.R.S. § 32-574 (A)(5)(8) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon licensed & operate a salon or school without being licensed.  
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications  
**STAFF REPORTED NO HISTORY**  
MOTION by Tammy Acton to move that for case 89109, to impose the following discipline and to Board Order Licensee Roschelle Murillo to attend the Infection Protection/Law Review class within sixty-days.  
The investigative findings on or about January 30, 2015, Board Investigator found that Licensee was working and operating an unlicensed establishment which is a violation of the statute A.R.S. § 32-574 (A)(5)(8). MOTION SECONDED by Martha Ramsey. MOTION CARRIED.
28. 89118 Leidan Mitchell #C18426 **10:00 a.m.**  
Leidan Mitchell II LLC, Owner  
Jacki B Tatman, Member

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- Erin Essert #18327799, Member  
**NEGOTIATED \$500**
29. 89119/89120 Tammy's Pro Nails & Spa #s M16774 & A17958 **10:00 a.m.**  
Hong Thi Nguyen #10600441, Owner/Manager  
**NEGOTIATED \$500**
30. 89122 Zealous Hair Lounge LLC #C24107 **10:00 a.m.**  
Zealous Hair Lounge LLC, Owner  
DeMeka Tonth #s 11102294 & 91400047, Member/Manager  
**NEGOTIATED \$250**
31. 89123 Artisan Salon Inc #C17752 **10:00 a.m.**  
Artisan Salon Inc, Owner  
Martina Dietrich-Neal #10700673, President/Manager  
**NEGOTIATED \$250**
32. 89127 & 89326 Repose Salon & Spa #C23546 **10:00 a.m.**  
City Scape Salon LLC, Owner  
Steven M Maun, President/Secretary  
**NEGOTIATED \$750/6-Month Probation**  
Stefanie Linn Richards #11301922, Manager  
**NEGOTIATED TO ATTEND BOARD CLASS**
33. 89129 Refresh Salon & Vintage Décor #C23018 **10:00 a.m.**  
Gregory Finck #39400059, Owner  
**NEGOTIATED \$250**
34. 89152 Rosa's Beauty Salon LLC #C24154 **10:00 a.m.**  
Rosa's Beauty Salon LLC, Owner  
Jesus Barrera Medina, Member  
**Continued**
35. 89154 Tommy Nail Spa #M17307 **10:00 a.m.**  
Peter Nguyen #50700851, Owner/Manager  
**NEGOTIATED \$500/PAID**
36. 89156/89157 Florence Nails & Spa #s M17164 & A17675 **10:00 a.m.**  
John Thanh Nguyen #50600008, Owner/Manager  
**NEGOTIATED \$750**
37. 89158 Shear Bliss Salon #C19485 **10:00 a.m.**  
Shear Bliss Salon LLC, Owner  
Sarah Kelley, Member  
Suzanne Strickland, Member  
**No Show; to formal hearing**
38. 89163 JC Penney Styling Salon and Day Spa #SCOS9150 **10:00 a.m.**  
JC Penney Company Inc, Owner  
A. I. Questrom, CEO  
Madeline Crespo #11001613, Manager  
**NEGOTIATED \$250**
39. 89164 Toni & Guy #C9275 **10:00 a.m.**  
Phoenix Salon Association LLC, Owner

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Gerry Watkins #18225407, President  
 Mark Smith #18124768, Vice-President  
 Sabio Vilorio #17820453, Secretary  
 Caleb A Watkins #10801247, Manager  
**NEGOTIATED \$750/6-Month Probation**

40. 89166 Regis Hairstylists #450 #C5685 **10:00 a.m.**  
 Regis Corp, Owner  
 Dan Hanrahan, President  
 Steve Spiegel, Vice-President  
 Eric Bakken, Secretary  
 Kelsey J Leonard #11101599, Manager  
**NEGOTIATED \$250**

41. 89172 & Care Nails & Spa #M16023 **10:00 a.m.**  
 Tri Thai, Owner  
**NEGOTIATED \$500/\$31 RESTITUTION**  
 89327 Giang T Nguyen #59714764, Licensee  
**NEGOTIATED TO ATTEND BOARD CLASS**

42. 89190 Holly's Nails #SNT17010 **10:00 a.m.**  
 Quy Van Le, Owner  
 Holly H Doan #50700763 & 31100258, Manager

Holly Doan appeared was sworn in and stated when she hired him she asked about his license, he showed her his license she has known him for a long time his name is Jason and she trusted him. She asked him to put his license on the wall, but then took it to his car. She told Jason if State Board comes in they need to see your license he said don't worry I will take care of it for you, and that he has had somebody use his license before and he wants to keep it safe and she did not want to fight with him. Bobbie came in to check and said that he did not have a license. Investigator Bobbie Johnson testified that Dung %Jason+ Tran unlicensed was working on a client.

MOTION by Tammy Acton to move that for case 89190 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.R.S. § 32-574 (A)(1)(2)(4) Unlicensed Individual

A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

MOTION by Tammy Acton to move that for case 89190 to impose the following discipline and to maintain Consent Agreement terms previously offered to Licensee.

MOTION SECONDED by Melissa Porter. MOTION CARRIED. Gary Begley and Martha Ramsey VOTED NAY.

43. 89191 Noble Nails LLC #SNT17931 **10:00 a.m.**  
 Noble Nails LLC, Owner  
 Anna Nga Bui #50400592 & 30400147, Member/Manager  
**NEGOTIATED \$250**

44. 89194 & Rebecca Embry #39818642, Licensee **10:00 a.m.**  
**NEGOTIATED \$250**  
 89195 & Heather Thomas #30124798, Licensee  
**NEGOTIATED \$250**  
 89196 Megan Lysenko #31400313, Licensee  
**NEGOTIATED \$50**

45. 89197/89198 Amomi Pregnancy Wellness Spa #SNT17223 & SAES17757 **10:00 a.m.**

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Scottsdale Perinatal Associates PLLC, Owner  
Cathleen Harris M. D., Member  
Karrie Francois M. D., Member  
Eve Marie Lussier #59300140, Manager  
**CONTINUANCE GRANTED**

46. 89209/89210 & Herbal Nail Bar LLC #SNT17201 & SAES17724 **10:00 a.m.**  
Herbal Nail Bar LLC, Owner  
**CONTINUANCE GRANTED**  
89329/89344 & Nga Thi Ngoc Nguyen #S 51100339 & 31200285, Member  
**CONTINUANCE GRANTED**  
89330/89345 & Thao Thi Nguyen #S 50900149 & 31000409, Member  
**CONTINUANCE GRANTED**  
89331 Quyen Huu Dinh #51100561, Manager  
**CONTINUANCE GRANTED**

47. 89211 & True Colors #SCOS20401 **10:00 a.m.**  
True Colors LLC, Owner  
Nancy Banks #10801603, Member  
James Banks, Member  
**No Show; to formal hearing**  
89212 & Joanna Hernandez #39500019, Licensee  
89213 Sherri Lynn Wallace #11400710, Licensee

48. 89221 Mirror on the Wall Beauty Salon #SCOS777 **10:00 a.m.**  
Susan Lockett #18124194, Owner/Manager  
**NEGOTIATED \$250**

49. 89226 & Stesha Larson #50501011, Licensee **10:00 a.m.**

Stesha Larson and Haleigh Robbins was sworn in and stated they did polish changes, used no tools, filed only a select few nails, no clipping of nails, no cuticle work, had hand sanitizer, hospital grade disinfectant and new files. Licensee stated that salon goes out on location a lot to do weddings. Nick Neuman owner of the restaurant was sworn in and stated that he started a promotion %Martinis and Manicures+and recruited the girls to do nail polish changes. He was under the impression as long as they were licensed, that was sufficient. He is here to support the girls as this was his idea. Investigator Bobbie Johnson testified that this was an anonymous complaint and found that nails services were being performed in an unlicensed establishment while customers of the restaurant were eating.

MOTION by Tammy Acton to move that for case nos. 89226 & 89229 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.R.S. § 32-574 (A)(5) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon licensed.

A.R.S. § 32-541 (B)/A.A.C. R4-10-112(A)(4)(E)(7)(S)(4)(8)(T)(3) Infection Control/Safety Standards

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

**STAFF REPORTED NO HISTORY**

MOTION by Tammy Acton to move that for case nos. 89226 & 89229, to Issue a Letter of Concern to licensees Stesha Larson and Haleigh Robbins for working in an unlicensed establishment. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

- 89227 & Snow Harner #51100205, Licensee  
**NEGOTIATED \$50**

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89228 & Kathryn Pitrat #11200061, Licensee  
**CONTINUED – RETURN TO SENDER**  
89229 Haleigh Robbins #11400204, Licensee  
See motion under Step 2. B. 49 #89226

50. 89234 Amy B Kromah #11100399, Owner/Manager **10:00 a.m.**

Amy Kromah was sworn in and stated that she had moved in to the new location 2 ½ weeks and set the salon up before she left to travel, she stated she had 6-months left on her previous license, so she figured she would change license when she returns. Inspector Amber Moore testified that the establishment was unlicensed due to a location change which took place 3-weeks prior.

MOTION by Tammy Acton to move that for case 89234 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.R.S. § 32-574 (A)(5)(8) Unlicensed Establishment  
A.R.S. § 32-545/A.A.C. R4-10-402 Salon Location Change  
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

**HISTORY**

87749 . 2/27/2014 . Letter of Concern . Operating with an Inactive Establishment License

MOTION by Tammy Acton to move that for case 89234 to dismiss due to provided application in a timely manner. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

51. 89235 Shear Toxic #SCOS23873 **10:00 a.m.**

Melissa Rooen #10900588, Co-Owner/Manager  
Donna Eversult #11300789, Co-Owner/Manager  
**NEGOTIATED \$250**

52. 89236 Let's Lash #SCOS24719 **10:00 a.m.**

Let's Lash LLC, Owner  
Lori Myers #11301703, Member/Manager

Lori Myers was sworn in and stated that at the salon they do only eyelash extensions, the shampoo bowl was taking up space and was removed and have now applied for an aesthetic establishment license. Investigator Bobbie Johnson testified that there was no required shampoo bowl. They have a cosmetology establishment license instead of an aesthetic establishment license. The salon previously had a shampoo bowl and was removed.

MOTION by Melissa Porter to move that for case 89236 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

AAC R4-10-112 (C)(2) Salon Requirements & Minimum Equipment  
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

**STAFF REPORTED NO HISTORY**

MOTION by Melissa Porter to move that for case 89236 to Issue a Letter of Concern for not having the proper establishment license and salon required and minimum equipment. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

53. 89238/89239 Nails by Andy #SNT17768 & SAES18589 **10:00 a.m.**

Nails by Andy LLC, Owner  
Andy Doan Lu #50400410, Owner/Manager  
**NEGOTIATED \$500**

54. 89240 Abloom Salon #SCOS23666 **10:00 a.m.**

Abloomsalon LLC, Owner



MOTION by Joe Verdugo to accept staff recommendation to reinstate license 10800089 upon compliance of class attendance. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

### **E. Appeal Board Orders**

None

### **F. Discussion, Consideration and Possible Action on Revision of Proposed Consent Agreement Terms and Letter of Concern Cases.**

88785 Pure Aesthetics, #S17  
Pure Aesthetics LLC, Owner  
Kaelene Johnson, Member  
Tina Arvizu #71300007, Instructor  
Lily Blitzer #39900012, Student Instructor  
Continued from March Board Meeting

Compliance Supervisor Joanne Ayotte asked the Board Members if they would rescind the \$250 civil penalty and issue a Letter of Concern for an incomplete student instructor file.

MOTION by Tammy Acton to rescind the \$250 civil penalty and to issue a Letter of Concern for a student instructor file which was incomplete. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

### **STATUS AND ADDITIONS TO AGENDA**

88789/88950 & San Tan Nails & Spa #M16523  
89048/89233 San Tan Nails & Spa #A16815  
Son Tang, Owner  
Tina Tang #51000047, Licensee

Compliance Supervisor Joanne Ayotte reported to the Board Members on a Board Ordered re-inspection which was done on March 26, 2015, by Investigator Bobbie Johnson and resulted in an unsatisfactory grade+, however it was much better. There were eight licensees and only one with soiled tools and the last inspection sheet not posted.

For Board Information Only:

### **ADJOURN**

MOTION by Martha Ramsey to adjourn the meeting at 12:15. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

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